



EJIS

EUROPEAN JOURNAL OF
INTERDISCIPLINARY STUDIES

July December 2022

Volume 8, Issue 2

ISSN 2411-958X (Print)

ISSN 2411-4138 (Online)

ISSN 2411-958X



9 772411 958003 >

REVISTIA
PUBLISHING AND RESEARCH

EUROPEAN JOURNAL OF INTERDISCIPLINARY STUDIES

July - December 2022

Volume 8, Issue 2

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Address: 11, Portland Road, London, SE25 4UF, United Kingdom

Tel: +44 2080680407

Web: <https://ejis.revistia.org>

Email: office@revistia.org

ISSN 2411-958X (Print), ISSN 2411-4138 (Online)

Indexed in Elsevier's Mendeley, WorldCat, RePEc & Ideas, Google Scholar, Index Copernicus, Crossref & DOI and PKP

Key title: European journal of interdisciplinary studies

Abbreviated key title: Eur. j. interdiscip. stud.

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TABLE OF CONTENTS

THE INFLUENCE OF THE AFRICAN RELIGIOUS AND CULTURAL CONTEXT AND ITS IMPACT ON LUTHERANISM: THE CASE OF GREATER SEKHUKHUNE DISTRICT MUNICIPALITY	1
MORAKENG EDWARD KENNETH LEBAKA	
PORTRAITS OF WOMEN FOUNDERS AND LEADERS IN THE NORTH OF PORTUGAL: DO ACADEMIC QUALIFICATIONS MATTER IN THE CULTURAL PATTERNS OF FAMILY FIRMS?	22
ANA PAULA MARQUES	
AUSTRIAN-ITALIAN ENCOUNTERS: NOTES ON SOME FILMS PRODUCED BETWEEN ROME AND VIENNA IN THE 1930S	46
FRANCESCO BONO	
THE ROLE OF KNOWLEDGE MANAGEMENT TO ENHANCING PUBLIC SERVICES IN DUBAI	60
NEK KAMAL YEOP YUNUS	
MOHAMED SAIF RASHID	
THE ELEMENTS OF FREEDOM OF EXPRESSION IN THE LIGHT OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS	70
BORA ERDEM, PH.D.	
EMPLOYED STUDENTS' DEVELOPMENT CHALLENGES IN GEORGIA.....	81
EKATERINE GULUA	
NATALIA KHARADZE	
ARE FTA'S MAKING THE WORLD LESS FREE? A CASE STUDY OF TPP	113
KEREM ÖZSÜLLÜ	
WORKPLACE SEXUAL HARASSMENT AND ITS UNDERREPORTING IN PAKISTAN	126
ABDUL HADI	
THE ASSOCIATION BETWEEN SLEEP DEPRIVATION, AGGRESSION, AND ANTISOCIAL BEHAVIOR IN ADOLESCENTS IN EJIGBO, LAGOS, NIGERIA.....	137
OLANIYI MAKINDE	
KARIN ÖSTERMAN	
KAJ BJÖRKQVIST	
FORCED MIGRATION, UNWANTED ACCEPTANCE, UNCERTAIN FUTURE OF SYRIAN REFUGEES: THE STRUGGLE FOR LEGAL STATUS	145
ŞEVKET ÖKTEN	

The Influence of the African Religious and Cultural Context and Its Impact on Lutheranism: The Case of Greater Sekhukhune District Municipality

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Abstract

In Greater Sekhukhune District Municipality, traditional religion has played a significant role in transforming Christianity by confronting it with the decisive issue of indigenization. The purpose of this study was, therefore, to examine the inter-religious relations among Christianity and African Traditional Religion (ATR), and to explore how African religious and cultural values have impacted on Christian – ATR relations within the municipality, and how the latter has, also, been affected by the former. The primary research question raised in this study is: what is the relevance of indigenous people's music in the existing (Lutheran) liturgy? The study employed an intercultural theological approach to Science and Religion, and the analysis is based on acculturation and the principle of elimination by substitution. The study also utilized a triangulated and contextual approach, and data was collected through observations, face-to-face interviews and video recordings of rehearsals and performances during church services and other related events. Secondary sources included published books and Journal articles. The investigation has revealed that the integration of spiritual folk songs (choruses), traditional musical instruments, handclapping, and dancing into liturgical church service of almost all Evangelical Lutheran churches found in Greater Sekhukhune District Municipality, has not compromised the essence of Lutheran tradition. It has rather encouraged maximum, active and unimpeded participation in liturgical church service and/or Congregational singing. Indications from the investigation have also shown that the dimensions of rhythm play an important role to contextualize and Africanize the existing (Lutheran) liturgy, in order to make the missionary qualities of worship an integral part of mission work. During the study, it was also observed that musical creativity and musicality in the visited churches embrace other elements such as the capacity for becoming absorbed emotionally in music and the ability to enter into an intimate relation with it, so that the whole organization of the soul is affected. It was concluded that it is indeed of great significance that indigenous people's music should be

regarded as a matter of relevance and ultimately becomes a vessel which carries the full meaning of the Gospel.

Keywords: African religious, Lutheranism, Greater Sekhukhune Municipality, cultural context, traditional religion.

Introduction

Greater Sekhukhune District Municipality is one of the municipalities found in Limpopo Province (**see Fig. 1**). In the Bapedi society, religion¹, culture, music, and spirituality² are broad and complex concepts which vary their understanding according to different cultural, religious, and musical backgrounds. Within Bapedi people's cultural context, spirituality is linked to the expression of religiosity, and religiosity can be described as the way an individual follows and experiences or practices a particular religion, whether intrinsically or extrinsically. Beliefs can be considered as the cognitive dimension of spirituality, an affirmation of something considered real, which varies according to the culture; and spirituality can be considered a source of coping to handle crisis and stressful moments, and related to positive meanings in the face of challenges, such as health problems. To Bapedi people, music seems to be intertwined in the everyday life, as something to enjoy, relax with, regulate stress, and so on. This characteristic seems to accord with much published research on everyday uses of music (Lo-Bamijoko 2015; Isabirye 2021; Monteiro & Wall 2011; Silverman 2018).

Bapedi people have faith in themselves. Their belief system is connected to God through their intermediaries (ancestors – the living – dead). They acknowledge that God exists, and He is the Supreme God. Their spiritual experiences have a strong impact on characteristics of physical and emotional well-being associated with health and wellness. Within Bapedi cultural context, music functions as a cultural immunogen and a psychospiritual container wherein the body and the spirit are connected and there is an integral relationship between music and spirituality. Among Bapedi people music has an important role to play in ritualistic and spiritual healing practices, and is capable of affecting and eliciting experiences in health care and creating a positive emotions and spiritual wellbeing.

¹ In the context of this study, Nweke (2020:43) defines Indigenous religion in Africa as the way Africans understand and worship their god. According to him, this religion is found in almost all the activities of the African man. In his view, African traditional religion cannot be discussed without mentioning that it is the way of life of the people of Africa, and so cannot be differentiated from the politics, education, and socialisation, etc. of the people which are all together (2020:43).

² According to Le Roux and Sauer (2016:162), the term 'spirituality' is derived from Latin '*spiritus*', meaning 'breath', and related to the Greek *pneuma* 'breath' which refers to the vital spirit or soul.

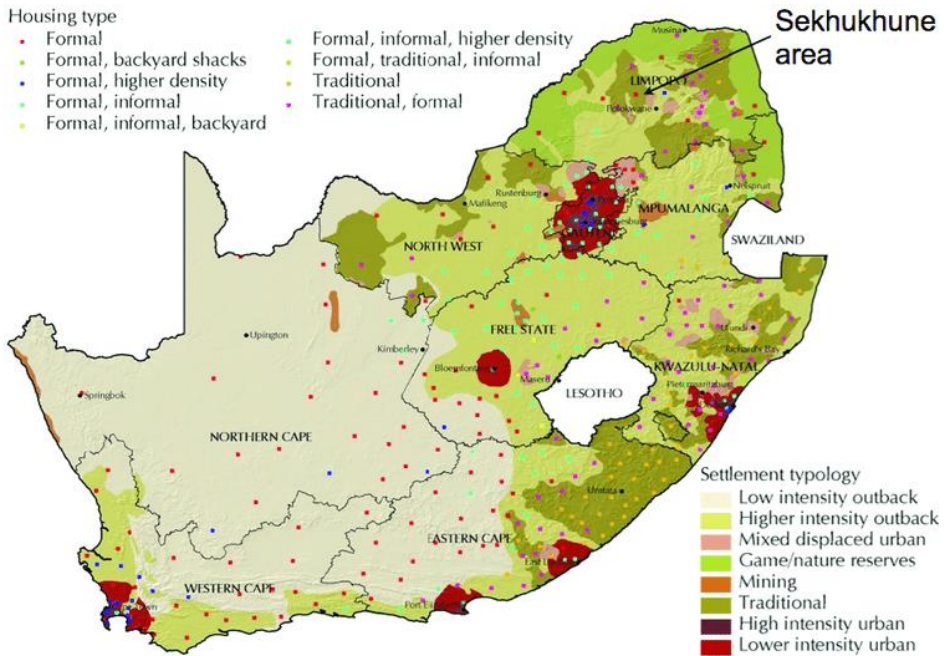


Figure 1

Figure 1: Geographical Location Map of South Africa showing Limpopo Province & Greater Sekhukhune District Municipality.

https://www.researchgate.net/figure/Map-of-human-settlements-in-South-Africa-showing-Sekhukhune-area-in-Limpopo-province-with_fig1_228092563 [accessed 21 June 2022].

In Greater Sekhukhune District Municipality music creates an emotional and cognitive context that is conducive to a feeling of well-being or a state of alertness or relaxation in accordance with the needs of the situation. Bapedi people use music on a regular basis to re-focus one's attention or address and align oneself with troubling memories to spark an emotional catharsis. This gives evidence that music may also be used to change one's mood or forget about one's worries.

Corroborating the above observations, de Brito Sena et al. (2021:6) observe that spirituality is a complex and multidimensional part of the human experience, and has cognitive, experiential and behaviour aspects. According to de Brito Sena et al., the cognitive or philosophic aspects include the search for meaning, purpose and truth in life and the beliefs and values by which an individual lives (2021:6). These scholars postulate that the experiential and emotional aspects involve feelings of hope, love, connection, inner peace, comfort, and support (2021:6). In their view, these are reflected in the quality of an individual's inner resources, the ability to give and receive spiritual love and the types of relationships and connections that exist with

self, the community, the environment and nature, and the transcendence. In the same vein, Singh and Bhagwan (2020:409) write that drumming is a common practice in the African tradition which enhances the way in which individuals and communities call on their ancestors. Singh and Bhagwan contend that people are believed to experience a sense of calmness and guidance, as they feel the presence and closeness of the ancestors when they drum (2020:409). These scholars believe that drumming fosters a spirit of togetherness with community members and family (2020:409).

Sharing more insight of the concept 'spirituality' Le Roux and Sauer (2016:163) remark that spirituality alone is not necessarily considered to be a positive factor, as people may use it toward negative or positive ends. According to Le Roux and Sauer, through spirituality, individuals attempt to perceive their world, themselves, and their needs in terms of their connection to the self, others, nature and God, and music is capable of affecting spiritual aspects with emotional needs in health care and can contribute to the 'wholeness' perception of a person (2016:163). Based on the foregoing, Bapedi traditional religion has played a significant role in transforming Christianity¹ by confronting the missionaries' activities, Lutheranism inclusive, with the decisive issue of indigenization. Their bold response to acculturation yielded significant results. According to Lebaka (2020:1; 2017:165), culture change usually took place over an extended period, but in Sekhukhune district, acculturation took place at a tremendous speed. Lebaka writes that missionaries of all church denominations from different cardinal points across the globe were heartily welcomed into Bapedi society in Sekhukhune district, Limpopo province, to establish churches and schools as the main vehicles for the dissemination of European culture (2020:2). According to Lebaka, the missionaries were skilful and helpful in many ways, unfortunately they did not take into consideration the traditional beliefs, customs and practices of the Bapedi people. Instead of adding to the Bapedi cultural practices, they applied the principle of elimination by substitution (2020:7). A serious attack, for instance, was launched on Bapedi traditional and religious beliefs, customs and practices – polygamy, ancestor veneration, initiation or circumcision, traditional religious music, traditional healing systems, etc. (2020:5). This puritanical attitude frowned upon and condemned incorporation of any indigenous religious and cultural expression into Bapedi Christian life, and this undermined those positive values of indigenization and inter-religious relations among Christianity and African Traditional Religion (ATR), as well as the cultural blend within Evangelical Lutheran Congregation singing context.

Theoretical Perspective

¹ Christianity in the context of this study is based on the life and teachings of Jesus Christ (Nweke 2020:43). According to Nweke, it is a missionary religion holding that Christ's message, as intended for the whole world, is not just for a particular area of people, instead it is for everyone as we can see in Mark 16:15ff. Jesus gave the injunction "Go ye into the world and preach the gospel to all creation".

This study is underpinned by the theory of cultural risk often referred to as 'Cultural Theory', developed by Mary Douglas (1992). This theory focuses on collective, social, and shared conventions that influence individual perceptions (Douglas 1982:40). Cultural theory proposes that individuals choose what they fear in relation to their way of life – that is, in relation to the 'culture' they belong to (Douglas and Wildavsky, 1982; Thompson et al., 1990; Douglas, 1997). The theory advocates that, structures of social organization endow individuals with perceptions that reinforce those structures in competition against alternative ones (Douglas, 1966). Two features of Douglas's creative work inform the basic structure of cultural theory. The first is a general account of the social function of individual perceptions of social dangers. Douglas argues that this tendency plays an indispensable role in promoting certain social structures, both by imbuing a society's members with aversions to subversive behaviour and by focusing resentment and blame on those who defy such institutions (1996:4). The second important feature of Douglas's work is a particular account of the forms that competing structures of social organization assume. Douglas and Wildavsky (1992) stress that individuals are embedded in a social structure and that the social context of individuals shapes their values, attitudes, and worldviews. Douglas maintains that cultural ways of life and affiliated outlooks can be characterized (within and across all societies at all times) along two dimensions, which she calls 'group' and 'grid' (1970). According to her, a 'high group' way of life exhibits a high degree of collective control, whereas a 'low group' one exhibits a much lower one and a resulting emphasis on individual self-sufficiency (1970). Attesting to Douglas' viewpoints, Rayner (1992) observes that a 'high grid' way of life is characterized by conspicuous and durable forms of stratification in roles and authority, whereas a 'low grid' one reflects a more egalitarian ordering.

This model is indeed in agreement with Moscovici's (1981) theory of social representation. Borrowing Moscovici's theory, Rodlach (2006) argues that within any culture, there are points of tension and fracture around which new representations emerge. According to Rodlach, social representation emerges when individuals engage in interaction with each other during everyday conversations. He describes the concept as everyday thought associated with colloquial language. In his view, the result is a set of explanations originating in daily life during inter-individual communications (Rodlach, 2006:9). Rodlach outlines two specific processes which are engaged when people integrate new ideas, and these are anchoring and objectification (2006:11). According to him, through anchoring, unfamiliar concepts are compared and interpreted in the light of the phenomena generally acknowledged as common sense, as well as widely shared values, norms, and beliefs (Moscovici, 2001). These two mechanisms make the unfamiliar familiar, first by transferring it to a sphere that allows people to compare and interpret it, and second, by reproducing it among tangible things. He is of the opinion that once social representations are created, they can be modified and reworked as they continue to evolve. Applying the

theory of social representation to the context of this study, depicts the manner in which the indigenization process of Lutheran tradition evolves over time.

The theory is applicable to this study because Christians/Lutherans in Greater Sekhukhune District Municipality feared acculturation, infiltration of culture, Westernization, indoctrination, and distortion of culture by the missionaries. They confronted all these with bold response and with the decisive issue of indigenization. They are currently embedded in a social structure of indigenization. Their mission is to transform Christianity and/or Lutheran tradition, and shape their values, attitudes, and worldview. In the context of this study, all aspects namely, collective, social, and shared conventions as outlined by Douglas (1982) apply. The context of this study is ideal for this model because indications from the investigation in this study have revealed that the rapid growth of Lutheranism in Greater Sekhukhune District Municipality and elsewhere, and the inter-religious relations among Christianity and indigenous people's music in the existing Lutheran liturgy made inter-religious dialogue an urgent necessity. The present research complies with this endeavour because during observations and interviews, it was established that the integration of spiritual folk songs (choruses), traditional musical instruments, handclapping, and dancing into liturgical church service of almost all Evangelical Lutheran churches found in Greater Sekhukhune District Municipality, has not compromised the essence of Lutheran tradition. It has rather encouraged maximum, active and unimpeded participation in liturgical church service and/or Congregational singing.

While I greatly respect the theological traditions of the Western and/or European church, yet I feel that the African Lutherans should be allowed to theologize without feeling they have to submit to the Western or European yardstick. There is an African metaphor/proverb saying, *'A bee does not start a new home with honey'*. So, just as a bee starts with the raw material and produces honey, so African Christians, Bapedi Lutherans in particular, must take Lutheran tradition and biblical message (gospel) as the raw material and using their own culture should make (manufacture, weave) a Christian theology capable of responding to Bapedi Lutherans' deepest concerns and questions. I applaud Christians/Lutherans within Bapedi religious and cultural context for their bold response, by confronting acculturation with their decisive issue of indigenization. It is not an overstatement to contend that there is a need for the Christians/Lutherans in Greater Sekhukhune District Municipality to keep, uphold and promote their indigenized Lutheranism, for the preservation of Lutheran tradition in African context.

Previous Related Studies

Research over the last decades has been growing substantially in the field of Christianity and African Traditional Religion (ATR), showing a significant influence of inter-religious relations among Christianity and African Traditional Religion; and exploring how African religious and cultural values have impacted on Christian – ATR relations within the society, and how the latter has, also, been affected by the former

(Adamo 2011; Chukwu 2018; Crews & Taylor 2022; Lebaka 2020; Luhrmann et al. 2021; Manganyi & Buitendag 2013; Mtemwa et al. 2021; Mpofu 2020; Nweke 2020; Ogbonna 2021; Sanneh & Carpenter 2005). Religion according to Nweke (2020:42) gives answers to a lot of things and problems people face in the world, has no founder and that is why it is called an indigenous religion. Nweke is concerned that African traditional religion has been seen by many from a negative point of view (2020:44). He cites some negative terms used for ATR, such as a) *archaic*, which implies old, old fashioned, antiquated, no longer in use; b) *Paganism*, which refers to pagan, derives from the Latin word for a rustic, village dweller, and its use in English connotes polytheism; c) *Animism*, which is described as a belief that spirits inhabit some or all classes of natural objects; d) *Heathen*, which implies an uncultured or an uncivilised person or religion. Based on these misconceptions, according to Nweke, ATR is seen as a religion that is not refined, but crooked and, e) *Idolatry*, which implies a religion that worship idols (2020:44). His statement of position is that African Traditional Religion (ATR) is not archaic because it is the life of the people which has to do with the day-to-day life of an African, is not a polytheistic religion, rather a monotheistic one, does not worship idols, it is the religion of the people that has to do with their way of life, does not worship idols, is not heathenism, and its adherents worship the Supreme Being just like every other religion (2020:44). Nweke (2020:46) further asserts that community life practices among religious groups in Christian societies must have had its teaching and foundation in African traditional religion. In his view, religion generally includes belief in the supernatural and a code of ethical behaviour (2020:47). His humble advice is that as each religion is important and has a lot of things others can learn from, no religion should be seen as superior to the other, and each should encourage the other, see something good in the other, appreciate the other, applaud the other and equally condemn the negative sides of the other. Hence, no one should single itself out as the best because they are all monotheistic by nature (2020:47). Nweke is convinced that by doing this, ATR, Christianity, and Islam can co-habit and have peace, love, unity and understanding between them (2020:47).

Sharing more insight on the encounter between Christianity and African Traditional Religion (ATR), Adamo (2011:1) postulates that the rapid growth of many religions in Africa and the revival of ATR in postcolonial Africa have made inter-religious dialogue an urgent necessity. In consonance with Nweke's viewpoints, Adamo suggests that unlike the colonial encounter with ATR, which was characterized by hostility and the condemnation of ATR, the postcolonial encounter should be characterized by mutual respect, understanding, tolerance, and some level of freedom, liberation and genuineness, and in this way, suspicion will be reduced, because despite the adherents' confession of Christianity, ATR is not about to be extinct (2011:1). Adamo defines ATR as the inborn and aboriginal religion of Africans, embraced by the forefathers of the present generations (2020:3). He further describes it as the religion that emerged from the sustaining faith of the forebears of the present generation of Africans passed from generation to generations and still

practiced today by the present generation of Africans (Lebaka 2020:3; Awolalu 1991:111). Adamo maintains that dialogue with adherence of African Indigenous Religion (AIR) is a way of expressing our love and concern to our neighbour, which is the greatest commandment in the Bible (2020:9). According to Adamo, this means that dialogue without genuine love and concern is not true dialogue (2020:9).

Manganyi and Buitendag (2013:1) testify to this fact when they state that the missionaries were not only perceived as turning Africans away from their culture but were also understood to be undermining African culture by being arrogant, in the sense that they compared African culture to their so-called *superior* culture. According to Manganyi and Buitendag, an African continues living life as part of a community, not in isolation as an individual. Life is lived in connection with those that are alive in the here and now, but also with an awareness of those who have died, yet who are also present in the here and now (Maimela & Buitendag 2013:13). Maimela and Buitendag maintain that the reality of life for an African is that there is never a separation of physical from spiritual. To the traditional African, there is no coincidence or accident. Nothing happens by chance (2013:11). Manganyi and Buitendag further point out that African Traditional Religion has a space to exist within the Christian faith, yet the approach to worship differs (2013:13). Relatively, few studies have focused upon the decisive issue of indigenization and the role of culture in liturgy (Amalorpavadass 1971; Lebaka 2015; Ndemanu et al. 2018; Triebel 1992). Lebaka (2015:5) writes that traditional African religious music in general has a great impact on Evangelical Lutheran liturgical church services. He proposes that Evangelical Lutheran congregations in Africa (that are losing church members because of poor attendance) could potentially consider introducing traditional African religious music as part of their church services (2015:5). On a similar note, Ndemanu (2018:83) notes that the level of inter-traditional religious tolerance in Africa is worth celebrating. Ndemanu elaborates by stating that the degree of tolerance has gone a long way to impact how Africans view interfaith relationships (2018:83). There is a vast literature on the use of music in everyday life (Dargie 1988, 1995; Davidson 1991; Hustard 1981; Isabirye 2021; Lebaka 2009; Lo-Bamijoko 2015; Monteiro & Wall 2011; Nelson 1999; Nketia 1949, 1954; Nketia & Djedje 1984; Scott 2000; Silverman 2018). What is noticeable in the use of music in the use of music in everyday life in African context, is the vital role played by musical instruments. Lo-Bamijoko (2015:20) explains that instruments described as rattles have one common feature. According to him, they are always strung together, and are then used as anklets or waist bands, or tied around a musical instrument to act as a buzzer, and their names vary according to the material with which they are made (2015:20). Lo-Bamijoko contends that the drum has been described by many scholars and musicians as a rhythm-melodic instrument; and as a rhythmic instrument, it is regarded among the Igbos as the generator of everything happening around it, and a pulsating force, like the heart, which gives life and meaning to music (2015:24). Lo-Bamijoko is of the

view that as melodic instrument, it is regarded among the Igbos as possessing life, but this is not life as we know it, of the mortal, ephemeral type (2015:24).

Attesting to the above observations, Silverman (2018:13), notes that in West African cultures, drums themselves are sacred, signifying power and influence. According to Silverman, 'drumming in this tradition, is spirit'. Monteiro and Wall (2011:234) add another important point. They observe that in the African worldview, dance is a conduit of individual and community healing. According to Monteiro and Wall, African conceptualization of illness and health integrate social, spiritual, physical and mental realms, all of which are impacted by trauma (2011:234). Monteiro and Wall further maintain that traditional African dance is connected to ritualistic and spiritual healing practices and addresses a range of ailments (2011:235). These scholars assert that the understanding belief is that in the community, mind and body must be incorporated into ritual systems to facilitate healing, as well as transform and empower the individual and the group (2011:235). Based on the foregoing, it is worthwhile to mention here observations by Isabirye (2021). Isabirye remarks that before colonization, Basoga people in Uganda, like other African societies, learned music through indigenous ways: through social interaction with everyone and anyone in the community who was more knowledgeable and skilled (2021:240). In his view, the transmission process was from elderly people to the children, and from siblings to siblings (2021:240).

Research strategy

Subjects for this study were identified because of their knowledgeable and informative qualities. Pastors (*baruti*), church elders (*badiši*), church choirs' conductors (*bahlahli ba dikhwaere*), and selected congregants/singers in different Evangelical Lutheran Church Congregations made it possible for me to attend their church services and church choirs' rehearsals with them. During my association with them they corroborated my data on the significant role played by traditional religious and cultural context in transforming Christianity for the purpose of indigenization. Sincere thanks are due to them for their patience, time, and kindness. The study employed an intercultural theological approach to Science and Religion, and the analysis is based on acculturation and the principle of elimination by substitution. The study also utilized a triangulated and contextual approach, and data was collected through observations, face-to-face interviews and video recordings of rehearsals and performances during church services and other related events. This approach consists of (i) ethnographic observational data, (ii) interview data, and (iii) literature searches. Firstly, *ethnographic observational data* was obtained from eleven (11) Evangelical Lutheran Congregations in eight (8) villages. I also endeavoured to attend church choirs' rehearsals of different Congregations and other relevant events (church rallies and conferences) that would further understanding of the Lutheran hymn singing within Bapedi cultural and religious context. Secondly, *interview data*, was obtained through in-depth semi-structured interviews with twenty-seven (27)

participants across the eight (8) villages, who were full members of Evangelical Lutheran church, pastors and church elders inclusive, with conversations focused on addressing the key research questions. Both oral interviews and observations were employed to gather data. Most of these interviews were informal and spontaneous. However, I also carried out other interviews that were longer, more formal, and in some instances taped. Virtually, all the interviewing, formal and informal, revolved around questions emerging from my observations. Thirdly, I reviewed existing literature around the topic from published books, journal articles, newspapers, magazines, reports and theses, while analysis and discussion of results were in progress.

The above approach is supported by Reck, Slobin and Titon (1992:444) who argue that although we may travel to far-away places to meet, see, and relate with unfamiliar things and people, or search for marvellous treasures, 'the pot of gold is buried in one's own backyard'. They encourage researchers to seek out nearby musical cultures, which they can observe, understand, and document, to contribute to the body of knowledge on the influence of the African religious and cultural context and its impact on Lutheranism. The author found the above guide and the approach of purpose definition useful in this study. After every interview and discussion session with individuals and groups, I listened to the playback to determine issues that needed further clarification. Since the researcher was born and bred up in the Bapedi society, Greater Sekhukhune District Municipality, Limpopo Province, the knowledge of Sepedi language and culture was very useful to the understanding of structural elements and characteristics (language), content and context of traditional spiritual folk songs (choruses) and the Lutheran hymnal. I found in the study that the congregants/singers have very good diction in their Congregational singing, and this made understanding of text a bit easy. The data was continuously analysed in a dynamic 'top down' manner based upon the key research questions. The purpose of this study was twofold: a) to examine the inter-religious relations among Christianity and African Traditional Religion (ATR), and to b) explore how African religious and cultural values have impacted on Christian – ATR relations within the municipality, and how the latter has, also, been affected by the former. Two interrelated research questions therefore guided this study: a) what is the relevance of indigenous people's music in the existing (Lutheran) liturgy? and b) what is the attitude of the current missionaries, local pastors, church elders and congregants towards the transition process? Both questions are addressed in this study.

Results and Discussion

Integration of spiritual folk songs (choruses), traditional musical instruments, handclapping and dancing into Liturgical Church Service.

During observations and interviews, it was established that the integration of spiritual folk songs (choruses), such as '*Ntate roma nna*' (Father send me/*Vater schick mich*); '*Ngwanesu o sa diegelang*' (My brother/sister why are you undecided?/*Mein*

Bruder/Meine Schwester, warum bist du unentschlossen?); and *'Re tswa ka mo re ya ka mo'* (We are moving from one place to the other/ *Wir ziehen von einem Ort zum anderen*); traditional musical instruments (**see Photo 1**), handclapping and dancing into Liturgical church service of almost all Evangelical Lutheran Churches found in Greater Sekhukhune District Municipality has not compromised¹ the essence of Lutheran tradition and/or Lutheranism. It has rather encouraged maximum, active and unimpeded participation in Liturgical church service and congregational singing by congregants.



Photo 1

Leg Rattles (*dithlwathlwadi*); (Lobethal Church Centre, 23.06.2019), Photographer: Morakeng Edward Kenneth Lebaka.

It was also found that during this type of service congregants feel that they are themselves, recognized as part of the congregation, and are free to express their emotions, appreciation, satisfaction, and social excitement by either dancing, drumming, ululation, blowing whistles and handclapping, which is in line with the African religious and cultural context. Congregants are singing from memory (in four-part harmonic setting), dancing and praising the Supreme God, Lord God Almighty,

¹ Whelan (1990:202), for instance, has observed that “many local churches have begun to produce a body of liturgical music that is a worthy cultural expression of their Christian faith”. Furthermore, Chenoweth (1984:35) gives a few examples showing the “fruits of indigenous musical leadership in the church” which have resulted “in a wealth of worship styles all over the world”, such as those of Papua New Guinea, Nigeria or Cameroon.

the Father of Jesus Christ, the way they like and as they wish, without any barriers or obstacles, and there is active participation in the church (**see photo 2**). This viewpoint is supported by Lebaka (2015:1) who writes that from a cultural point of view, African people do not always feel comfortable in a controlled and/or solemn church environment where emotions are not expressed freely. Lebaka further notes that whilst traditional African religious music is carried out with the help of traditional musical instruments (e.g., *meropa* (drums), *dinaka* (whistles), *dithlwathlwadi* (leg rattles) and *mekgolokwane* (ululation), liturgy enables the congregants to encounter God within the context of a worship service (2015:5). Lebaka further argues that traditional African religious music is indispensable and has a positive impact on mission work, as it proclaims the gospel within the South African missionary context (2015:2).



Photo 2

The congregants feel that they are themselves, recognized as part of the congregation, and are free to express their emotions, appreciation, satisfaction, and social excitement by either dancing, drumming, ululation, and handclapping. They are singing from memory (in four-part harmonic setting), and worshipping the Supreme God, Lord God Almighty, the Father of Jesus Christ, the way they like, and as they wish. There is active participation in the church (Schoonoord; Evangelical Lutheran Church – Schoonoord Congregation, 09.08.2015), Photographer: Morakeng Edward Kenneth Lebaka (Researcher).

Attesting to the above thoughts and observations, Liebernecht (1994:281, 283) rightly postulates that singing helps the congregation of God to recognize itself as church, so that it can establish its own identity through music and appears to be

attractive to outsiders. In the same vein, Nketia (1984:15) shares more insight and contends that apparently ‘the fact that drums and other percussion instruments were used in the Ethiopian church, which has been established in the fourth century A.D., did not affect the evangelistic prejudices.’ It is worthwhile to mention here that it is not only the Lutheran church denomination, that is transforming Christianity, but other church denominations, such as Anglican, Roman Catholic, Dutch Reformed and others have incorporated similar Congregational singing strategy to indigenize their liturgical church services. This approach or strategy is supported by Dargie (1989:138) who views the incorporation of African hymns into worship as the best alternative option, a wise move and contributor to the renewal of the whole church.

Music making and music identity

When analysing the data material, it becomes evident that creative music making and music identity are two sides of the same coin, in that the former provides an arena in which the latter can be explored. It is also noticeable that in all the visited churches, creative music-making takes place during a process of interaction between the congregants’ musical experience and competence, their cultural practice, their traditional instruments, and the instructions. Altogether this forms the *affordances* in the creative situation. The following spiritual folk song (chorus) was communally composed by the congregants at Lobethal Lutheran Congregation because of their expertise, musical experience, inborn talent, competency, and creativity (**see table 1**).

Spiritual Folk Song ‘*Ntate Roma nna*’ (Father send me)

‘*Ntate roma nna*’ (Father send me) is an example of spiritual folk songs (choruses), a genre of communal singing whereby a group of congregants (both men and women) sing, clap their hands and dance to the beat of the clapping. According to Mamogudi Phaladi (personal communication, 18 August 2019), the lyrics tell how the singers/congregants are prepared and willing to be sent out there, to the people to spread the Word of God (good news). Table 1 below is the lyrics of ‘*Ntate roma nna*’ followed by the transcription (Transcription A).

Text and translation

Spiritual Folk Song (Chorus): ‘*Ntate Roma Nna*’

Table 1: Lyrics of ‘*Ntate, roma nna*’

Lyrics in Sepedi	German translation	English translation
Ntate roma nna	<i>Vater schick mich</i>	Father send me
Ntate roma nna	<i>Vater schick mich</i>	Father send me
Ntate roma nna	<i>Vater schick mich</i>	Father send me
Roma nna ditšhabeng	<i>Schick mich den Menschen</i>	Send me to the people.

Table 1: The song was recorded by the author on a field trip at liturgical church service held at Lobethal Evangelical Lutheran Church, Ga-Phaahla Mmakadikwe village, Sekhukhune area-Limpopo Province on the 23rd of June 2019.

Figure 3: Musical transcription of the spiritual folk song ‘Tate, roma nna’ - Father send me (my transcription)

Tate, roma nna



Figure 3: Musical transcription (own transcription) of the spiritual folk song ‘Tate, roma nna’ - Father send me (my transcription). (Transcription C; my transcription) shows the song ‘Tate, roma nna’ (Father send me) in instrumental version. This was performed by Lobethal Congregation, and accompanied by Kenny’s Brass Band, Ga-Phaahla Mmakadikwe, Limpopo Province – South Africa; Date: 23rd of June 2019.

Descriptive Assessment

The song ‘Ntate roma nna’ is a spiritual folk song (chorus) originating from Lobethal congregation, Arkona parish – Greater Sekhukhune Municipality; Botshabelo Circuit, Northern Diocese in South Africa. This song and others are often sung during the church offertory because of their power to excite and put congregants in a celebratory mood that makes them more generous in making their contributions. This celebratory mood associated with these songs stem from the functions for which the songs were designed and performed - a happy occasion. During church rallies, conferences and liturgical church service, the rendition of this song excites and makes congregants participate by singing, clapping hands and dancing due to the song’s tune and rhythm they are familiar with. The pulling power of this song was in its tune and rhythm that compelled most of the congregants to participate actively during the performance. Their active participation also heightened their religious experience. In fact, the lyrics used in this song are taken from the Bible and the dancing style is about innovation

and creativity. With its attractive melody and setting, this song supports numerous biblical texts such as Joshua 24:15; John 8:7; Isaiah 6:8; Isaiah 6:8-10; Exodus 3:4; I Samuel 3:4; Isaiah 6:5 and Exodus 3:10. Its danceable rhythm tends to move the congregants to dance. Moreover, the use of Sepedi language in spiritual folk songs (choruses) tends to emphasize the scriptural lyrics in the song.

When the song was sung during liturgical church service, the congregants actively participated and gave to the church as much as their souls were motivated to give. The happy feelings generated by this song facilitated the gift-giving in the form of money, which translated into making contributions towards renovating the church. This simple melodic and rhythmic song is popular among the Lutherans in South African context, because it is relatively easy to sing and can be sung as individual or as a group. During field research, it was interesting to observe that while singing spiritual folk songs (choruses), the congregants are using both inhalation and exhalation technique to produce musical sounds. This breathing technique differs from regular singing (of hymns) where sounds are produced only during exhalation technique. Consonant with the above observation, Niemi (2009:52) asserts that the vocal technique which is based on sounds produced through alternating inhalation and exhalation is quite common in the circumpolar cultural area.

The melodic structure of this song is based on two parts, the call and response. The instrumental rhythms, on the other hand, depend on the dancing style. During church rallies, conferences and liturgical church services, the song's structure such as melody, rhythm, pitch, and instruments are adapted to suit congregational singing and church service. There is no fixed tempo in this song. It gradually gets faster as the performance approaches the climax. The intensity of the music also grows with the tempo as more instruments join the performance. At the climax, a signal is given by a drummer, or a whistle is blown by the leader and all music and handclapping stops.

The relationship between music and culture

With regards to the relationship between music and culture, closer investigation has revealed that in Greater Sekhukhune District Municipality, music is part of culture and at the same time forms culture. It also has communicative qualities necessary for relating the Christian message in all cultures. There is a growing body of evidence to support this view. Nelson (1999:152-155) for example, provides convincing evidence of a relationship between music and culture. He examines the role of 'ethnomusicological' research in the mission context, herein stressing the importance of the bonds between music and culture and arguing that 'God can and will use whatever we have for His Kingdom and service'. Darby (1999:66) gives the example of the African initiated where allegedly 'African spirituality has been allowed to permeate fully the worship and liturgy', while all 'mainline denominations in Africa have incorporated into their traditions, whether they like it or not, music, rhythm, ceremonies and pilgrimage, which are intrinsically African'. How vital authentic hymns are for the relevance of a liturgy, has been evidenced in the Indian mission context, where,

according to Amalorpavadass (1971:11), a truly Indian liturgy has been shaped through the implementation of Indian instead of Western music. Hence, considering the cultural impact on liturgy, including its music, it becomes clear that 'the future of worship and its music will be written by both the church and society'. From what has been pointed out concerning the relationship between music and culture, the implication is that indigenous music in missionary work should be taken seriously, as it will play an indispensable role regarding indigenization. Endorsing the above observations and viewpoints, Triebel (1992:235) states that 'We cannot ignore culture in our missionary task'. On a similar note, Scott (2000:9) asserts that 'accepting that music is part of the experience of every human culture group, we can say that it is an inherent gift given by a wise Creator for the benefit and enjoyment for us all'. Scott proposes that the church, in its missionary endeavours, ought to recognize and accept 'the powerful effect of music in all aspects of Christian ministry (2000:9), and, therefore, employ it in its missionary work'. From the discussions above, it is arguably true that indigenous music has an important role to play in the missionary work.

Handclapping in Liturgy

At this point it is appropriate to bring the vital role played by handclapping into the discussion. An interesting observation on the vital, if not central role of handclapping in liturgy should be mentioned. The impression created during interviews and observations was that handclapping helps to maintain the tempo since the congregants have a tendency of gradually and habitually slowing down the tempo of hymns during Congregational singing. Regarding musical parameter (tempo) during Congregational singing, the enquiry revealed that when handclapping is enforced, the tempo is regularized, thereby producing a metronome effect. During my field research at Lobethal Congregation, it was further observed that with musical creativity and rhythmic direction, congregants build a repertoire which is characterized by interlocking rhythms, four-part harmonic setting, improvisation, polyrhythm, and cultural blend, which compel the congregants, the pastor inclusive to dance to the music, and hence increase attendance and participation.

Singing and Movement

Oral accounts and literary evidence have revealed that singing and movement, like dance, is another quality of music which supports a total understanding and acceptance of the message in the African mission context (Khuzwayo, 1999:17; Scott 2000:9; Triebel 1992:235). Khuzwayo explains that it forces the missionary to integrate certain movements, which underscore the song's content, together with music in worship, as part of an Africanization process (1999:17). It is an accepted position that the emphasis on contextual indigenous music would be in line with Luther's criterion of familiarity. Martin Luther emerged as a voice in Europe at a time when Church elders were out of touch with the religious needs and expectations of their community, who were poor and downtrodden. The data analysed thus far,

confirm that this is perhaps a reflection of what is happening within our communities again in the modern world.

Musical creativity and musicality

During the study, it was also observed that musical creativity and musicality in the visited churches embrace other elements such as the capacity for becoming absorbed emotionally in music and the ability to engage into an intimate relation with it, so that the whole organization of the soul is affected. When participants were asked about the creation of traditional spiritual folk songs (choruses), it was found that to the congregants/singers, music is an inborn talent. The talent for composition is based on originality, creativity, improvisation, imitation, and spontaneity, together with other aspects such as a listening skill and an ear for music. It was further observed that the art of composing, instrumental playing, ululating, handclapping, whistling, and dancing requires a reliable musical memory, concentration, determination, commitment, and passion.



Photo 3

The researcher who is also a Lutheran (Lobethal Congregation), and an insider (Bapedi society) & Greater Sekhukhune District Municipality, occasionally participates during Congregational Singing (playing his drum). Ga-Phaahla Mmakadikwe; Greater Sekhukhune District Municipality, Limpopo Province, South Africa, (09.08.2015), Photographer: Moletje Frank Paledi.

It is worthwhile to mention here that despite fundamental and multi-consequential changes Christianity brought about in Greater Sekhukhune District Municipality,

African religious and cultural values have also impacted on Christian – ATR relations, and congregants are using their Lutheran – indigenous system of worship.

Concluding Thoughts

The primary objective of this chapter was to examine the inter-religious relations among Christianity and African Traditional Religion (ATR) to explore how African religious and cultural values have impacted on Christian – ATR relations within the municipality, and how the latter has, also, been affected by the former. The investigation has revealed that the integration of spiritual folk songs (choruses), traditional musical instruments, handclapping, and dancing into liturgical church service of almost all Evangelical Lutheran churches found in Greater Sekhukhune District Municipality, has not compromised the essence of Lutheran tradition. It has rather encouraged maximum, active and unimpeded participation in liturgical church service and/or Congregational singing. During observations and interviews, it was also established that the dimensions of rhythm play an important role to contextualize and Africanize the existing (Lutheran) liturgy, in order to make the missionary qualities of worship an integral part of mission work. Indications from the investigation have shown that the dimensions of rhythm play an important role to contextualize and Africanize the existing (Lutheran) liturgy, in order to make the missionary qualities of worship an integral part of mission work. During the study it was also observed that musical creativity and musicality in the visited churches embrace other elements such as the capacity for becoming absorbed emotionally in music and the ability to enter an intimate relation with it, so that the whole organization of the soul is affected. It was concluded that it is indeed of great significance that indigenous people's music should be regarded as a matter of relevance and ultimately becomes a vessel which carries the full meaning of the Gospel.

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Portraits of Women Founders and Leaders in the North of Portugal: Do Academic Qualifications Matter in the Cultural Patterns of Family Firms?

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Abstract

This paper aims to discuss continuities and ruptures carried out by women in leadership in family firms (FFs). Despite female underrepresentation on top positions in firms broadly speaking, our findings gathered from the project “Roadmap for Portuguese Family Businesses” (NORTE-02-0853-FEDER-000018) reveal an ongoing transformation regarding intergenerational management succession in family firms. In fact, while it is recognizable that micro, meso and macro-structural gender barriers remain, family businesses have been the scene of intergenerational changes with a notable presence of women in management and corporate responsibility careers. To what extent have female founders and successors expressed significant changes in the cultural patterns of family businesses, especially when they have high academic qualifications and professional experience? To answer this research question, nine in-depth, semi-structured interviews were conducted with business women/ managers of family businesses regarding their career experiences compared with those of male counterparts. This paper finds that the “masculinist” perspective is shifting due to the crucial role of the qualifications and professional competence of family firms’ female founders and leaders. Likewise, the increase in the academic level of women in today’s society is one of the factors that is at the root of the emergence of shifting in the cultural patterns of family businesses with impact in the intergenerational succession. (JEL: L2)

Keywords: North of Portugal; Family business; Founders and Successors; Qualification; Cultural Models

1. Introduction

Despite the progress in the legal framework and policies to boost equality between men and women, the elimination of gender inequalities remains an unfinished project in the society of the 21st century. Available data from European countries (Eurostat,

2022) have confirmed the persistence of differences between men and women in basic aspects related to the labour market (e.g. women are more likely to work in part-time and low-paid jobs, minor participation of women employed in business leadership and management roles, greater poverty among older women as a result of paying lower contributions to the pension and social security system). Given the increasing feminization of the workforce in full-time jobs, particularly in the Portuguese context (Pordata, 2022), and although they represent more than half of the workforce, women are far from achieving gender equality in terms of occupying management and administration positions, as well as intermediate positions in most firms.

Notwithstanding the fact that there are visible patterns of continuity of sexual segregation phenomena in organizations (Paço & Falcão, 2021), there are clear signs of an ongoing transformation, such as the recent rise in the level of academic qualifications achieved by women in Portugal and their participation in traditionally “masculine” economic sectors, such as metallurgy, information and communication technologies, among others. In fact, according to the literature on the subject, family owned business enterprises are the most common type of organizations (Ferramosca & Ghio, 2018) and current data (KPMG, 2021) point out that 18% of women have been assuming leadership responsibilities around the world, especially in European and Central Asian countries. In Portugal, it is also worth noting the growing importance of women in positions of power in this business typology, especially those who are in the second generation or in succeeding ones and tend to be more qualified when compared to the founder of the family business (Marques, 2018).

While it is recognizable that micro, meso and macro-structural gender barriers remain, family firms (FFs) have been the stage for intergenerational changes with a notable presence of women in management and corporate responsibility careers. Our interpretive model focuses on the generational, governance and family dimensions, including business succession, which contribute to understanding the complex dynamics of transformation of family firms in the different stages of their life cycle (Dekker et al., 2015, 2013; Sandu, 2019). Likewise, by highlighting the rise of women with higher education in today's society, it is our goal to mobilize educational investment in order to understand the transformations in the cultural patterns of family firms (Dyer et al. 2009; Dyer, 1986) and their extensions to Portuguese reality (Casimiro & Chambel, 2014).

Therefore, two main objectives have structured this paper: 1) to highlight the role of women in the creation of family businesses, denoting an entrepreneurial profile and taking risks as founders as well as women chosen to be successors in family firms; 2) to understand cultural patterns of family firms, both from first and second or more women successors, especially when they have high academic qualifications and professional experience. These processes are illustrative of intergenerational changes by attesting to the presence of women in management and corporate responsibility

careers. Focusing on the main findings gathered from the project “Roadmap for Portuguese Family Businesses” (Marques, 2018)¹, the present study intends to understand to what extent the founders and successors have allowed significant changes in the cultural patterns of family businesses, particularly when they have attained high academic qualifications and professional experience. The research design mobilized for the purpose of this study is based on nine in-depth, semi-structured interviews conducted with business women/ managers of family businesses regarding their career experiences when compared with those of their male counterparts. Family involvement in a firm has an impact on many aspects of organizational behaviour, but in this article we propose to limit the discussion to the career experiences of business women/ managers of family businesses, since work is the central life interest for many people and success at work enhances self-esteem (Schein, 1980).

The paper has been divided into three main topics. The first topic briefly examines ongoing changes in the intergenerational succession process with a notable presence of higher qualified women in management and corporate responsibility careers. Secondly, the methodology topic includes the description of the in-depth interview procedures included in the research design of the project “Roadmap for the Portuguese Family Businesses”. The third topic is followed by within-case and cross-case analyses of nine in depth interviews in which particular emphasis will be given to the main management challenges of a family firm according to the cultural patterns from Dyer et al. (2009). In the concluding remarks the implications for policies, practitioners and for further research will be discussed.

2. Cultural patterns in family firms: continuity and changes

There is no consensus among government entities, economic agents and the various scientist to define the nature of the family firm. Specific literature has stated its relevance in the academic arena (Sharma et al., 2012; Litz, 2008; Gallo, 1995; Habbershon & Williams, 1999; Davis & Tagiuri, 1989). Moreover, it is possible to recognise that family firms are different from non-family businesses due to their specific relations at three levels, namely ownership, business and family (Moores, 2009; Gallo, Tàpies & Cappuyns, 2004; Gersick et al. 1997; Tagiuri & Davis, 1992). Therefore, the search for the specific characteristics of family businesses, distinguishing them from non-family businesses, has highlighted the relevance of this area of knowledge in different countries around the world (Ferramosca & Ghio 2018). Regardless of the vast literature, one can highlight its relatively fragmented or insufficient nature (Marques, 2018) or even the sometimes inconsistent results of

¹ This project was funded by NORTE-02-0853-FEDER-000018 and is headed by the Interdisciplinary Centre of Social Sciences - University of Minho (Portugal), in co-promotion with the Portuguese Entrepreneurial Association (AEP). Its main goal consisted in identifying and characterising this dominant business typology in the Portuguese economic structure. Further information, Marques (2018).

many of the proposals for models mainly based on binary logics: family businesses versus non-family businesses (Stewart & Hitt, 2011), presence or absence of an external non-family manager (Klein & Bell, 2007). If, on the one hand, this state of the art can be explained largely by the different disciplinary traditions that have been at the origin and development of this field of study, on the other hand, it stresses the importance of expanding and deepening knowledge about family firms. These clearly assume a multidimensionality evident in the “open challenges” of their definition and operationalization through the research purposes that support studies on family businesses (Ferramosca & Ghio 2018:40).

The family firm is assumed to be one in which the family has control, in terms of appointing the management, and some of its members participate and work in the company, whether or not they have gone through a succession process. However, we do not ignore the effort to present a definition agreed upon by the group of experts from the European Union which after a census of more than ninety definitions (EU, 2009), shares the following characteristics of a family business: 1) the majority of the decisions are either made by the founder of the firm, or by the person(s) who obtained the rights to the firm as the natural heir(s), or still by an immediate family member; 2) the majority of the decision-making rights are indirect or direct; 3) at least one family member is formally involved in the firm’s management; 4) finally, registered firms are considered as a family business when the person(s) who founded the firm, or their families or descendants, possess 25 per cent of the decision-making rights mandated by their share capital.

This definition is assumed as “non-restrictive” and places emphasis on the “influence” of the family in business life as a differentiating factor between a family business and a non-family business. Furthermore, stabilized convergences are recognized in the specialized literature regarding the definition of family businesses based on the indication of three key elements: family, company and property. Consequently, critical moments in the life of family firms are keeping high levels of professionalization for future sustainability of business and planning an intergenerational dynamic process based on the transmission of the company’s legacy.

The issue of succession in family businesses has been guided by the invisibility of women as a choice to succeed the founder, given the prevalence of logics of birth right, persistence of stereotypes and social gender roles based on masculinized models of professional careers and distrust of abilities and skills management, as well as organizational leadership of women in general. However, by highlighting the trend of women’s qualification with higher education in Portuguese society¹, the choices for business succession by the founder have come to fall on the daughters, which may

¹ Considering the Portuguese resident population aged between 30 and 34, with complete higher education, in 2021, 50.8% are women, against 36.5% of men (Pordata, 2022).

contribute to the transformation in the organizational cultural patterns of the family firms.

In line with the perspective on professionalization from Dekker et al. (2015, 2009) and Sandu (2019), our attention is focused on analysing the crucial dimensions on the biography of the succession trajectories from the first to the second and subsequent generations at the head of the family business. Our purpose consists in highlighting the importance of the involvement of multiple generations in keeping the business in the family, especially the “courage” to choose wives, daughters, granddaughters to succeed in the family business, breaking with the traditional tendency of passing the baton on to the son / grandson (Gersick et al. 1997). Indeed, from the perspective of Dyer et al. (2009), the professionalization of the family business depending on its age and/or the succession of ownership/management tends to go through the four models identified in the literature, namely paternalistic culture, *laissez-faire* culture, participative culture and professional culture. It moves from an informal, subjective and paternalistic leadership, as characteristic of the founders' management style in the early stages of the business, to a more formal, objective and professional leadership in subsequent generations.

The paternalistic culture begins developing in a first-generation company, associated with the founder's idiosyncratic and subjective traits. By playing the role of provider of the family's well-being, as well as envisaging its workers as an extension of the family, the founder centralizes power in himself, and expects, in return, loyalty and obedience from family members and non-family workers, generally giving them little autonomy. Emotional factors are present at the basis of day-to-day decision-making and the appreciation of both the company's reputation and its good name in the context in which it operates, thus characterizing informal management practices. With the second generation at the helm of the company, *laissez-faire* and participative cultural models take place. More frequent, however, is the *laissez-faire* cultural model that develops when there is a growth of the company and dispersion of social capital by brothers, cousins and other kinship ties. Although it is possible to verify the presence of the values and influence of the founder, there is a decentralization of power by the various family members and the attribution of responsibilities to non-family workers, accompanied by levels of trust and sharing of suggestions among the members of the organization. The search for new ideas and solutions for business sustainability tends to characterize the environment of the daily management practices of these companies at this stage of the life cycle. The participative cultural model, on the other hand, tends to be less frequent, differing from the precedent by presupposing the minimization of the power and status of the family in the sense of instituting an egalitarian culture. Although formally there may be different positions between family and non-family members, everyone's participation in a teamwork culture is adopted. This means that the organization promotes identical conditions of progression and opportunities for the development of skills and responsibilities, on the one hand, and on the other hand, demands that the same evaluation criteria be

applied whether they are family members or not, formally rejecting any type of logic of favouritism or nepotism. In the professional culture model, non-family managers are admitted, the disconnection from family traditions and the incorporation of professionalized management models tend to take place, generally, in the third and subsequent generations. There is a transition to a pattern of organizational culture based on rational decisions and objective criteria of governance, financial control and human resources management, thus marking a more advanced stage in the evolution of the lifecycle of the family business, often accompanied by a transfer of management to members outside the family. Research reveals the coexistence of cultural patterns in the same generation and throughout its lifecycle and highlights the rise of female qualification as one of major ongoing transformations in Portuguese family firms.

2. Methodological design: brief presentation

The previous section highlighted one of the major themes developed under the project “Roadmap for Portuguese Family Businesses”, namely the assessment of intergenerational succession in the continuity of family businesses and its prevalence as the main type of organization in North of Portugal. Moreover, the impact of the family business on the wealth and employment growth in the local, national and international economy has already been stated in previous studies (Marques, 2018; Marques & Couto, 2017; Costa, 2018; AEP, 2011).

Nevertheless, there are few studies that empirically explore the internal dynamics of the family business via female founders and successors holding higher education levels, and its impacts on changes in cultural patterns. In that sense, this paper is supported by a methodological design based only on qualitative approach, accompanied by in-depth interviews and the respective treatment techniques of data¹. In total, 23 interviews were conducted with the family managers/ owners who represented all the diversity of this business typology taking into account, for example, the sector of activity, size, years of foundation, sex and so on. However, for the purpose of this paper, only nine female interviewees will be mobilized in our analysis and discussion of changes in cultural patterns because, as we will see, they represent the “story” of women at the lead of family businesses, most of them chosen by the founder.

¹ Beside this qualitative approach, the project developed also a quantitative one. The quantitative approach has been supported by two steps. The first step required the construction of a database with all family companies formally registered in the North of Portugal, using all available information sources such as the consultation of the Justice Portal, IES (Simplified Business Information)/ Ministry of Justice: SICAE (Information System of the Portuguese Classification of Economic Activities), and the contacts made available by the Portuguese Business Association (AEP). The second step was geared towards the conception and application of an online survey to the family entities collected in previous step, in order to better characterise the profiles of family companies. The sample obtained represent a total of 1.148 questionnaires guaranteeing a 95% confidence level, with a maximum error of 3%.

The option to restore visibility to these nine narratives and testimonies of women managers involved in different phases of the business lifecycle (from the first to the second or subsequent generations), is justified by the opportunity to understand the manifestations of the social phenomenon in its real context (Yin, 1994).

Thus, this research design was based on by in-depth interviews with a semi-structured script with open topics which enabled the reconstruction of the “history” and “culture” of the family business and kinship networks, so as to recover the founder(s) trajectory, the main critical moments of business turnaround/transformation, as well as issues related to the present situation and the challenges for the future. All interviews were recorded and had an average duration of 1h:30m. In addition, this activity allowed the team of researchers to visit some family businesses and record the information resulting from the observation and interaction between several family and non-family members.

The content of the interviews was processed using the MAXQDA software (version 12), a program which allows the researcher to manage, give shape and meaning to unstructured information. With this program, it is possible to carry out a wide range of actions that facilitate the task of analyzing the material, identifying the categories, reflecting and developing conclusions (Tesch, 2013). The attribution of meaning to the text, that is, the transposition of raw text into units/categories, the establishment of comparisons and all the creative and reflective work falls on the researcher. With regard to data analysis, main categories that emerged *a posteriori* in the testimonies, experiences and representations by the interviewees were chosen, as well as those that can be organized from the most relevant keywords and guided by the selected literature for the analysis and discussion of the results (Casimiro & Chambel 2014; Deyer et al. 2009). Then, each interview was analyzed in order to preserve its holistic character (Scholz & Tietje, 2002) and, subsequently, a cross interview analysis allowed us to provide a systematization of common and different aspects of the new case studies that make up the present study. The effort of analytical integration and discussion was aimed, above all, at identifying patterns or singularities of the choice/decision processes by founders and those who assume leadership in the first generation, and their articulation with changes in organizational culture patterns oriented towards the professionalization of the business.

3. Portraits of women founders and successors of family firms (FFs) in the North of Portugal

The women interviewed belong to various types of companies and economic sectors, nonetheless, it is clear that four of them are at the head of the company as owner-leaders who correspond to the first generation, while the remaining five appear as the second (two interviewees), third (two interviewees) and fifth generation (one interviewee). All of them have a higher education level, including a master's and two of them hold a doctorate degree. As far as age is concerned, five of them are aged between 35-40, two are in the 40-45 bracket, and the other two are aged between 45-

50. They are present in several sectors of the economy (micro, small and medium sized firms) and in different sub regions of the North of Portugal (cf. Table 1).

Table 1. Characterization of women founders and successor interviewees from FFs

Nº	Size of FF	Year of foundation	Sector of activity	North of Portugal	Age	Academic qualifications
Women founders (first generation)						
E1	Small	2010	Trade	Cávado	35-40	Bachelor
E2	Micro	2010	Consulting	Douro	40-45	Bachelor
E5	Micro	1993	Consulting	Douro	45-50	PhD
E20	Micro	2008	Consulting	Área Metropolitana do Porto	40-45	Bachelor
Women successor (second and subsequent generation in FF)						
E3	Small	1935	Tourism	Alto Tâmega	30-35	Master
E9	Medium	1896	Industry	Área Metropolitana do Porto	30-35	Bachelor
E11	Medium	1988	Industry	Ave	35-40	Bachelor
E13	Medium	1958	Industry	Área Metropolitana do Porto	35-40	Bachelor
E18	Small	1973	Construction	Área Metropolitana do Porto	45-50	Bachelor

Source: Marques (2018)

What appears to be more significant is the persistent effort to qualify the current generation at the head of the family business, especially the higher education profile of young businesswomen who will certainly play a leading role in renewing the pattern of productive specialization, as well as the (expectable) transformation of the leadership style and strategic management of family businesses in the medium and long term (Marques, 2018:68). The data allowed us to identify both the role of women in the creation of family firms and the process of being chosen by the founder of family firms.

Portraits of women founders express traits of entrepreneurial leadership, adopting risky behaviours, initiative and resilience. Some of our interviewees have been socialized early within the family, seeing their parents or other family members who have family businesses; others took the risk of breaking with a trajectory of organizational dependence as employees or holding precarious contracts (called "green receipts").

At the origin of the creation of the company, there are intrinsic reasons such as the family legacy or the professional challenge, thus being useful to mobilize existing resources in the family, whether they be material, affective and stimulating, in line with "familiness" perspective (Gomez-Mejia, 2016; Habbershon & Williams, 1999), that is, a set of resources that the family business has in the interaction with the family as a whole. For the following interviewees, both economic autonomy and the realization of a career projection based on organizational autonomy led to the creation of their firm:

This is a recent company and is in the name of one of my brothers, but the history of the company comes from what my father did back in his life (...) I have a degree in Mathematics, a post-graduation in Education and a Master's in Management (E1)

I did not have any type of help. Initially the investment wasn't much and then with my own services I grew [12 employees], I invested in machines, then there was the need for vans and I always bought them outright" (E20)

In 2010, the company was born as a consequence of what has been my path. That is, I graduated in oenology and at the end of the course I realised I had started liking issues related to marketing (...) (E2)

The company started as a part-time job that I created together with two or three other people. I was still studying [Fine Arts], I was in my fourth year. In the fifth year, I decided to try working effectively and it was a huge adventure 27 years ago in Vila Real to have a great company that started with this - design! (E5)

Regarding the cultural traits systematized in table 2, we took as central the perceptions of the interviewees oriented towards the following categories: i) origin of the FF; 2) governance and HR; 3) family influence; 4) business succession. For each

of these dimensions, the most representative categories of each interviewee were selected, without any claims to be exhaustive either in the identification of topics and subtopics or in their further deepening¹.

Table 2 – Founders entrepreneurs/ managers of FEs

Interview	Categories	Cultural patterns (context units)		
		Paternalistic Culture	Participative culture	Professional culture
E1	FF's origin	We started from scratch!		If someone came along and gave me a very fair value, I would probably sell the company.
	FF's governance and HR	We can't leave company information in the hands of these people [engineers and accountants]. // An employee doesn't think the way a boss does and the responsibility is basically on him.	It has to be an employee (...) that thinks and has a critical spirit. // They have [autonomy], we don't have any control. // "I had weekly meetings (...) so that they could give a suggestion.	I took care of everything and the accounting department only made the maps. // I always made use of some funds, some applications. // The way is to invest!"
	Family influence	It was the knowledge that my father passed on // We had lunch every day at my mother's and at the weekend.		

¹ Even for reasons of economy of the chapter and its structuring in view of the objectives outlined by us.

	Business succession	It's still early days (...)		
E2	FF's origin			I started coaching and designing the business strategy!
	FF's governance and HR		I have [***], who is my right hand man // someone needs to stay in the Back Office.	I resort to partnerships. // (...) all this talk about the immaterial and the digital (...) that my company values.
	Family influence			Separation of the more sentimental side with the more rational side. // (...) the priority is time management.
	Business succession	Not at the moment (...) I have two small children.		
E5	FF's origin	The company started as a part-time (...) at the moment I work alone!		It is a limited partnership between me and my son, who is still a minor.
	FF's governance and HR	Company works outward a lot.		I started to dedicate myself a lot to wine design and I

				ended up doing a PhD. I think that brought some upgrade in the value and recognition people make of the company.
	Family influence	I do it because I have to earn a living, because I have a son and I have to support him.		I work at home. (...) I manage my time as much as possible so that I can have some time to be with my son, to be with my mother
	Business succession	I have no prospect of following this in the family! I only have this one son and I won't have any more, so it won't happen for sure, not with any nephew, nothing like that!		
E20	FF's origin	(...) at this moment we are twelve employees.		We were diversifying // We tried to look for other types of segments there.
	FF's governance and HR	"I'm the manager, my husband is the partner and helps me (...) // but the decisions are made by me.// In most of the cases, what I have valued in the [HR] profile have	I know where I am headed and I always try to make my team feel in tune with the goals I have: where I want to go, I take them with me and	I have always been curious, that is, I have always liked to learn (...).

		always been in fact friendships, known people and that's where we start.	involve them (...). // nowadays the hardest thing is to manage people."	
	Family influence	I often take my work home with me (...).		"[The children] already accompany us and help us, especially the eldest.
	Business succession	For now [the children] are still studying and they are minors		

Source: Inspired and adapted from Dyer et al. (2009)

Among the cultural patterns identified, there is a trend towards professionalization of the culture of the family business managed by the first generation that seeks to internalize the knowledge acquired in their academic and professional trajectories. Access to funds and applications to finance companies is evident in Interviewees 1, 2 and 5. These aim at the development of the business and its sustainability based on the quality and reputation of the work performed. Likewise, they recognize the appreciation of their role in the company and status, declaring that they like their professional activity, reaffirming the entrepreneurial dimension.

On the other hand, if we consider the family dimension, it is possible to identify the appreciation, firstly of the family and its influence on business, especially in the case of interviewees 1 and 20, but also the need to manage the boundaries between professional and family. For those with small children though, this management implies an additional effort to cope with the family or private work. It is also understood that, transversally, the theme of business succession is absent or is acknowledged as extemporaneous given the few years of the company and/or its descendants. The testimonies corroborate part of the arguments advanced in the literature that point to succession as one of the critical phases in the sustainability of the business, either by not preparing or by postponing it. Furthermore, it is possible to state that accessing to leadership positions is accompanied by constraints in reconciling professional, family and private life. In table 3, these difficulties in balancing professional and family/ private life also remain for the following testimonies.

The second generations are represented by interviewees 11 and 18, the first from the textile sector and the second from construction. With paths marked by academic investment, they maintain a record of proximity to the first generation of founders who are present in the day to day life of the company.

This company [***] is 30 years old. It was founded by my father with a partner he had at the time, and they created it together. My father was already working in the same area, along the lines of the company, and at some point he decided to follow his path and found this company. // I have a degree in Environmental Engineering, but the opportunity arose and I thought it was a challenge. I accepted the challenge, came and here I am. (E11)

The founder was my father with two partners who had children, but they died // then my brother and I had already graduated, so we bought it from the partners, from the heirs of the second partner who died and we bought the quota, half each, so it was left with my father, the two of us and the company. It was like this for about ten years // I studied Social Work at the Instituto Superior de Serviço Social and then I did a post-graduation course in management here at the Faculty of Economics". (E18)

Representing the third generation, interviewees 13 and 11 are clearly intertwined with the family legacy. The same is true of interviewee 5 who shows a more significant longevity of the company when declaring that it is in the fifth generation. It is well known, the survival rate of third-generation family businesses is very low, with estimates of around 20% or less, considering our results (Marques, 2018).

My grandfather, because I have only been here for a year // Then my mother came 40 years ago, together with my uncle Zé and my uncle Manuel, and the three of them are still here with us. The third generation came to the company gradually. It's me and my brother and my two cousins (...) // My cousin and I are graduates (...) // I worked 15 years in Santa Casa and I made the decision to quit and come to work in the family business. (E13)

My grandparents were from a village [***] that had open trade. Meanwhile, my grandfather and grandmother got married (...) this was back in 1930. // My father studied at UTAD in Vila Real, he was one of the first students of the former Polytechnic Institute of Vila Real (...). // I took business management, then I started a doctorate in business management and administration, I did all the curricular part (...) and in the meantime a master in Tourism Management and Administration appeared (...) (E3)

My great-grandfather accepted it and my father gave 50% of the shares to his father-in-law, one of my great-grandfather's sons-in-law who did not know how to manage the company (...). My father's father-in-law, my mother's father, was a lithographic designer, he only knew how to design, he designed all the shapes that we have today. // At the end of the 1970s, the third generation came in

with my mother's father and, at the same time, the fourth generation, my father, who was an insurance broker, came in at the end of the day and did more management and commercial work. He quickly realised that either we would grow exponentially or the company would die. He started to turn to exports at the beginning of the 1980s. // I came here, I grew up here, I remember the company when it was located in the back of my great-grandfather's house, with 200m² (...) For me it has always been here, as long as I can remember (...). // I wanted to graduate in psychology (...)" (E9).

In these testimonies that attest to companies whose existence has been marked by several generations, it will be possible to signal traits of a paternalistic culture, which still reveals closeness to the founder, his values, prestige and identity and with the traits of a laissez-faire culture, through the second and third generations ahead. We are witnessing the growth of the company and a dispersion of social capital by brothers, cousins and other kinship ties, as well as a certain decentralization of power among the different members of the family. As for the signs of a professional culture, there is an attempt at stimulating innovation, internationalization and the search for greater formalization of decisions, human resources management, and also an attempt to separate the interests of the company from the family (Table 3).

The importance of promoting the qualification of the women who have most recently reached the top in certain areas of the company's business is evident, be it in the management, commercial and marketing areas. Although they have autonomy and leadership capacity in their areas of intervention, the "final" word remains with the founder still present in the company's life and/or is taken collectively with the brothers and cousins who make up the company's governance body.

Table 3 – Successors of family firms FFs

Interview	Categories	Cultural patterns (context units)		
		Paternalistic culture	<i>Laissez-faire</i> Culture	Professional culture
E11	FF's origin	It was founded by my father with a partner.		
	FF's governance and HR	He [father] is still managing partner of the company. We, my sister and I are partners, we are the three partners.// I believe it is more	Currently, we are 27, but until recently we were 17// 80% of the employees are new to the job, so they are new	

		difficult to manage human resources when a family tie is involved"	people and what we want is for them to be responsible, dynamic (...) to really represent the company's name, to always be available and aware of what the company is".	
	Family influence	We have a good relationship, we know how to manage our differences well. // They [children] are used to hearing about [***] and they talk about it at school.		We always knew what our parents' business was // It was always a rule at home that work is kept outside the family house "
	Business succession	I think my father saw in me someone who could carry on the sense of family.		If there isn't a natural leader within the family (...) it doesn't bother me to have someone outside the family leading the company's path."
E18	FF's origin	/Father stayed, the two of us and the company has remained like this for about ten years (...) then my brother and I		I was the one who chose the word 'and construction', so if I want to construct a

		bought a share of the company and the two of us stayed.		building I can build it.
	FF's governance and HR	My father is still in the company (...) there are situations in which he maintains the daily routine of coming here. He has the last word.	The company has always been very stable in terms of human resources.	
	Family influence	We loved it when we were little, to come here on Sundays (...) and we would leave drawings on every person's desk.		
	Business succession	My father and the other partner understood that they didn't want anyone to come here // We never felt any pressure to come here.		It was my choice when I had job offers whether I wanted to go or stay, so I decided the direction for my professional life.
E3	FF's origin	"My great-grandparents (...) already negotiated.		We have always centred the company on growth and not on taking dividends from the company for our own ends. // The State could play a more diplomatic role in opening up some

				borders or markets
	FF's governance and HR	The main person in charge is still my father, I am more on the administrative and financial departments and also on the tourism area.	We are in a village (...) we provide transport to the factory workers in the morning. We would take them back at the end of the day // we have people who have been in the company for 20 years.	The simple fact that we don't say "father" or "brother" on the phone! // I usually say when people start working that there is no father or mother here. // We are trying to increase the international element.
	Family influence	The table has always been a place where many decisions and exchanges of opinions have been made. //The company is family owned and we intend to keep it. We are not willing to cede the management position to a manager or administrator from outside the family.		We have measures in place to safeguard each individual position, of each one of us.
	Business succession	No, we still talk from time to time (...)		Basically, I think the balance is positive, I do not regret having taken this decision [to take

				<p>on the leadership] (...) Basically, the decision was a question of family pride, of following my grandmother's initial idea, of respecting tradition, of valuing the family</p>
E13	FF's origin	My grandfather worked day and night. // I think it was the risk-taking, the risk-taking! // They started to expand outside.	Determination and belief and a bit of luck.	We have to improve in order to progress and be more competitive, but above all, we have to be united!
	FF's governance and HR	I don't do anything without my mother or my uncles' approval.	For me, regardless of being a mother she is a boss in here! // Now we have about 100.	I've been attracting young people for certain specialized jobs (...) it's very difficult to professionalize! //It's necessary for a person to see some points and on paper, try to understand what can be improved! //Organization and management and at the same time the commercial area, marketing, our image and the

				question of our website.
	Family influence	They [parents] just work, they work, they don't have holidays or anything. // You can only build an empire with a lot of dedication.// It's a pride, because when I come in here, I can feel it, I like the smell of skin, the smell of glue".		At the same time, we also have to make the separation between professional and personal life. // Whether family or non-family - a company has problems from the moment it opens its door until it closes it.
	Business succession	When I said goodbye I thought: 'What am I going to do now?' I spoke to my mother (...) she doesn't like us all being here! She feels a bit insecure about that.		No, I don't feel it's important or think much about it
E9	FF's origin	He [father] is a genius, he programs robotics, he did self-learning, he never studied, that is innate to him, and he finds it very easy.// Today we have the biggest diversity company, in		Today there is a great concern with exports, we have been exporting since the 80s. We export 95% of what we do. We used to export 97%.

		terms of products."		
	FF's governance and HR	As my father says, a triumvirate: Grandfather, Father, Granddaughter. // Commitment, willingness to learn and I think this is what we value more.	The decision is effectively based on the need and on what comes up. // Today we are 105. 30% women and 70% men, and this comes from 100% men, at the time in the metalworks.	I became general director of the company and after a short time, I joined the board of directors, which at the time included a non-family member, but afterward became entirely within the family.
	Family influence	I ended up here, I grew up here!		I make a clear distinction between family and business!
	Business succession	We are three girls and I am the middle one. 'Look, little one, I was just wondering if you would like to work at the factory?'		

Source: Inspired and adapted from Dyer et al. (2009)

Conclusion

The crucial role that family firms play and the importance they perform in the economy is unquestionable. In addition to the potential for innovation expressed by the increase in the level of qualification of their leaders, with an expression above average of managers of non-family businesses, as discussed previously, there is also the significant importance of the place of women at the top of the hierarchy. Whether due to the fact that they are owners/shareholders, or because they take on management positions, family businesses have witnessed relevant transformations.

These are visible in the changes in occupational segregation patterns, with women entrepreneurs, for example, in traditional sectors such as metallurgy, but also in vertical segregation, the most expressive in the context of this study. In fact, this paper finds that the “masculinist” perspective is shifting due to the crucial role of the qualifications and professional competence of family firms’ female founders and leaders. Moreover, the increasing academic level of women in today’s society is one of the factors that is at the root of the emergence of shifts in the cultural patterns of family businesses which will impact on intergenerational succession.

Moreover, our research findings allow us to identify composite or hybrid cultural patterns in same family firms, as in Casimiro and Chambel’s study (2014). Thus, it is possible to highlight that the transition from a paternalistic culture to that of *laissez-faire* tends to be associated with a company lifecycle that sees an expansion of family members who are part of the governance structure, as well as the human resources that make up the company, providing business growth. This trend appears in line with the contributions of Dyer et al. (2009). However, when associated with the effort of internationalization, formalization and qualification of the business family and its workers, these family businesses are also imbued with traces of professionalization, although the idea of “keeping the business in the hands of the family”, not open to non-family external managers persists. The qualification of the current, younger generations, and in line with innovative ideas and the perception of the challenges for the sustainability of the family firm has ensured continuity in the transition of the family legacy.

Lastly, the participation of women in the labour market and the notorious presence of female founders and/or successors in family business contexts have become evident as driving forces of societal and economic transformation, associated with an entrepreneurial mindset that mobilizes academic and economic skills. Protagonists of a fundamental movement translated into trajectories of economic and leadership empowerment of family businesses composed by several generations, women have helped to mitigate gender stereotypes that underlie the persistence of sexually segregated organizational cultures. It is crucial that family businesses, and their leaders, are competent and anticipate the uncertain and unpredictable challenges of the digitalization of the business, as well as the health crisis caused by Covid-19.

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Austrian-Italian Encounters: Notes on Some Films Produced Between Rome and Vienna in the 1930s

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Abstract

This essay deals with a number of Italian and Austrian films produced around the mid-1930s as a result of the cinematic cooperation that developed between Rome and Vienna at the time. The essay's goal is to investigate a complex chapter in the history of Italian and Austrian film which has yet received little attention. The Austro-Italian cooperation in the field of film, which developed against the backdrop of the political alliance between Fascist Italy and Austria's so-called Corporate State, involved some of the biggest names in Italian and Austrian cinema of the time, including Italian directors Carmine Gallone, Augusto Genina and Goffredo Alessandrini, Viennese screenwriter Walter Reisch, and Italian novelist Corrado Alvaro. In particular, the essay will consider the Italian film *Casta Diva* (1935) and its debt to one of the most famous Austrian productions of the 1930s, Willi Forst's film *Leise flehen meine Lieder* (1933). Further films to be discussed include *Tagebuch der Geliebten* (1935), *Una donna tra due mondi* (1936), *Opernring* (1936), and *Blumen aus Nizza* (1936). *Tagebuch der Geliebten* was based on the diary of Russian painter Marie Bashkirtseff, who lived in Paris in the late 19th century. *Una donna tra due mondi* starred Italian diva Isa Miranda, *Opernring* Polish tenor Jan Kiepura, *Blumen aus Nizza* German singer Erna Sack. These films should be truly regarded as transnational productions, in which various cultural traditions and stylistic influences coalesced. By investigating them, this essay aims to shed light on a crucial period in the history of European cinema.

Keywords: Austro-Italian relations, Fascist politics, Italian cinema, Austrian cinema

1. Introduction

Marta Eggerth, a star of German musical films in the 1930s; Austrian screenwriter Walter Reisch; Franz Planer, a master of cinematography, active in Berlin and Vienna; film composer Willy Schmidt-Gentner; and set designer Werner Schlichting: what do they have to do with the Italian film *Casta Diva*, directed in 1935 by Carmine Gallone

and generally considered a high point in Italian cinema of the 1930s? The question may serve as an introduction to the following investigation of a number of Austrian and Italian films, among which *Casta Diva*, made in cooperation between Rome and Vienna around the mid-1930s. Linking to previous studies by the author on Austrian-Italian cinematic cooperation during the 1930s (Bono, 2015) as well as the influence of German cinema on Italian musical films of the time (Bono, 1999), this essay will specifically examine some of the major Austrian-Italian cooperation projects in the field of film developed in the mid-1930s.

Beside Gallone's film *Casta Diva*, further films which will be considered in this essay are *Tagebuch der Geliebten* (1935), *Una donna tra due mondi* (1936), *Opernring* (1936), and *Blumen aus Nizza* (1936). Their production involved some of the biggest names in Italian and German-speaking cinema of the time, including, besides Gallone, Italian directors Augusto Genina and Goffredo Alessandrini; the Germans Arthur Maria Rabenalt and Hermann Kosterlitz (who would later work in Hollywood as Henry Koster), as well as Italian novelist Corrado Alvaro and some of the greatest stars of Italian and German film in the 1930s, from the aforementioned Eggerth to Italian Isa Miranda and Polish tenor Jan Kiepura. With closer examination of these films, the present text aims to shed light on a crucial period in the history of interwar Italian and Austrian film, which has so far received little attention at scholarly level (Loacker, 1999; Loacker & Prucha, 2000; Spagnoletti, 2006).

Here I would like to especially thank Thomas Ballhausen and Robert von Dassanowsky for encouraging me in this study. Sincere thanks go to the following institutions for supporting my research: Austrian Film Archive (Vienna), Austrian State Archives (Vienna), Central State Archives (Rome), Centro Sperimentale di Cinematografia (Rome), Deutsche Kinemathek (Berlin).

2. Political and Cinematic Context

Austrian-Italian cinematic cooperation developed against the general background of the political alliance binding Austria and Fascist Italy in the 1930s (Di Nolfo, 1974; Ara, 1990). Since the late 1920s, the strengthening of Italian-Austrian relations became a primary goal of Italy's foreign policy. Italy favored Austria's independence, opposing Nazi Germany's ambition to expand its influence along the Danube, and Vienna found support in its southern neighbor against Berlin's aspirations to incorporate Austria into the German Reich. When in July 1934 an attempted putsch supported by Berlin shook Austria, Italian troops were dispatched to the Italian-Austrian border, in a gesture that exemplarily marked Italy's role at the time as a protector of Austria. The political friendship also encouraged closer economic relations, and in spring 1934 the Italian and Austrian governments signed a comprehensive agreement of cooperation, known as the "Rome Protocols". A further agreement with the aim of promoting cultural relations between Rome and Vienna followed in February 1935. Together with the "Rome Protocols" the latter marked the high point of Austrian-Italian collaboration during the 1930s.

The situation of Italian film in early 1930s must also be considered. After WWI, Italian cinema, which had enjoyed worldwide renown in the 1910s, underwent a severe crisis, and at the outset of the 1930s, the Fascist government made efforts to revive Italian film production (Manetti, 2012; Venturini, 2015). This led to the establishment in fall 1934 of the General Office for Film (Direzione Generale per la Cinematografia) as part of the Secretariat of State for Press and Propaganda (Sottosegretariato di Stato per la Stampa e la Propaganda), with the responsibility “to regulate, stimulate, direct and oversee,” as summarized by its director Luigi Freddi (1949, vol. 1, p. 85), all areas of Italian cinema. Under Freddi’s impulse, Italian cinema made efforts to develop cooperation with foreign partners, in order to raise the quality of production and regain an international standing. Next to that with France, the Austrian-Italian cooperation was the most significant one that Italy developed in the field of film around the mid-1930s.

In addition to the political alliance between Italy and Austria, the international renown Austrian film enjoyed at the time also played a major role, adding to Italy’s interest in cooperating with Vienna. Films such as Willi Forst’s *Leise flehen meine Lieder* (1933) and *Maskerade* (1934), as well as Walter Reisch’s *Episode* (1935) contributed to the recognition and appreciation of Austrian film abroad. When *Leise flehen meine Lieder* was distributed in Italy in spring 1934 as *Angeli senza paradiso*, the film was met with high praise: “It is very beautiful, speaks to the heart and the imagination, [...] persuades and moves,” wrote an Italian critic (Roma, 1934). In the same year, *Maskerade* participated in the Venice film festival, where Forst’s film won a prize for the best screenplay. A year later, Austrian actress Paula Wessely was awarded the prestigious Coppa Volpi for her performance in *Episode*.

At the same time, Austrian film was finding itself in growing difficulty following the Nazi takeover in Germany; there were increasing efforts from Berlin to take control of Austrian cinema (Loacker, 1999; von Dassanowsky, 2007). Actors, screenwriters and directors of Jewish origins were barred from Austrian productions, if these were to be allowed distribution in Germany (which historically represented the most important market for Austrian films), and Austrian exports to Germany became severely curtailed. To counter the German boycott, Austrian film searched for foreign partners, aiming at international co-productions. Particular importance was ascribed to the alliance with Italy; the Southern neighbor was to serve as an economic counterweight to Berlin’s predominance, reducing Austria’s dependence on the German market. “A reorientation toward Italy appears to be the way out,” noted the magazine *Internationale Filmschau* (P.M., 1935).

3. *Casta Diva* and Its Austrian Model

At the end of 1934, Gallone’s film *Casta Diva* marked the beginning of the cinematic cooperation between Rome and Vienna, with a number of prominent figures in the Austrian and German cinema of the time participating in its production. To answer the question opening this essay, the screenplay was by Reisch, Eggerth played the

female lead, Planer handled the cinematography, Schlichting the scenery, and Schmidt-Gentner was in charge of the music. *Casta Diva* was produced by Alleanza Cinematografica Italiana (ACI), founded in Rome in fall 1934, with the participation of Austrian producer Wilhelm Szekely. One of the major figures in Austrian cinema of the 1930s, Szekely also owned the Gloria company in Vienna. The other co-founders of ACI were Italian director Gallone and Roberto Maltini, the latter a prominent figure in the Fascist regime. In the late 1920s he was member of the Fascist Party directorate, among other things.

Casta Diva represented the first project of greater scope taken on in Italy after the establishment of the Direzione Generale per la Cinematografia and its production also involved two of the major producers in German cinema of early 1930s, Austrian Arnold Pressburger and Russian émigré Gregor Rabinovitch. In his memoirs, Freddi (1949) explicitly recalled their involvement in *Casta Diva*: “For this film, the general staff of European cinema came to Rome, from Pressburger to Rabinovitch” (vol. 1, p. 383). The project was strongly supported at political level. According to a document from the German embassy in Rome, the film fell under the auspices of the Sottosegretario di Stato per la Stampa e la Propaganda. The goal was ambitious, and ACI also produced an English version of *Casta Diva*, called *The Divine Spark*. “The aim of the undertaking is to create top international films, the likes of which have not yet occurred in Italy,” the press reported (Rom dreht zum 1. Male english, 1934).

It is worthy of remark that the foreign names involved in *Casta Diva* had all taken part in the production of Forst’s film *Leise flehen meine Lieder* one year before, from Reisch to Eggerth, Planer, Schlichting and Schmidt-Gentner, including the duo Pressburger and Rabinovitch, whose Berlin company Cine-Allianz produced Forst’s film. It is a telling coincidence. In fact, *Casta Diva* appears conspicuously to be modeled on Forst’s film, one of the greatest successes of Austrian film of the 1930s, centered on a fictional episode from the life of Austrian composer Franz Schubert. Contemporary critics underscored this affinity. In reviewing *Casta Diva* in *La Stampa*, Mario Gromo (1935), one of Italy’s leading critics of the time, placed Gallone’s film in direct connection with *Leise flehen meine Lieder*. Forst’s film had been accurately studied and its formula replicated, another critic would later remark (Blasco, 1953), and some papers expressed dissatisfaction for *Casta Diva*’s debt to foreign models (Mori, 1936).

A detailed comparison between *Casta Diva* and Forst’s film would go beyond the scope of this essay; however, some elements of affinity should be briefly discussed. They regard as much the narrative level as Gallone’s direction, who seems to be partly inspired by Forst’s work. *Casta Diva*’s protagonist is Italian opera composer Vincenzo Bellini, and the story revolves around his unhappy love for a girl, Maddalena, who moves him to write the world-famous aria *Casta Diva*. Characters and plot constellations recall Forst’s film, and *Leise flehen meine Lieder* evidently functioned as a pattern for Gallone’s film, which overtly drew on elements of Forst’s work.

Individual parts as well as larger complexes were adapted and reworked, and a remarkable affinity may be observed between *Casta Diva* and Forst's film.

Recurring situations are, among others, that of the girl (Emmi in *Leise flehen meine Lieder*, Maddalena in *Casta Diva*) who helps the musician (be he Schubert or Bellini) to get a chance to play his music in public; of the woman (a Hungarian countess, an opera singer) who leads the composer astray; of the song (*Leise flehen meine Lieder*, *Casta Diva*) dedicated to the loved one by the composer and giving the films their titles. The female protagonists resemble each other as well, with Maddalena recalling the Karoline of Forst's film. A count's daughter, Karoline falls in love with Schubert, but her father does not approve. Their fates appear similar. Like Karoline, Maddalena must eventually marry a man whom she does not love, and both will be consumed by sorrow. Yet the passions the characters feel for each other and that almost destroy them, are expressed in quiet, muted tones. A similar mood pervades *Leise flehen meine Lieder* and *Casta Diva*, and Gallone's and Forst's film have in common the resignation with which the characters accept their fate. Maddalena suffers and dies silently, and a sense of melancholy envelopes everything. It is a feeling that grips both characters and the spectator, a mood that *Leise flehen meine Lieder* and *Casta Diva* deeply share.

At the same time, the character of Maddalena represents a nuanced development of the unhappy countess with whom Schubert falls in love in Forst's film. She appears far from the role of the nice girl, naïve, adventurous and who regularly falls in love with the protagonist, as personified by Eggerth in many German films in early 1930s. *Casta Diva* modified Eggerth's image radically. The girlish, coquette traits characterizing Karoline in *Leise flehen meine Lieder* are alien to her. When Maddalena first appears on the screen, her looks already proclaim the transformation. Where are the rebellious locks that framed her face in the films of early 1930s? Her style is severe; her blonde, bright hair lies flat, contouring her face; this accentuates her eyes, and a whiff of melancholy clouds her smile. She looks down on us from the top of the staircase, her position and the shot's angle signaling her remoteness; she does not belong to this world. She is not the ingénue type with whom the protagonist obviously falls in love; rather, she represents an unapproachable muse who inspires him, and *Casta Diva*, apparently relating an episode from Bellini's life, actually tells of the magic that a pair of female eyes produce on the protagonist (and the spectator).

From the first shot that *Casta Diva* dedicates to her until the film's finale, it is Maddalena's eyes that dominate on screen. Of note is the construction of the fatal scene in which young Bellini, invited to a soirée hosted by her father, first sees her portrait on a wall in the salon. The camera slowly moves toward the painting, which gradually fills up the screen, and the roles are reversed: it is not the camera that shows Maddalena, but rather she who gazes at the spectator. A light effect emphasizes her eyes, they pierce the screen. Now the music swells, and her eyes grow bigger, then double and multiply. She becomes a vision that puts the protagonist under its spell. When some friends ask him the next day, "What does she look like? Is she blonde or

brunette?" Bellini answers dreamily, "I only saw her eyes." This scene stands in strict connection with the finale. The camera lingers on Maddalena's face; she is dying. The shot is suffused in white light, her face alters, the image gradually blurs. Her eyes still gleam, then they gradually grow hazy, as the camera moves back. Yet her gaze (which first introduces Maddalena to the spectator, when the camera discovers her portrait) continues to live, her eyes filling up *Casta Diva's* last shot, held fast and eternalized on screen.

4. Co-productions for the International Market

Casta Diva was followed in summer 1935 by the first Austrian-Italian co-production, *Tagebuch der Geliebten*. The film's production took place against the backdrop of the cooperation talks that concurrently developed between Rome and Vienna at political level. They gained momentum following the Austrian-Italian cultural agreement, and the prospect of a cinematic cooperation between Rome and Vienna was met with animated interest by the Austrian press. A special value was ascribed to such an alliance in comparison to concurrent efforts from Austrian side to work together with Hungary and Czechoslovakia. "Especially Italy should be ready for a wide-ranging cooperation with Austrian film companies," noted *Internationale Filmschau*, emphasizing the political valence of a cooperation with the Mediterranean neighbor: "Italy could in fact have an interest in the continuation of an independent Austrian production" (P.M., 1935). The comment seems to hint at Fascist Italy's efforts to oppose Austria's subjugation to Nazi Germany, characterizing its foreign policy during the first half of the 1930s.

A number of elements point to a close connection between *Casta Diva* and *Tagebuch der Geliebten*. An Italian version, *Diario di una donna amata*, was produced alongside the German one; Szekely reportedly was in charge of it, and contacts probably run through him between Viennese company Panta Film which initiated the project and Italy. The film was originally to be produced together with Soc. An. Stefano Pittaluga (SASP). At the beginning of the 1930s, SASP was Italy's largest film company. Its activity was not confined to production; it also included distribution, and SASP owned studio facilities in Rome and Turin, as well as an extensive cinema chain. The company was also involved in the production of *Casta Diva*. At the time SASP was undergoing a deep crisis, and *Casta Diva* and *Dario di una donna amata* represented an attempt through cooperation with Vienna to lend new impetus to its activity. Austria's major film company of the time, Tobis-Sascha, was also meant to participate in the project, and the prominent delegation that traveled to Rome in July 1935 to finalize the project points to the significance attached to it. Together with Panta's head Eduard Albert Kraus, it also included Oskar Pilzer, president of Tobis-Sascha.

Ultimately the film was co-produced by Panta and Rome-based Astra Film, which presumably took over the project from SASP when SASP was being liquidated in the course of 1935. Through the Astra company, a firm link between Rome and Vienna was to be established, and the press announced that the new company "pursues the

goal of effectively promoting Italian-Austrian cinematic cooperation through the making of a number of co-productions" (UFA und Tobis-Cinema in Italien, 1935). The company was founded by the Italians Arturo Collari and Oreste Cariddi Barbieri together with the Hungarian producer Julius Hadju. The latter evidently played a key role. He owned four-fifths of the Astra company and Hadju's name also appears connected to ACI; the Hungarian was one of the company's statutory auditors.

The first Austrian-Italian co-production was conceived as an ambitious project; "[the film] shall be made with the biggest means," declared the press (Paul Freiwirth - ein neuer Filmverleih, 1935). Following the example of *Casta Diva*, *Tagebuch der Geliebten* was likewise intended as a production for the international market. The possibility was considered of shooting also English and French versions, alongside the German and Italian ones. The plan remained unrealized, yet in early 1936 news circulated that *Tagebuch der Geliebten* was going to be remade in Hollywood. The remake was to be produced by RKO with Katherine Hepburn in the leading role. This plan, too, did not materialize. *Tagebuch der Geliebten* was eventually distributed in the US as *The Affairs of Maupassant*.

The choice of material evidently corresponded to the goal of conferring international appeal to the project. The narrative revolves around the figure of Marie Bashkirtseff, a female painter of Russian origins who was active in Paris in the second half of the 19th century. She died of tuberculosis at age of 26, and *Tagebuch der Geliebten* is loosely based on her diaries, published in 1887, after her death, under the title *Journal de Marie Bashkirtseff*. In a short time the book was translated into several languages (in 1889, it was published in England, the first German edition dates from 1897) and the figure of Marie Bashkirtseff enjoyed wide renown in the interwar period (Cosnier, 1985). Proof of this are also the numerous books published on her life at the time. The same year of the film's production saw the publication of *D'Héloïse à Marie Bashkirtseff. Portraits de femmes* by French journalist Èmile Henriots as well as a German translation of Alberic Cahuet's biography from the 1920s *Moussia ou la vie et la mort de Marie Bashkirtseff*.

At the same time, *Tagebuch der Geliebten* boasted a cast of high caliber. A star of German-speaking theater of the time, Lili Darvas, was entrusted with the role of Marie Bashkirtseff, and the Austrian Hans Jaray portrayed French writer Guy de Maupassant, who falls passionately in love with the Russian artist in the film. After debuting in Budapest in the early 1920s, Darvas attained great renown working under Max Reinhardt's direction, and the actress lived in Vienna since the mid-1920s, where she was part of the ensemble of the Josefstadt theater. According to one paper, Darvas counted as "the most important representative of Austrian dramatic art" alongside Wessely (Lili Darvas' Filmdebüt, 1935). The film marked Darvas' debut on the screen, and the press emphasized her participation: *Tagebuch der Geliebten* "boasts as special sensation the screen debut of famous actress Lili Darvas", noted *Das Kino-Journal*; "she finally found a film role congenial to her" (Lili Darvas' Filmdebüt, 1935).

In entrusting theatrical star Lili Darvas with the lead, *Tagebuch der Geliebten* apparently assumed as model one of Austria's most successful films of the time, Forst's *Maskerade*. Usually considered Forst's masterpiece, *Maskerade* was produced the year before with another star of German-speaking theater, Paula Wessely, who likewise debuted on screen with Forst's film. Her participation greatly contributed to *Maskerade's* success. *Tagebuch der Geliebten* apparently aimed to reiterate the coup. The press underscored the parallel: "Doubtless this debut is apt to produce the same sensation as the first Wessely film" (Großfilme der Wiener Filmproduktion, 1935). At the same time, *Tagebuch der Geliebten* attempted to connect to *Leise flehen meine Lieder* through Jaray's engagement, who in Forst's film played Schubert. It appears telling that Jaray also took part in the Italian version *Diario di una donna amata*, whereas Darvas was replaced with an Italian actress. The great popularity that Jaray enjoyed following Forst's film was evidently meant to help marketing *Tagebuch der Geliebten* internationally.

Contemporary critics commented laudatorily on the first Austrian-Italian co-production. *Tagebuch der Geliebten* was widely praised, and the film counts as a high point of Austrian cinema of the time. As Armin Loacker and Martin Prucha (2000) noted, together with *Zauber der Boheme*, *Tagebuch der Geliebten* "can be regarded as the classic melodrama of Austrian film of the 1930s" (p. 193). "With *Tagebuch der Geliebten*, a representative masterpiece of Viennese film art goes round the world," wrote one paper (Das Tagebuch der Geliebten, 1936), and the film was regarded as "a work of great level, which makes honor to the Austrian film brand;" "the Marie Bashkirtseff of Lili Darvas deserves highest admiration," noted the Viennese paper *Neue Freie Presse*, acknowledging also Kosterlitz's direction: "He marvelously manages to capture the entire atmosphere of Paris around the 1880s, bringing it alive" (F. Cl., 1935). The Italian press also had words of appreciation for the film, with one of Italy's major critics favorably comparing *Diario di una donna amata* to Forst's *Maskerade*: "Kosterlitz, working in Vienna, bears in mind Forst, and replicates tones and colors of *Maskerade* here and there" (Sacchi, 1936). The political significance of the first Austrian-Italian co-production was explicitly remarked: "It is notable that *Diario di una donna amata* was shot in Vienna, in two versions," wrote *Il Giornale d'Italia*, "and thus a cooperation in the field of film has effectively been started, that will lead to always better results, in the general framework of Italian-Austrian friendship in the political, economic and cultural area" (Sar., 1936).

Austrian-Italian cooperation then proceeded with *Una donna tra due mondi*. Initially, the film was not intended as an Austrian-Italian co-production. When the project was first announced in early 1935, the film was to be made by Vienna's Panta and directed by German émigré Kurt Gerron. Engaged by Panta for a number of films, the year before Gerron had made *Bretter, die die Welt bedeuten* for Kraus' company. Later, Geza von Bolvary was announced as director, with Tobis-Sascha and SASP also entering the project. The film may have developed into an Austrian-Italian co-production through Tobis-Sascha and SASP, that were in talks about *Tagebuch der Geliebten* at the time.

Like *Tagebuch der Geliebten*, *Una donna fra due mondi* was eventually made by the Italian Astra and Viennese producer Kraus.

Tagebuch der Geliebten and *Una donna tra due mondi* appear to be tightly connected. In a certain sense they form a diptych. *Una donna tra due mondi* was likewise conceived for the international market, with the film representing the Italian counterpart to *Tagebuch der Geliebten*. It is significant that *Una donna tra due mondi* was produced in Rome, after *Tagebuch der Geliebten* was made in Vienna. A German-language version of *Una donna tra due mondi* was also realized, as *Die weiße Frau des Maharadscha*. In contrast to *Tagebuch der Geliebten*, the Italian and German versions were made by different directors, i.e. Goffredo Alessandrini and Arthur Maria Rabenalt. Originally, the Italian was probably intended to direct both.

In both versions the leading role was entrusted to Italian star Isa Miranda, in apparent continuity with *Tagebuch der Geliebten*, where she portrayed Bashkirtseff in the Italian version. The year before, Miranda had played the lead in *La signora di tutti*, directed by German émigré Max Ophüls. The film counts among the first efforts in Italian cinema of the 1930s to create an international product through the involvement of a foreign director and it marked Miranda's breakthrough. In the following years, she would become the most international star of Italian cinema, taking part in a number of European co-productions and eventually making a couple of films in Hollywood at the end of the decade, before returning to Italy on the breaking out of WWII. *Una donna tra due mondi* should have opened to the Italian star a career in German film. The German version *Die weiße Frau des Maharadscha* was partially financed by one of Germany's major film companies, Bavaria, which would also produce *Du bist mein Glück*, with Miranda starring at the side of Italian tenor Beniamino Gigli.

Also worthy of remark is the participation in the project of Italian writer Corrado Alvaro. One of the most important Italian novelists of the first half of the 20th century, Alvaro had lived in Berlin for some time and mastered German (Faitrop-Porta, 2001). His involvement is a further element that connects *Una donna tra due mondi*, *Casta Diva*, and *Tagebuch der Geliebten*. Together with the Austrian Georg C. Klaren, he wrote the screenplay for *Una donna tra due mondi*, based on Ludwig von Wohl's novel from the early 1930s *Die weiße Frau vom Maharadscha*. Previously, Alvaro had been in charge for the Italian dialogue of *Casta Diva*. He also played a key role in *Tagebuch der Geliebten*. He collaborated on the screenplay alongside Kosterlitz and German author Felix Joachimson, and there are references to the project in a number of letters to his wife. On May 13, 1935, he wrote: "I continue my work on the screenplay for the film and prepare an own conception; this shall follow the notations I sent yesterday" (Galateria, 1995, p. 63). Alvaro also participated in the film's shooting. In summer 1935, he travelled to Vienna together with the Italian cast, and he presumably assisted Kosterlitz on the Italian version (Alvaro, 1936, 1950). Occasionally he was mentioned in the press as director alongside Kosterlitz.

Una donna tra due mondi shares with *Tagebuch der Geliebten* and *Casta Diva* genre of belonging and certain elements. Central to this film, too, are a woman's destiny and an impossible love, and like *Casta Diva* and *Tagebuch der Geliebten*, *Una donna tra due mondi* may as well be categorized as melodrama, despite a relatively happy ending. (When Mira realizes that the Indian prince only loves her for her resemblance to his late wife, she returns to Stephan). At the same time, *Una donna tra due mondi* was designed as a musical film; the story is punctuated by songs and musical numbers, and in assembling the cast, care was taken again in engaging a performer of great renown, with the part of Stephan entrusted to Czech violinist Váša Příhoda. One of the great violin virtuosos of the interwar period, Příhoda had often played in Italy and extensively toured South America and the US; since the late 1920s he lived in Vienna. *Una donna tra due mondi* represented Příhoda's debut on screen and his participation was evidently intended to guarantee international appeal to the project.

Contemporary critics met the film with reservation. Miranda's performance was praised: "Magnificent eyes, a face of unusual, noble, soulful beauty, a voice," noted an Austrian paper, "that recalls Marlene Dietrich" (F. Cl., 1936), and the press emphasized the beauty of the Mediterranean landscape which serves as backdrop to the story: "The wonderful scenery of San Remo forms the film's setting" (Die weiße Frau des Maharadscha, 1936). The film manifestly banks on the exotic background, the camera lingering on the blue sky, the open, placid sea, the lush vegetation, that visually frame the unhappy love story. The other attraction which the film boasted was Příhoda's performance: "Let us admit it," wrote one critic, "[the parts] in which this wizard plays are indisputably the most delightful of the entire film" (F. Cl., 1936). The Italian press shared the same opinion. "It seems to me that the film was made to exploit Příhoda's fame and talent on screen," noted Dino Falconi (1936) and another critic wrote: "Příhoda plays superbly [...] he represents the film's greatest attraction" (Setti, 1936). On the whole, though, *Una donna tra due mondi* disappointed, with the blame put on the screenplay and an inadequate direction which in the eyes of the Italian press lacked "liveliness, skill and interest;" the film was "correct and nothing else," judged the critic of *Il Lavoro* (Setti, 1936).

5. Italian Directors at Work in Vienna

At the beginning of 1936 the Italian press announced, "In Vienna further cooperation projects with Italy are taking shape," and the Austrian-Italian collaboration continued through the course of the year with the films *Opernring* and *Blumen aus Nizza*. Both were shot in Vienna by Italian directors. *Opernring* was again directed by Gallone and co-produced by Kraus and Szekely's Gloria company. It is explicitly a musical film, with the story revolving around a taxi driver of humble beginnings "who does not at all want to be a singer," as one paper summed up the story, yet "is forced to become one through absolutely credible events" (Kiepora fährt nach Wien, 1936). He is played by Polish tenor Jan Kiepora, who had already made two films under Gallone's direction, *Die singende Stadt* and *Mein Herz ruft nach Dir*. Production of *Opernring*

begins in early 1936. At the end of January, the press reported that Gallone “has arrived in Vienna to oversee the preparations for the new Kieपुरa film” (Wel, 1936). Shooting started in the second half of March. The film was widely praised. “Viennese film production has a new success to its credit,” remarked one magazine, commending Gallone’s “tasteful direction, emphasizing the Viennese milieu” (Opernring, 1936). “This film has for sure an unusual appeal,” maintained *Lichtbild-Bühne* (Schneider, 1936) and *Opernring* would represent Austria at the Venice film festival in the summer of 1936, alongside films by Werner Hochbaum, Max Neufeld and Walter Reisch.

“Brisk and sweet, with delightful humor, with perfectly chosen types and actors,” so the Italian critic Filippo Sacchi (1936) summed up *Opernring*, when the film was screened in Venice, and the press commented approvingly on Kieपुरa’s performance: “Of all singers who have ever appeared in front of the camera,” noted a Berlin paper, “Kieपुरa has a lot to his advantage [...] he knows to move, he can play theater” (E. Kr., 1936). Gallone’s direction was praised, too. He expertly stages the action, contrapuntally commenting on it through little remarks. As an example may serve the close-up of Mizzi, the Viennese girl in love with the taxi driver, twisting her handbag out of uneasiness in front of the lady who has made the vocally talented young man her protégé, providing for his training and helping him to fame. Likewise, humorous details loosen up the pathos of musical numbers. While the taxi driver sings on the street for alms, the camera lingers on a chubby-faced baby in a perambulator. *Opernring* is notable also for its long and elegant camera movements, that similarly distinguish *Casta Diva*. One in particular stands out: from the stage where the taxi driver is celebrating his debut, continuing past the audience in the parquet and the various rows of boxes, the camera reaches the gallery, where it finds young Mizzi tearfully listening. The camera movement at the same time illustrates the taxi driver’s success and emblemizes the distance at this point of the narrative between him and Mizzi, yet also evokes their inner bond, which eventually will lead to the happy ending.

Blumen aus Nizza followed in fall 1936. The film, directed by Augusto Genina, was also produced by the Viennese Gloria company and though *Opernring* and *Blumen aus Nizza* do not figure as Austrian-Italian co-productions, in contrast with *Tagebuch der Geliebten* and *Una donna tra due mondi*, a number of elements point to an Italian involvement. At the end of 1936, the collaboration between Gloria and the Rome-based Astra company was mentioned in the press as one of the major cooperation undertakings being developed at international level in Italian cinema, and it is of note that *Blumen aus Nizza* and *Opernring* were distributed in Italy by Ente Nazionale Industrie Cinematografiche (ENIC), that also released *Diario di una donna amata* and *Una donna tra due mondi*. The ENIC company had been established at the end of 1935 on the initiative of the state-owned Istituto Luce by taking over SASP’s theater circuit and distribution network. *Casta Diva* was released through ENIC as well and the company is likely to have participated financially in the production of *Opernring* and *Blumen aus Nizza*.

Blumen aus Nizza clearly connects to *Casta Diva* and *Opernring*. Like the Austrian-Italian co-productions *Tagebuch der Geliebten* and *Una donna tra due mondi* that preceded it, Genina's film was also intended as an international product and, again, was a musical film, with the female lead entrusted to German soprano Erna Sack, who enjoyed great renown at the time. As one paper summed up, she plays "a singer who achieves success through a publicity trick, but when it comes out, is exposed to public scorn" (*Blumen aus Nizza*, 1936) and the film represented Sack's debut on screen. Work on *Blumen aus Nizza* began in late spring 1936. In May, the press reported: "The Gloria company has acquired as subject material for the first Erna Sack film the novella *Blumen aus Nizza* by writer Maria Fagyas" (*Wiener Filme in Vorbereitung*, 1936a). The latter was also to write the screenplay together with German author Max Wallner. At the end of June, Szekely travelled to Rome to meet with Genina, and *Mein Film* reported in mid-July: "Sack is expected in the next days in Vienna for the preliminary discussions about her first film, *Blumen aus Nizza*" (*Wiener Filme in Vorbereitung*, 1936b). Shooting began in mid-August. In late September, a number of scenes were shot in Nice, on the Côte d'Azur, and in Paris, and *Blumen aus Nizza* premiered in Vienna in November 1936.

Conclusions

After the lively crescendo noted between 1934 and 1936, the Austrian-Italian cinematic cooperation lost its momentum. A number of new projects were announced. Austrian novelist Karl Burger was to write a screenplay for an Italian company; the film was to be called *Flirt* and take place in pre-war Vienna. Italian theater director Guido Salvini negotiated in Vienna for a film about Milan's opera house La Scala; opera singer Jarmila Novotna was to play the lead and the Austrian Fritz Eckhardt was entrusted with the screenplay. Also Viennese producer Kraus planned a new Austrian-Italian joint production. Yet none of these projects would eventually be realized.

A number of reasons may account for the ending of the Austrian-Italian cooperation in the field of film after 1936. One cause may have been the loss of the major partners that Italian film had in Vienna, producer Kraus and the Tobis-Sascha company. Together with Szekely, they are at the center of Austrian-Italian cinematic cooperation in the 1930s. In fall 1936, Kraus declared bankruptcy, while, following Pizner's exclusion from the company, Tobis-Sascha fell under the control of Berlin. At the same time, Austrian film underwent a severe crisis as a result of Nazi Germany's boycott, leaving production at an almost total standstill. The worsening of political relations between Rome and Vienna in the course of 1936 must also be taken into account. The Italian occupation of Ethiopia in fall 1935 led to a rupture between Rome, London, and Paris. The international isolation of Italy fostered a closer relationship with Berlin, which negatively affected the Rome-Vienna partnership, eventually leading to Austria's annexation to the German Reich in March 1938.

Blumen aus Nizza was in fact the last film made in cooperation between Vienna and Rome in the course of the 1930s. Austrian-Italian cinematic collaboration would eventually be circumscribed to a limited period of time, yet the films that resulted from it appear to be of great interest. Together they make up a noteworthy chapter in the history of interwar European cinema, and as this essay has attempted to show, they need to be truly investigated as transnational productions, in which a variety of cultural traditions and aesthetic influences effectively coalesced.

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The Role of Knowledge Management to Enhancing Public Services in Dubai

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Abstract

This study aims to highlight the importance of knowledge management and the factors influencing its implementation within the public sector organizations in Dubai. This study provides a clear understanding of the concept of knowledge management in the public sector and the ability of these sectors to collect and preserve knowledge, knowledge management. This requires the development of knowledge to review and strengthen their strategies to collect document and disseminate their workforce knowledge in order to achieve better institutional performance and to ensure that the knowledge of outstanding expertise and competencies remains within the institution even after leaving their sources for the organizations. Data were collected by distributing questionnaires to 215 systematic randomly sampled respondents from seven public departments. Data collected were analyzed by using descriptive and inferential statistics. It was found that all the independent variables were significantly related to organizational performances. The multiple regressions analysis showed that all the predictor variables contributed 55.5% towards the organizational performances of the public departments in Dubai. The research implication and suggestion were discussed at the end of the paper.

Keywords: knowledge management, knowledge management processes, organization performance, governmental sector

Introduction

Dubai is a rapidly changing city due to the government's implementation of various social and economic policies. Dubai is the most competitive city in the Arab world, and its diversity is responsible for the success because it enhances economic resilience.

The interventions resulted in widespread adjustments in the city, thus prompting departments to respond accordingly due to the presence of new information. Consequently, Knowledge Management would be pertinent to assist Dubai government and its residents to determine the appropriate ways to utilize such data because the economy has become agonistic. Dubai Governments as part of UAE governments have realized that knowledge is one of the most valuable assets in supporting the productivity of the employees Knowledge Management Advantage is a commitment to building a sustainable learning culture for the development of departments in Dubai (Federal Competitiveness & Statistics Authority, 2018; Radwan & Milhem, 2015).

Problem Statement

The success of economic diversification in the UAE led to various changes in the country. For example, it became attractive to foreign investors, which led to an influx of non-UAE citizens into the nation. Increased tourism also means that visitors from all over the globe frequently visit the place for leisure purposes. The presence of foreigners in the country creates the need to understand citizens since such individuals' exhibit practices and sometimes beliefs that vary from local ones.

Furthermore, the Dubai government intends to increase productivity, which would further help to diversify the economy. The problem arises from relying on low-skilled labor, sponsorship program and social contractors that rewards Emiratis with economic benefits for political loyalty. Accomplishing the objective of improving market output would result in an influx of expatriates into the country; the individuals would provide exposure to different beliefs and traditions.

Additionally, the UAE's status as a business hub has attracted many firms. Its seventeenth position implies that it provides corporations with a supportive environment for commercial activities. The presence of numerous enterprises implies the emergence of extensive loads of data as entities engage in similar or unique transactions. Furthermore, the economy has been expanding rapidly and the business medium has become more complex; thus, firms need pertinent information to perform in such a competitive environment. Moreover, the state had initiated changes in the federal government that would minimize the number of ministries but increase officials who would handle dynamic, strategic and national files, hence increasing flexibility. The presence of numerous enterprises, coupled with administrative adjustments, imply the presence of different kinds of information. To benefit from such data, corporations need to utilize KM, whose adoption is currently low; consequently, the government has formulated initiatives intended at motivating both private and public enterprises to embrace it. Therefore, the absence of sufficient adoption of KM poses an obstacle to economic progress in Dubai government. Managers of business organizations have caressed knowledge, put it into replicable models and made other people acquire it for applications towards the business

successful operations. However many challenges have always persisted in the development of the organizational framework.

Literature review

The definition of Knowledge Management is the range of techniques, tools and human resources used to collect, manage, disseminate and use knowledge to serve all the enterprise's information assets of a particular institution, and the skills possessed by individual workers. Knowledge Management is usually associated with decision-making in institutions (Grover & Davenport, 2001). The Knowledge management programs reveal the existence of many interrelated processes that plays a role shaping and building knowledge management. These processes include human, technological and operational interactions that lead to the production, collection, organization, accessibility and use of knowledge (Serban and Luan 2002, Bhatt 2001).

Table 1: The reasons for the application of knowledge management in government bodies in Dubai and the desired results

Dubai Courts	Roads and Transport Authority	Dubai Water and Electricity Authority
Knowledge management has been applied in the Dubai courts for a long time, after a member of the court put it on them	Senior management introduced Knowledge Management to:	Meet the requirements of the Dubai Excellence Program (DGEP)
Promoting knowledge transfer and creation	Collect knowledge through study, training and best practices	Recommended by an external consulting firm to improve performance
Achieve corporate quality	Exchange and share knowledge among RTA staff	Improved internal performance, productivity and efficiency in service delivery
Increase productivity, quality and quality of services provided	Classification, indexing, preservation and retrieval of knowledge	

Source: (MBRSG, 2018)

The current state of Knowledge Management in Dubai's Public sector organizations: Assessment and Recommendations, is a report done by Al-Yahra (2011). A study presented by the Dubai School of Government, Mhamed Biygautane and Khalid Al-

Yahya. This report examines also the consequences of recruitment methods on how knowledge is developed and documented to serve corporate goals and objectives. The main difference between this report and a similar report is that it focuses on the link between the source of knowledge, how it is managed and the impact on the age of organizations and institutions. The diversity of the sources of knowledge and the point to where it will affect the performance of the government firms is the main link in the report (Biygautane & Al-Yahya, 2011).

Knowledge Management Challenges and opportunity

A study was conducted to measure the challenges and opportunities by the Dubai School of Government in 2010, under the title of Knowledge Management in Dubai Public sector. The study focuses on the factors affecting the implementation of the Knowledge Management on the public sector along with its own importance. The concepts measure the ability of the articles to fully understand and store the knowledge, motives, benefits, barriers and chances to implement the Knowledge Management program in the public sector. The feedback followed this study was recommending the idea of focusing on the management of knowledge and its development (Biygautane & Al-Yahya, 2010).

The economy of the United Arab Emirates fits in with a description of the economy that causes rapid expansion and basic complexity. This fact requires the use of KM to create, capture, distribute and utilize knowledge. As a result, the Government of Dubai has started to encourage KM adoption to increase success. For example, Dubai has established many free zones, the Internet City, Knowledge Village and the Media City, which seeks to attract media companies, training institutions, ICT companies, software development and foreign universities to meet the information needs of the business community. Investments are aligned with the country's strategic priority of a competitive knowledge economy. The government's actions and policies show that knowledge management is important to the economic development in Dubai.

In the public sector, the government also intends to incorporate KM extensively. It explain that developments in information needs of its business community and globalization influenced national administrations to adopt KM, which would enable them to overcome underlying challenges. The need emanated from the pressure involved in its role of providing the private sector with pertinent infrastructure. The Dubai government encountered such challenges due to the presence of numerous firms in its economy, which prompted the use of KM. It is recommended to reinforce the decision by noting the governments to use KM to run their performance. Therefore, the tool is essential in the Dubai as it enables its administration to perform its role effectively. Therefore, KM is important because it would promote both social and economic progress in Dubai governments.

Research Methodology

The research took the forms of quantitative research adopting the questionnaire as data collection tool. The researchers adopted the descriptive method, which is a method that gives a clear picture of the phenomenon of a study by collecting facts, data and their classification (Carrie Williams, 2007). Quantitative method focuses on gathering numerical or statistical data and generalizing it across a group of people to explain a phenomenon. It is a data analysis that statistically uses computational techniques. The reason of choosing quantitative in the study is because it is often consider reliable for and most appropriate for this type of studies. In addition, a large sample will be taken because it helps in providing a comprehensive picture of a particular phenomenon. (Muijs, 2011).

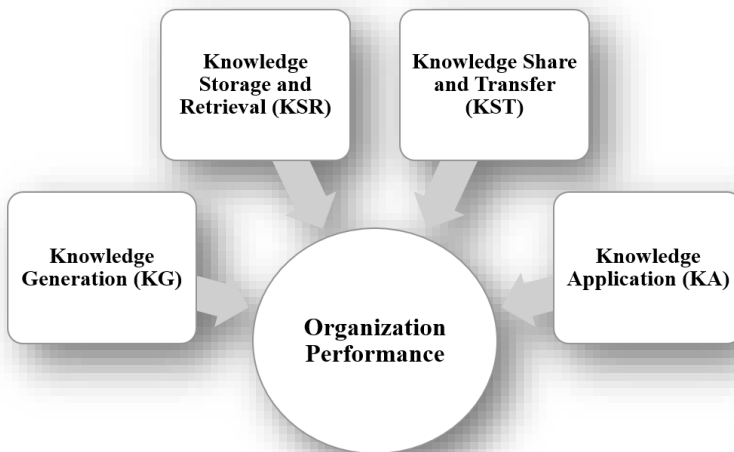


Figure 1: Overview of conceptual framework

The research population for this study includes the government institutions (seven public Departments). This research had used a systematic random sample that consisted of the managers of the knowledge department, heads of departments or those responsible for human resources and information technology working in government institutions in the emirate of Dubai, as well as different level of employees in seven departments. Data collection method from the sample was by distributing the questionnaire through e-mails.

Scholars have used different sample sizes in order to collect their data; Table 1 shows the sample sizes for several studies conducted on the subject of Knowledge Management. The average sample size of all studies found to be around 215 participants.

Instruments (Questionnaire)

After reviewing the literature on the topic, the questionnaire developed for this study is a closed-ended type. The questionnaire was finalized in two parts as follows: Section I: Included the demographic data of the study sample using five main categories; (age, gender, education level, position and years of experiences). Section II: included one sub-section where it consists of the four Knowledge Management processes (knowledge generation (KG), knowledge storage and retrieval (KSR), knowledge share and transfer (KST) and knowledge application (KA) as well as the dependent variable Organization Performance (OP) where each variable was measured using a set of five questions. The questionnaire scale that measure each variable was designed after examining a number of previous studies in order to come up with a suitable indicators for each variable. These studies helped formulating the final questionnaire (Ahmed, Fiaz & Shoaib, 2015; Downes, 2014; Edwards, Handzic, Carlsson & Nissen, 2003; Lee & Choi, 2003).

According to the literature review, researchers conducted the subject of Knowledge Management framework have used a six-point Likert scale where (six ="Strongly agree".) and (one ="Strongly disagree".).

Table 2: Variable dimensions and number of items

Variable dimensions	No. of Items
Knowledge generation	5
Knowledge storage and retrieval	5
Knowledge transfer and share	5
Knowledge application	5
Organization performance	5
Total	25

1. Data Analysis and Result

Table 3: Demographic Information Analysis

Respondents Profile Summary			
		Frequency	Percentage
Gender	Males	355	60.50%
	Females	232	39.50%
Education	Less than HS	5	1%
	High school	58	10%
	High Diploma	82	14%
	Bachelors	281	48%
	Masters	129	22%
	PhD	32	5%

Experience	1 to 5 years	117	20%
	6 to 10 years	151	26%
	11 to 15 years	195	33%
	Above 15 years	124	21%
Organizations	Dubai Court	59	10%
	Dubai Electricity and water Authority	58	10%
	Dubai Health Authority	69	12%
	Dubai Land Department	78	13%
	Dubai Municipality	75	13%
	Financial Audit Department	77	13%
	Road and Transportation Authority	57	10%
	Others	114	19%

The demographic analysis of the research sample consists of around 40% of females and 60% of male workers. Most of the sample holds either a Bachelor or a Master degree. Around 60% of the participants have an experience range between 6 and 15 years. The distribution of the participant among the governmental organizations is almost even.

Independent Variables Inter-Correlations

To test the Multicollinearity issue, we have looked at the Tolerance and VIF scores that can be found in the Coefficients table. If the Tolerance value is less than (0.10) or 10%, this indicates that there is a big chance of multicollinearity. The VIF should be not exceed the value (10) to state that the Multicollinearity does not exist.

Table 4: Coefficients

Model	Collinearity Statistics	
	Tolerance	VIF
1 (Constant)	-	-
Knowledge generation (KG)	0.355	2.820
Knowledge storage and retrieval (KSR)	0.356	2.808
knowledge transfer and Share (KTS)	0.149	6.693
Knowledge Application (KA)	0.150	6.676

a. Dependent Variable: Organizational Performance (OP)

According to Table 4, The VIF for the four predictors is at an acceptable value. However, we can notice that the VIF score of both indicators Knowledge generation (KG) and Knowledge storage and retrieval (KSR) are relatively lower than knowledge transfer and Share (KTS) and Knowledge Application (KA).

Looking at the Tolerance values of all independent variable (Knowledge generation (KG), Knowledge storage and retrieval (KSR), knowledge transfer and Share (KTS) and Knowledge Application (KA)), it can be notice that all four indicators are at the acceptable level of (0.10) or 10%. We can though conclude that the Multicollinearity issue does not exist in our model.

Knowledge Management Processes Contribution to the prediction of Organization performance

Table 5: KM Indicators Contribution to the prediction of OP

Model Summary Table		ANOVA Table	
R	R Square	Adjusted R Square	Sig.
0.745	0.555	0.552	0.000

Dependent Variable: OP

Independent variables: KG,KSR,KTS, and KA

After applying the Multiple Regression analysis on the model, the R score (0.745) shows that the four-knowledge management process have a significant influence on Organization performance. The R-Square value (0.555) also provides the same indications. The significant value of the model is below 5%, which indicates that the four predictors influence the outcome significantly.

Conclusion

To sum up, the empirical results of the study shows that there is a strong relationship between adopting the four knowledge management process and the overall organization performance in Dubai governmental sector. The multiple regression analysis indicated that (KG,KRS,KST, and KA) all influences the organization performance significantly. Therefore, it recommended for the public sector organizations in Dubai to keep on implementing the knowledge management in their system as well as following up with it and its outcome. It is proven that adopting the four Knowledge management processes helps in providing a positive influence on the firms towards achieving their goals. As well as, it helps providing a suitable base to collect and preserve knowledge despite the diversity of the nationalities in Dubai, towards achieving better institutional performance and to guarantee the knowledge of outstanding expertise.

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The Elements of Freedom of Expression in the Light of the European Convention on Human Rights

Bora Erdem, Ph.D.

Abstract

Freedom of expression is composed of certain connective elements that are inseparable from each other. If any one of the fundamental elements that by itself has no value and meaning is missing or if it is materially limited, it may negatively impact the whole of freedom of expression. Furthermore, freedom of expression is the foundation of other freedoms. Freedom of expression consists of three components. These components cannot be thought of separately from each other. The initial steps of the first component require the freedom to examine, research, learn and obtain information for an individual to establish an opinion. The second component of freedom of expression is the freedom of opinion, which is the pure thought step where choices with respect to formed, obtained but not yet stated thoughts, opinions and beliefs are established. The basis of this notion relies on an individual being able to be forming an opinion without an enforcement to state it. The third and the final component is the declaration and dissemination of thought and opinion via all means of expression to the world. If an individual's ability to declare and defend his/her ideas is infringed, it is not possible to talk about the existence of freedom of expression. Consequently, all three of these steps are crucial to maintain the foundation of freedom of expression.

Keywords: Freedom of expression, human rights, democracy, freedom of opinion.

Introduction

a) Freedom of Obtaining News and Information

The freedom of obtainment of information and freedom of information is the first element and first step of freedom of expression. It concerns the stage before the formation of thought. In essence, it corresponds to the step where news, ideas and information are investigated and freely learned (Kucuk, 2003).

In the context of freedom of expression, there are certain elements that are imperative to the formation of an opinion. It is essential to the formation of an opinion for an individual to have free access to sources of information in a free environment and to be able to infer the results he/she desires. Both freedom of information and freedom of learning, which can collectively be stated as freedom of information, are

the keystone of thought. Moreover, it allows a person to fulfill his/her need to know and learn. The right to access accurate and undistorted information is the precondition of freedom of information, which requires the right to receive information from publicly available sources, without facing an obstruction. While the right to information is inherently a freedom associated with hearing, seeing and reading, freedom of expression is associated with talking, discussing and writing. These two forms of freedom complement each other. Like freedom of expression, right to information also has an individual and democratic aspect (Yurtsever and others v. Turkey, 2015).

Taken into consideration the humankind's fundamental need of self-development, the acquirement of a personal mine of information from the synthesis of a variety of sources is congruent with the individual aspect of the aforementioned forms of freedom. As to the democracy aspect, it is understood that a State without the public opinion that has access to free and accurate information cannot qualify as a true democratic state. In other words, a proper public opinion can only be established with the availability of information access to the public. Enlightenment of the public opinion with accurate and non-misleading information, is crucial to the operation of democracy in the direction of public interest. In liberal democracy, the essential condition of the concept of freedom of thought is the existence of citizen's right of access, especially to the information produced by the State's institutions. By developing the opportunities to obtain information and produce critical thought, freedom of information provides the necessary raw material for the formation of thought and opinion. Hence, it forms the most important preliminary element of freedom of expression. The relationship between freedom of information and freedom of expression is an absolute relationship. The sine qua none of freedom of expression is the freedom of information (Kaboglu, 1997).

There is wide global recognition regarding freedom of expression. The European Convention on Human Rights shows the importance it gives to freedom of information and freedom of learning in Article 10, by stating that, freedom of expression covers giving or receiving news or ideas without the intervention of the official authorities. In addition to this, it shows that freedom of information does not solely subsist within the borders of any one country; it is an international phenomenon. In the case of *Association Ekin v. France* (Ekin v. France, 2001), the European Court of Human Rights (ECHR) has characterized the rights provided in Article 10 as the rights without borders. In the example case, there was a code that regulates foreign publishing. This code contradicts with ECHR Article 10/1. The Court has publicly stated that the situation in 1939 permitted strict audits on foreign publishers under the conditions of that period. However, as of today, keeping such a discriminating law in force is very difficult to defend (Finkelnburg, 1998).

Freedom of information does not only include obtaining information about the others but it also includes the person's access to information about himself/herself as well.

In the *Leander / Switzerland* (*Leander v. Switzerland*, 1987) example, the government of Switzerland did not approve the appointment of the applicant to civil service with the justification that he/she was not cleared for the job regarding security. When the individual that was denied the job moved on to figure out why the government refused any access to the file that contained the information. The court ruled in favor of the Swiss government stating that applying for civil service is not covered in the ECHR; thus, the individual does not possess the right to access personal information in this case. That is to say, the Court arrived at the conclusion that in this event the attitude of the State was correct and it was confirmed that the accessibility to general sources of information is at a reasonable level (Kaboglu).

The right to information does not always encompass access to sources that contains person specific information. In other words, information about personal issues are not within the general accessibility area. There is a certain classification of public information. Firstly, the event should hold social and public importance like the death of Princess Diana, a bus shooting, corruption in a district municipality, or a parliamentary election. Secondly, if the event has low social importance but attract the attention of the public. For example, the star of a popular soap opera getting pregnant, a football game, the sudden enrichment of a politician, a famous writer having dinner with his lover at a restaurant, the wife of a governor of a province traveling in subway, or a famous vocal artist catching the common cold (Cohen-Almagor, 2001). The disclosure of the events in the first classification is important from the perspective of formation of public opinion. However, reporting and disclosing the events within the second classification may be disturbing for those who are subject of the news. The contention here is the requirement to bear the burden of the choice of a life in front of the eyes of the public and as conventional saying goes, becoming public. Because of that politicians, those in the show business and football players should live with the awareness that, at any moment, they may become news object of the press, and the public has the right to know about them.

The Court has repeatedly emphasized the role of the press in the formation of the public opinion by delivering information about the lives of public figures. The *Castells* case was significant in that aspect. The role of the press was described as follows:

In this respect, the pre-eminent role of the press in a State governed by the rule of law must not be forgotten. Although it must not overstep various bounds set, inter alia, for the prevention of disorder and the protection of the reputation of others, it is nevertheless incumbent on it to impart information and ideas on political questions and on other matters of public interest ...

Freedom of the press affords the public one of the best means of discovering and forming an opinion of the ideas and attitudes of their political leaders. In particular, it gives politicians the opportunity to reflect and comment on the preoccupations of public opinion; it thus enables everyone to participate in the free political debate

which is at the very core of the concept of a democratic society (Castells v. Spain, 1992).

Another significant judgment concerning this issue emerged in the *Sunday Times v. the United Kingdom* case, where the Court decided that even an issue related to an ongoing judicial investigation needs to be able discussed in public through the reporting of the press. Since it is a matter of public concern, freedom of expression, in this case, protects the press from the intervention of the State. Also in the *Lingens v. Austria* case (*Lingens v. Austria*, 1986) the vital role of the press in the political area and democracy is highlighted by the Court, which defined it as the foundation stone of democracy as it enables political discussion by allowing the public form an opinion about their elected officials. This is a right of the people, and equally the duty of the press to impart information and ideas on political discussions. An example to this provision is the *Sürek and Özdemir v. Turkey* case (*Sürek and Özdemir v. Turkey*, 1999). In this decision, it is seen that the existence of legitimate aim was sought by questioning if the intervention exceeded the restrictions based on the threat of violence, with the purpose of national security or protection of the integrity of the State, maintenance of public order or prevention of crime. In addition to the obligation of the press to impart ideas and information related to public interest, the public also has the right to receive these. As a result, freedom of press is established as an essential element of freedom of information. From the perspective of the public, this freedom provides a crucial tool for understanding the attitude of the political leaders and establishment of an opinion. Likewise, without providing the opportunity to be informed, to know and to disseminate the information, the notion of freedom of expression would be violated.

b) Freedom of Opinion

Freedom of opinion forms the second of the element of freedom of expression. It is possible to say that freedom of opinion is protected from the limitations regulated under Article 10/2 of the Convention. It is also the prerequisite of the freedoms regulated in the related provision. Freedom of opinion can be claimed to have an absolute qualification, based on the statement of the Committee of Ministers of the Council of Europe (CoE) that it is not possible to restrict freedom of opinion and thought in a democratic society (Trager and Dickerson, 1999).

What should be understood from freedom of opinion is that, among the information obtained in philosophical, theological, social, political and economic areas in an environment that guarantees freedom of the right to access information and learning, an individual is able to choose the views that he or she believes to be true and not be condemned for that view (Gellhorn, 1960).

Within the framework of freedom of opinion, it is also possible to talk about the freedom of belief as well. Likewise, the thoughts, opinions and behavior of the people concerning religion are guaranteed within the scope of the freedom of belief.

Moreover, liberty of conscience guarantees all sorts of political and philosophical opinions as well; it also covers non-religious beliefs an individual might hold. That is to say an individual has the right to conform or not conform to any religious or nonreligious belief.

There are several decisions of the European Court of Human Rights that exemplifies this situation. For example, in the *Kostakos v. Greece* case, the Court decided that the Convention not only protects the personality and understanding of life of the believers but also protects the world view of non-believers, enemies of religion and sophists (Okumus, 2007).

In addition to right to receive news and information, it can be said that freedom of opinion is a very important element of freedom of expression. It is the last step of the thinking process that takes place at the inner world of the individual. As an internal process, freedom of opinion is related to the mental and intellectual aspects of persons; additionally, unless an individual declares their opinion, having one does not have a consequence to the outer world. Yet it is possible that opinions harm someone when declared. Because of that, whether it should be a subject of legal arrangements is a matter of discussion. Legal guarantee of these freedoms of which the limitation in the legal plan is nearly impossible, is very important. In the human rights documents also, freedom of opinion is regulated without being subject to any limitation and only by provision of guarantees. For this reason, it is possible to say that freedom of opinion is an absolute freedom (Tanor, 1969).

Freedom of expression and freedom of opinion are considered to be parts of a whole in nearly all documents that regulate freedom of expression. As in the Universal Declaration of Human Rights Article 19 and the European Convention on Human Rights Article 10, freedom of opinion and expression are regulated within the same provision. Moreover, in the American Declaration of the Rights and Duties of Men Article 13, freedom of opinion was regulated as an inseparable part of freedom of expression. Yet there are also other documents that make regulations under different Articles. Foremost of such documents is the United Nations Convention on Civil and Political Rights. According to this contract, freedom of opinion is an absolute right whereas freedom of expression is subject to certain limitations. In essence, from that respect, there is no difference between commonly regulatory documents and regulatory documents that fall under different Articles. Because it is known that freedom of expression can be limited in documents where it is regulated as a whole. Hence, in the European Convention on Human Rights Article 10/2, a regulation of this type is clearly stated (Tezic, 1990). In general sense, in these regulations it is stated that the people should not be criticized for their thoughts and opinion and they should not be forced to disclose them. Similarly, the limitation of an area like freedom of opinion, which concerns the inner world of an individual with legal norms, cannot be associated with democratic principles. Likewise, a regulation that might be found offensive to some people would result in the emergence of certain practices to end it.

Interventions of this type would in no way be associated with the principles of liberal democracy, as it can be considered as an action peculiar to totalitarian regimes. Because of that the area of freedom of opinion forms the natural area that is left beyond the absolute limitation area of the law and the essence of human rights. Because, unless transferred to the outer world, freedom of opinion is personal and it belongs to the inner world of the individual. Opinions, only in the event that they are transferred to the public arena, can represent the intellectual choice of the others (Tanor).

Freedom of opinion, which is among the most essential facilities of a democratic society, represents the choice to adopt a thought or an opinion without the fear of persecution. It is required to state that freedom of opinion contains the freedom of silence as well. Moreover, not being forced to state thoughts and beliefs or disbeliefs means that the ability to choose not to talk manifests itself only in the existence of enforcement. Right to silence may appear in three different ways: 1) the right of a person not to express the things that he/she does not believe, 2) the right of a person not to express the things he/she believes, and 3) the right of a person not to express the things that he/she knows. The freedom that contains the person's right to not disclose what he/she believes also contains his right to not express what he/she believes (Wallace v. Jaffree, 1985). It is seen that, problems associated with right to silence are presented to the Turkish Constitutional Court as well.

The learning religious beliefs is also covered in the framework of the right to silence. In addition to learning religion and beliefs, learning political ideas and beliefs are also among the most commonly observed problems. Such that, generally, efforts of this type are observed in the process of entrance to the public service, as manifested in the two cases submitted to the European Court of Human Rights. Both of these cases were opened against Germany. In these cases, *Berufsverbot* Doctrine was evaluated. This doctrine enforces all State officials of Federal Republic of Germany to swear an allegiance to the Constitution and its values. Ms. Glasenapp has stated some opinion (Glasenapp v. Germany, 1986) that provides sympathy to the far-left party (German Communist Party), and Mr. Kosiek has stated some opinion (Kosiek v. Germany, 1986) that provides sympathy to the far-right party (Germany National Democratic Party). In both of these events, the government has refused to provide permanent public official status to the applicants, who were appointed as teachers on limited contracts. In these cases, the Court presented a similar opinion that requesting the State officials support of a free democratic constitutional system is not violate the ECHR. The Court concluded the cases stating that these cases were about the right of applicant to enter public service, as there is no intervention to the freedom of expression. In yet another decision, the Court attitude of the court differed from its attitude in these two cases. In the mentioned case, as a justification of termination of the teaching post, membership of a teacher called Vogt to German Communist Party was stated. There is a difference with this case and the two example cases provided above. The difference is the status of the complainant. The public service of the complainant

differed from the other two cases, as in this example the service was temporary. However, Ms. Vogt had held an official position, which refers to a permanent position. European Court of Human Rights has stressed the fact that according to laws of Germany, constitutionality is absolute and found the burden on each of the citizens equally without considering the work or level of this theme, and lack of discrimination between public service and private life to be odd. The subject of the aforementioned case was the violation of freedom of expression, and as the complainant was one of the permanent State officials, it was not associated with the entrance to civil service (Vogt v. Germany, 1995).

Another issue that needs to be highlighted in this judgment of the ECtHR is the fact that none of the member States of the CoE had such an oath of allegiance as a Constitutional obligation, except for Germany. A remarkable point that was considered in the decision was that the obligation in question was not applied in the same way even in different parts of Germany. In this case, the Court has stressed three main issues and elaborated on them. Firstly, the court found the penalties to be unnecessarily excessive. Suspension from his job meant to cut the financial source of the applicant altogether. Secondly, the job of the applicant contained no security risk. And finally, in the related period, German Communist Party was not banned by Federal Republic of Germany Constitutional Court. As a result, the Court declared that the justifications provided by the national authorities for the suspension of the applicant were not sufficient. In the same vein, the Vogt decision reflected the views of the Court that the duty of allegiance to the Constitution should not be excessively burdensome that without considering the task and level of a citizen should not ascribe everyone equally; In the event of ascribing such a duty, the provision of a distinction between the public space and private space would be necessary. One other important contribution of this case was the libertarian interpretation introduced with respect to the right of teachers and State officers to participate in political actions. This interpretation also clearly reveals the commitment of the European Court of Human Rights to the principle of freedom of expression.

As stated before, right to silence protects both the people's rights of not saying what they do not believe and avoid saying what they know. For example, it gives the person the right to avoid testimony against himself/herself or relatives. There are constitutional arrangements that protect individuals' right to silence. For example, the United States Constitution protects the individual self-incrimination., The Fifth Amendment of the US constitution states, "No person...shall be compelled in any criminal case to be a witness against himself" (Justia.org, 2018) The aforementioned right is accepted as one of the big transformation points in the person's struggle for civilization. At this point, the journalist's freedom of not disclosing their sources can also be considered within the context of a person's right to not disclose something he/she knows.

In summary, freedom of opinion which is described as an inseparable part of and even the core of freedom of expression provides protection from both situations that endanger the statement of opinions and factors that disturb the individuals due to the differences in their opinions or hinder the adoption of different ideas.

c) Freedom to Declare Ideas and Opinions

The obtained belief and opinion eventually reveals the freedom of declaration of ideas and opinions, which is the most operative and important element of freedom of expression. The freedom of declaration of ideas are the expression of thoughts. The right to receive news and information and the freedom of forming and holding opinions can only make sense with the freedom of declaration of ideas and opinions. Otherwise, it would be impossible to talk about the existence of freedom of expression as a whole (Reisoglu, 2001). In the general sense, the notion of declaration of ideas constitutes the reflection of an individual from the information he/she has received from the outer world. There are many mediums to deliver ideas and opinions. The speech or writings of an individual or a collective organization is an example of such mediums. Collective upheavals at meetings, demonstrations, unfurling banners, posters, associations, organized attitudes, actions, movements conducted via the political parties, can be all counted as examples of expression. In that respect, it is possible to talk about different formats of view of freedom of expression. Because of that, when freedom of expression should not only be understood as the existence of abstract thoughts, but also as the dissemination and explanation of these thoughts in an abstract manner (Bayraktar, 1977).

Moreover, the indoctrination of ideas to others in an active, systematic and persuasive manner, such as suggestion and recommendation, in other words propaganda, also lies within the concept of freedom of expression. Any leniency present in an individual as a result of such acts are within the norm. Inherently, the ability to make propaganda is considered within the context of freedom of expression. Prevention of this can be considered fair only when methods like violence and use of force are observed (Okumus). Otherwise, even though propaganda has a certain mission to rally and mobilize through exciting a certain audience in a strong manner supporters, still, all purposes and methods used in the process would be considered as freedom of expression, unless use of violence and hate speech is provoked and promoted (Cohen-Almagor). Any approach to suppress it would mean a clear prohibition of the expression of thought (Selcuk, 1998).

An individual has possessed the ability to criticize, act on their ideas, and transfer those ideas to other people under the freedom of expression notion. While this transfer is made, aggressive expressions might be used as well (Shipler, 2015). In several evaluations, the European Court of Human Rights stated that a politician or a critic might use harsh, offensive, and satirical language in evaluating the events from his/her perspective because it is considered to be within the concept of freedom of expression. The Court has concluded that, the Leftist Party militant Herve Eon's

conviction for defamation via unfurling a banner stating, "Get lost you prat" which were the same words that ex French president Nicolas Sarkozy used against a farmer during his visit to city of Laval, was a violation of Eon's freedom of expression. In the decision, it was stressed that, the expression used in this protest is a product of irony, and punishment of this style of protest would create averseness that threatens the ironic expressions used in the public discussions.

Establishment of an association with a political party, organization and becoming a member, conducting meetings, demonstrations and marching are all accepted as different appearances and varied reflections of freedom of expression. It is required that the individuals, both personally and as a group, are able to act in a way that is appropriate to their thoughts and beliefs. Regulations that prescribe the contrary would mean violation of freedom of expression.

Conclusion

In the context of human rights and freedom, together with the right to live, the freedom of expression is considered as one of the most important rights. Mainly because freedom of expression forms the essential requirement of several other rights that people enjoy. Moreover, since it is one of the requirements of a democratic society if it is violated that society would be left open to the establishment of an oppressive system. Freedom of expression is among the fundamental requirements of the development of a civilization that encompasses the democratic state of society in both personally and socially. Open discussion, exchange of ideas, freedom of research and criticism will effectively operate the process of search for the facts. Separation of right and will ensured that the individuals receive accurate information (Schauer, 1982). In that direction, according to the European Court of Human Rights, the freedom of expression is deemed as among the essential foundations of a democratic society and one of the foremost requirements for self-development of the individuals.

Freedom of thought is not as simple as it sounds as it is the composite of variety of rights. Several aspects contribute to form a unified notion of freedom of expression. Beginning from the formation of thought to the declaration of it freedom of expression is a complex notion of several controversial issues. The limitations and the clash points of freedom of speech and the law are among these issues. The topic is always evolving as court cases around the globe keep on being resolved regarding freedom of expression. To guide us through this process there are certain components and steps. The steps, or in other words, the elements of freedom of expression can be counted as freedom of information, freedom of opinion and freedom of declaration of ideas and opinion.

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Employed Students' Development Challenges in Georgia

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Abstract

Caring for human resource development is an important issue in all directions, on a macro, micro, and individual level (Gulua, Ekaterine, 2013). This is the key pillar of effectiveness and progress (Gulua, Ekaterine, 2012), this is a resource that is responsible for rational development of all other resources. The level of human resource development is directly proportionate to the development of the organization, the country's development, and conversely the more developed a country, an organization is, the more appreciated are the people - the main factor of its success (Gulua, Ekaterine, 2014). The developed countries differ from developing ones by the attitude towards a person, his/her potential. Therefore, organizations need to take care of people in many ways: spiritual, physical, intellectual (basic, emotional, social), career development. Only in this case the organization gets dedicated, case-oriented, highly qualified employees. At the same time, the main moral responsibility for their managing power is simplifying development opportunities for the human being. (Gulua, Ekaterine, 2011). One of the most interesting issues in human resource management is the management of human resource development. Consequently, it provides good opportunities for scientific research. The main purpose of the functioning of human potential management laboratory is the actualization of these issues at all levels in Georgia. The present work is dedicated to studying employed students' challenges in Georgia. The issue of employed students' development is complex and depends on many issues such as: country development level, level of students' consciousness and their material status, development level of higher education institutions, employers' organizational policies, etc. The aim of the present paper is to evaluate the attitude of the organizations towards the employed students-colleagues.

Keywords: Personal Development, Employed Students's Development, Career Management

Introduction

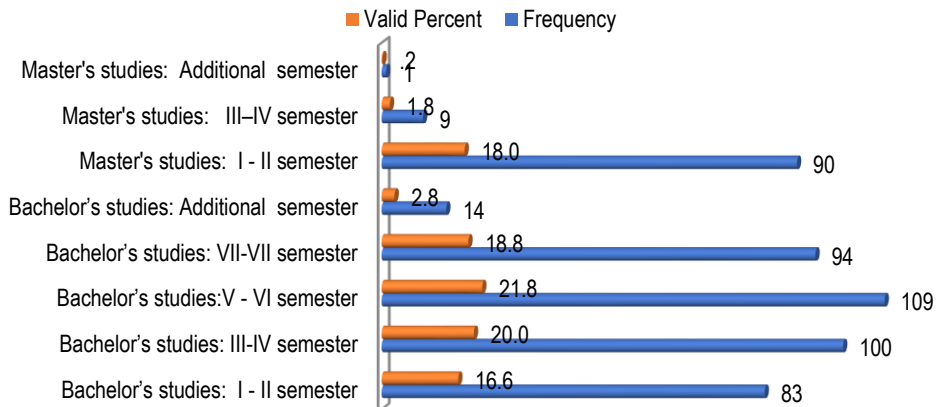
Human resource development, which means the growth of opportunities, talent and potential or improvement of using existing ones, is an important condition for organizational effectiveness. The current challenge of organizations in the direction of human resource development implies not only the improvement of its professional and job skills but also in the broader sense it includes preserving or refining these skills in the long term.

The early researches published in scientific journals and conference materials, dealt with the analysis of hindering factors in human resource development in Georgia, namely, time management problems in Georgian MA students (Gulua, Ekaterine; Kharadze, Natalia, 2017), (Kharadze, Natalia; Gulua, Ekaterine, 2016), (Kharadze, Natalia; Gulua, Ekaterine, 2017), (Kharadze, Natalia; Gulua, Ekaterine; Duglaze, Davit, 2017), (Kharadze, Natalia; Gulua, Ekaterine, 2017); Challenges of organizational culture (Gulua, Ekaterine; Kharadze, Natalia, 2014), (Gulua, Ekaterine; Kharadze, Natalia, 2018), problems faced by organizational destructive conflicts (Kharadze, Natalia; Gulua, Ekaterine, 2018), challenges in the field of higher education (Gulua, Ekaterine, 2017), (Kharadze, Natalia; Gulua, Ekaterine, 2018) (Gulua, Ekaterine; Mikaberidze, Akaki, 2015).

The present work carried out by the Human Potential Management Laboratory. It is dedicated to studying employed students' challenges in Georgia. The issue of employed students's development is complex and depends on many issues such as: country development level, level of students' consciousness and their material status, development level of higher education institutions, employers' organizational policies, etc. The aim of the present paper is to evaluate the attitude of the organizations towards the employed students-colleagues.

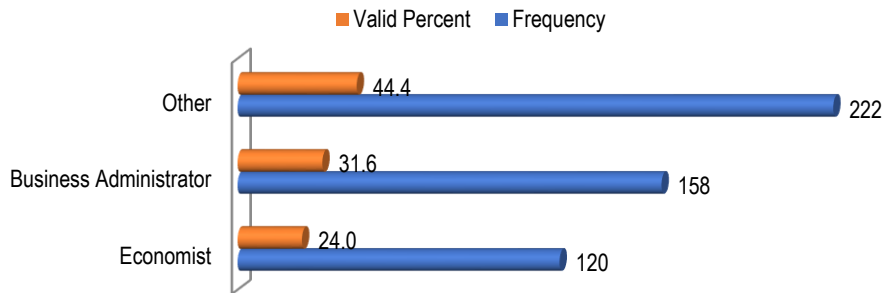
The anonymous survey of university students was conducted for this study. The questionnaire included 27 closed and one open questions. The study was conducted on April 23-29, 2018. The data was developed in the program SPSS-Statistics. 500 randomly selected students participated in the study, 400 - undergraduate students, 100 – MA students **(see Diagram 1 (27))**.

Diagram 1(27). Your studying semester:



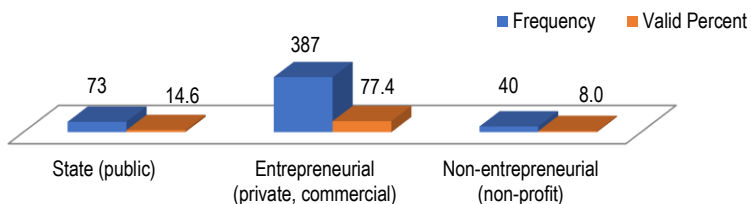
24% of the respondents are students of economics, 31.6% - business administration students, 44.4% - students of other specialties (see Diagram 2 (23)).

Diagram 2(23). Your profession (current or future)

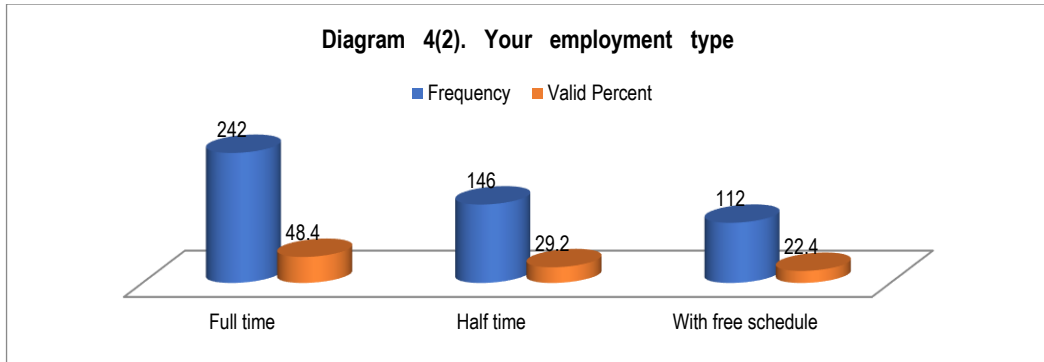


387 students of the respondents are employed in the enterprise (private and commercial) sector, 73 in the state (public) sector and 40 in non-profit (non-commercial) sectors (see Diagram 3 (1)).

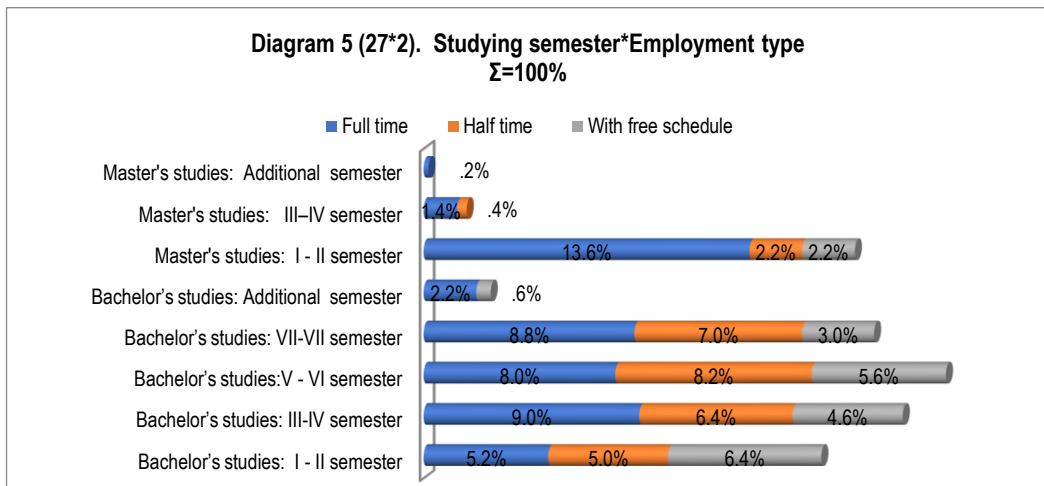
Diagram 3(1). Place of your employment according to a sector



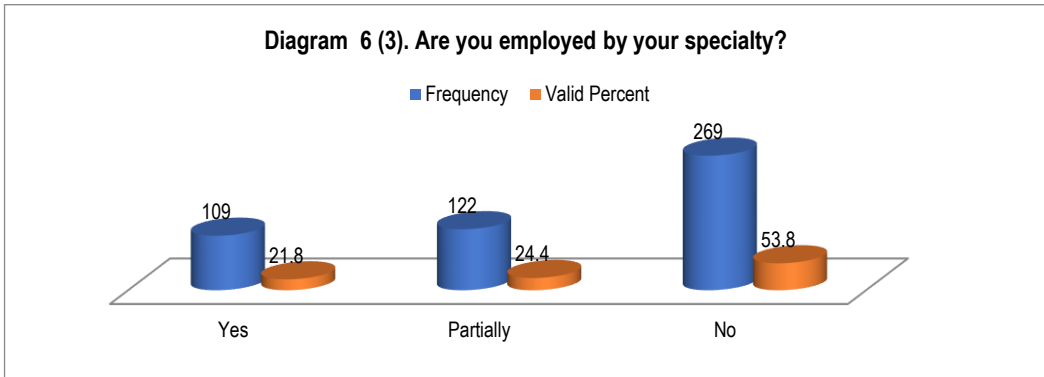
It is noteworthy that almost half of the students are working full time, which implies usually 40 hour-working week, normally from 9 am to 18 pm. **(see diagram 4 (2))** Because students are working in parallel with studying, or vice versa, they are learning during daytime in parallel with working, it means that both parties - educational institutions and employer organizations understand the employed students' condition and somewhat agree with such conditions.



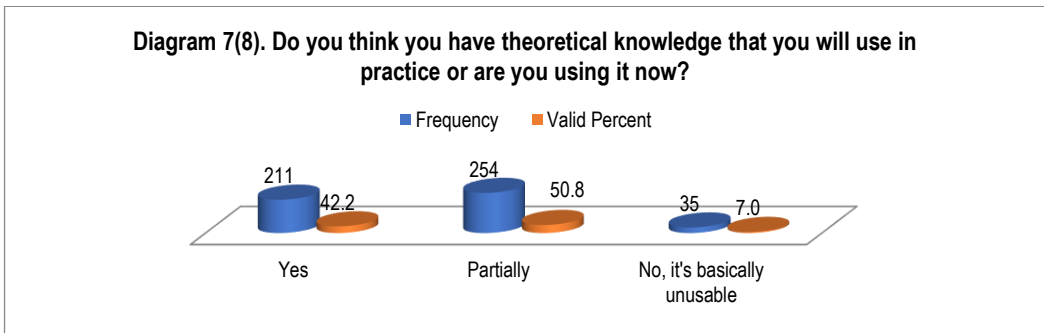
The cross tabulation analysis shows that from the full-time employees 33.2% are undergraduates, 15.2% - MA students; from part-time employees 26.6% are undergraduates, 2.6% - MA students and 20.2% of freelancers are undergraduates and 2,2% are MA students **(see Diagram 5 (27*2))**



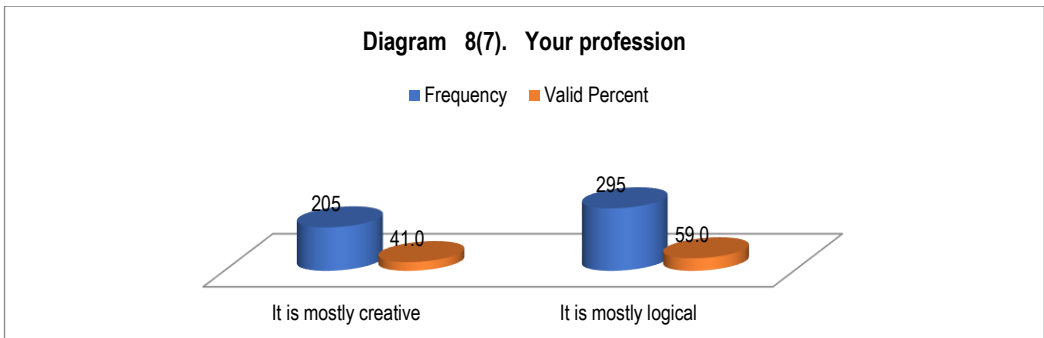
21.8% of the respondents work with their specialty, 24.4% of students are partially compatible with their working positions, more than half - 53.8% do not work with their specialty **(see diagram 6 (3))**, which means that the category which does not work with their specialty has less chance of achieving relevant results. Their work is aimed at short-term goals, most likely students are doing such jobs because of the necessity of material needs.



We got interested in how they evaluate their theoretical knowledge they receive at the university or at work. 42.2% of the respondents estimate it positively, 50.8% believe that their theoretical knowledge is partially useful and 7% give a negative assessment.(see **Diagram 7 (8)**).

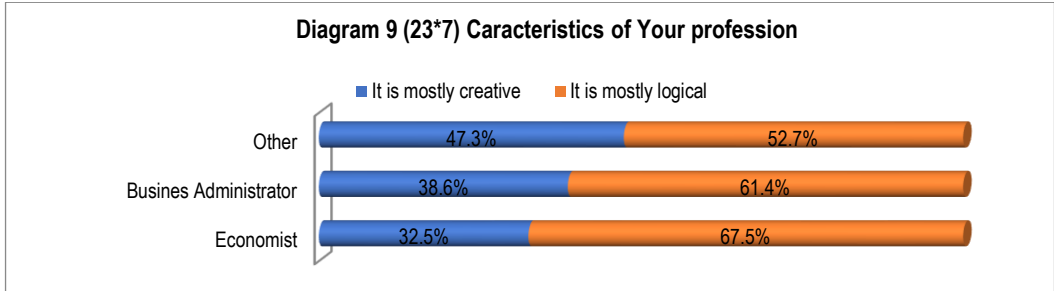


41% of the respondents believe that their profession is largely creative and 59% think that it is largely logical (see **Diagram 8**).



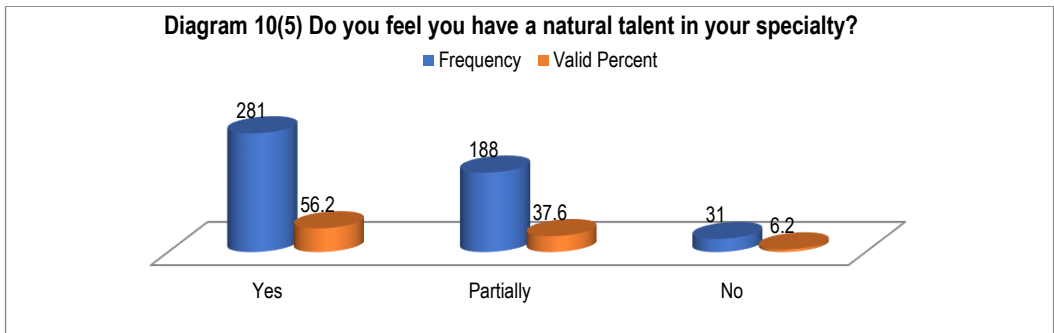
Most part of the economic direction students (67.5%) think that their specialty is largely logical, and 32.5% think it is largely creative. 61.4% of business administration students believe that their specialty is largely logical, 38.6%

It's interesting to see how well-grounded this conclusion is. It is noteworthy that a large portion of business administration students identify their specialties as logical and non-creative ones (see **Diagram 9 (23*7)**). The creative and logical specialties have different methods and approaches towards teaching and learning.

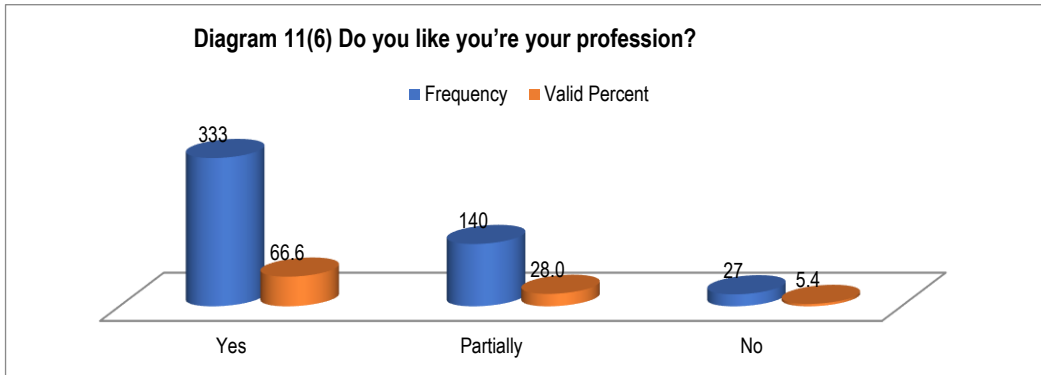


A person's professional development is determined by the inclination towards the chosen direction, the particular emotional attachment and love to the field.

56% of the respondents think that they have a natural inclination - the talent in the chosen specialty. In this regard, 6.2% of the respondents clearly showed the negative response. (See the **Diagram 10 (5)**).



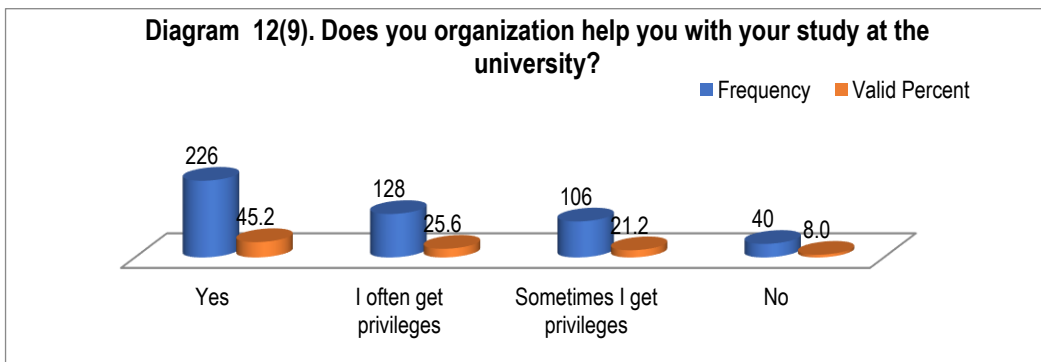
About 67% of the respondents confirm the love of the profession, 28% think that they partially like their profession, 5.4% of the respondents' answers are strongly negative to this question (see **Diagram 11 (6)**).



Job satisfaction significantly determines the possibilities of human resource development. The following factors usually determine job satisfaction: 1. Supporting the development of the employees by the organization; 2. Payment level; 3. Healthy environment in the organization; 4. To what extent the employees link their long-term goals to the organization.

1. To find out how organizations encourage students to develop, we have asked a few questions and received relevant answers.

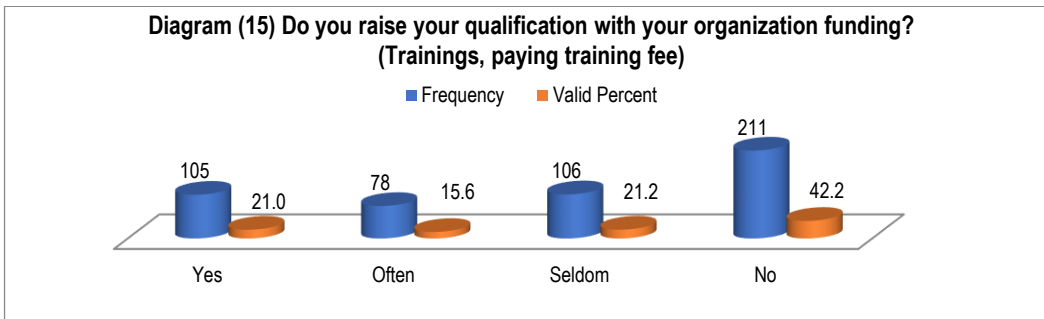
A) 45% of the respondents unequivocally state that the organization supports their learning, 26% say that organizations often offer benefits, 21% are sometimes offered benefits and 8% do not feel support at all. **(see Diagram 12 (9))**



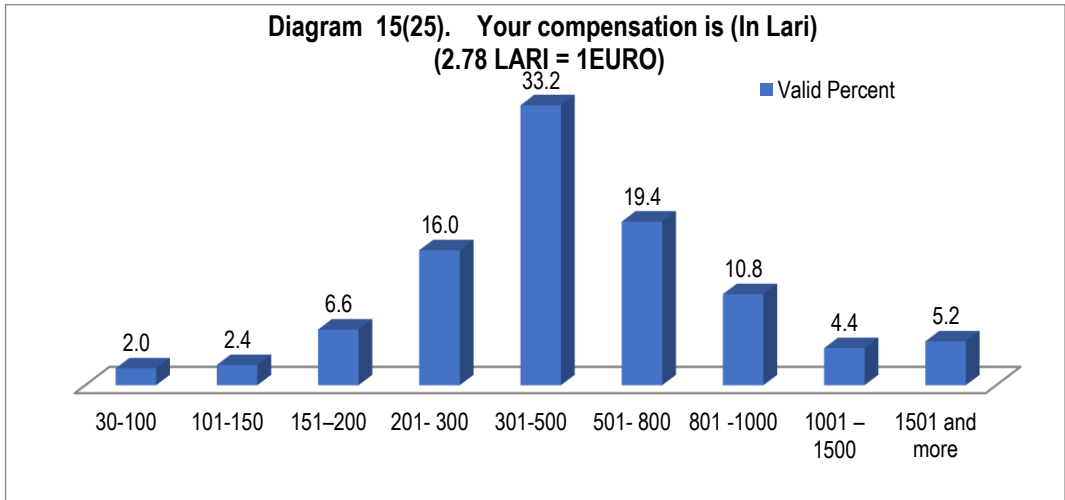
B) 29% of the respondents say that their development plan is made in the employer's organization, 32% think that such a plan is formal, 39% indicate that their development plans are not made **(see Diagram 13 (14)).**



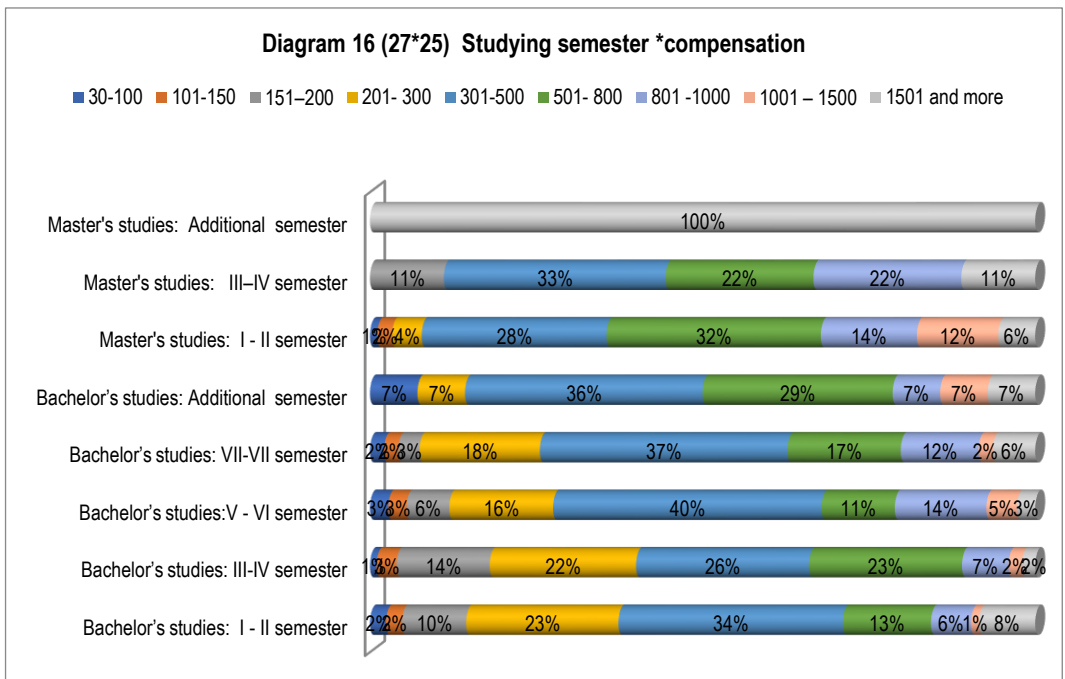
C) 37% of the respondents report that they often and constantly increase their qualifications by organization's financing, 21% rarely have such an opportunity, and 42% report that they are absolutely deprived of such a possibility. (see **Diagram 14 (15)**).



2. Development stimuli, job satisfaction are significantly determined by the payment level. It is noteworthy that a 100 GEL salary was observed, 4,4% of the respondents' salary is up to 150 GEL, and the cumulative percentage of those who have up to 300 GEL is 27. The most percentage of respondents (33.2%) is paid from 301 to 500 GEL. 5.2% of the respondents noted that their salary exceeds 1501 GEL. (See the **Diagram 15 (25)**).



We got interested in analyzing the connection between the students' semester and their pay. See the correlation analysis of the connection between these variables in the table. (see **Figure 16 (27*25)**)

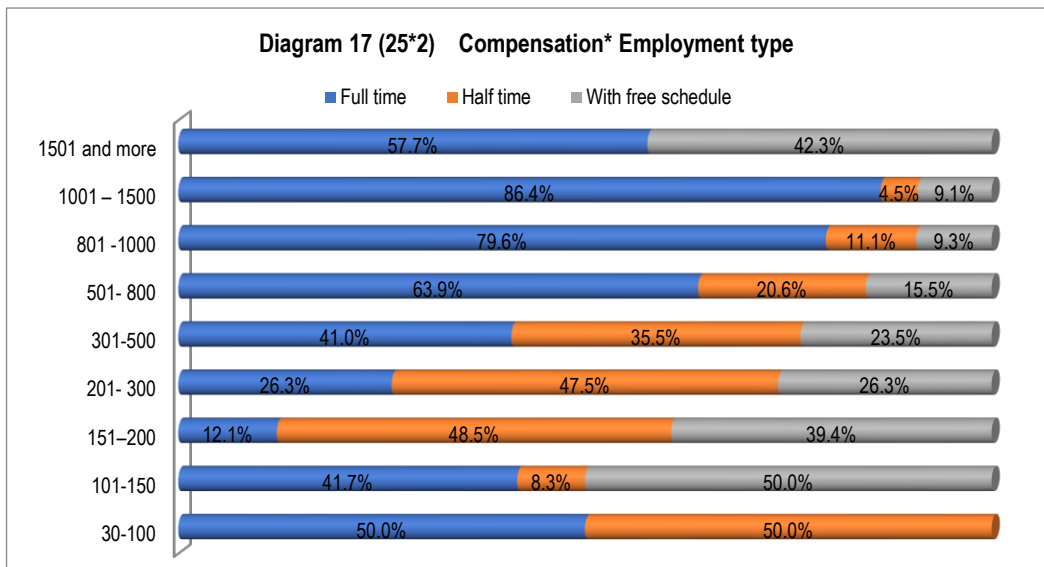


Pearson Correlation Analysis has shown that there is a weak positive connection between these two variables (see **Table 1 (25*27)**), according to Chi-Square Tests – the connection between these two variables is reliable (see **Table 2 (25*27)**) but with

linear regression ANOVA test confirmed that the model is reliable (see Table 3 (25*27))

Table1 (25*27). Correlations			Table 2(25*27). Chi-Square Tests			
	Q25	Q27		Value	df	Asymp. Sig. (2-sided)
Pearson Correlation	1	.235**	Pearson Chi-Square	104.292 ^a	56	.000
Q25 Sig. (2-tailed)		.000	Likelihood Ratio	99.010	56	.000
N	500	500	Linear-by-Linear Association	27.499	1	.000
Pearson Correlation	.235**	1	N of Valid Cases	500		
Q27 Sig. (2-tailed)	.000		a. 45 cells (62.5%) have expected count less than 5. The minimum expected count is .02.			
N	500	500				
**. Correlation is significant at the 0.01 level (2-tailed).						
Table 3 (25*27). ANOVA ^a						
Model	Sum of Squares	df	Mean Square	F	Sig.	
1 Regression	74.957	1	74.957	29.045	.000 ^b	
Residual	1285.225	498	2.581			
Total	1360.182	499				
a. Dependent Variable: Q25						
b. Predictors: (Constant), Q27						

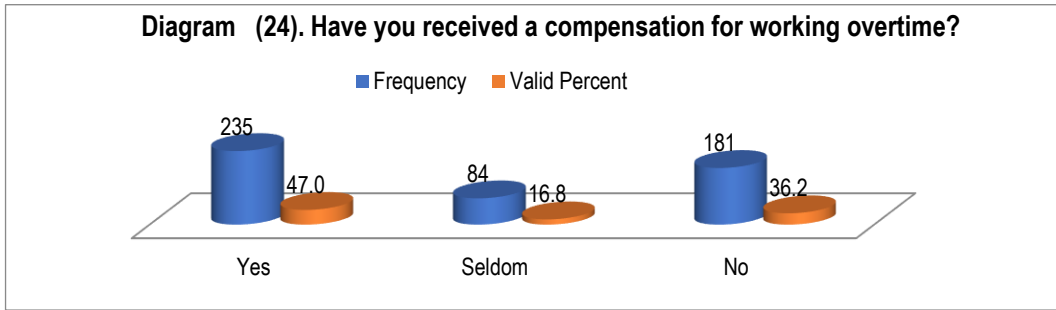
The cross tabulation analysis of the connection between salary and employment rate is shown in the table (see Diagram 17 (25*2)).



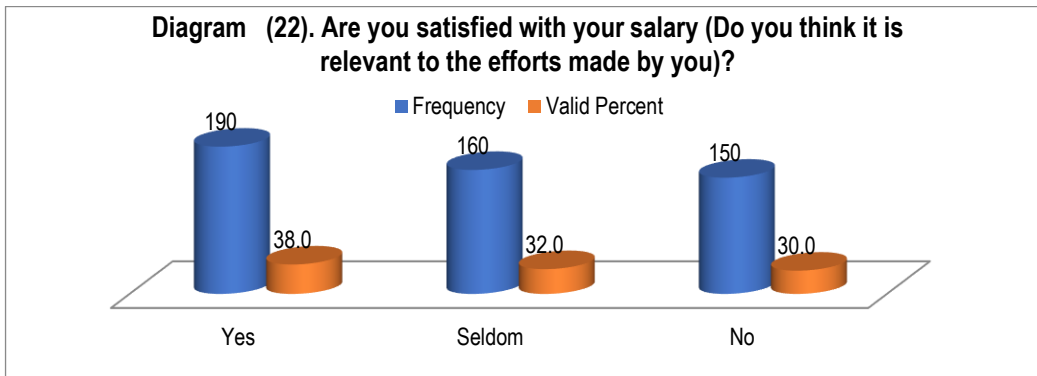
Pearson’s correlation analysis has shown that there is a weak positive connection between these two variables. (see Table 4 (25*2) According to Chi Square test – there is a reliable connection between these two variables (see Table 5 (25*2), with linear regression, ANOVA test confirmed that the model is reliable (see Table 6 (25*2)

Table 4 (25*2). Correlations			Table 5 (25*2). Chi-Square Tests				
	Q25	Q2		Value	df	Asymp . Sig. (2- sided)	
Q25	Pearson Correlation	1	-				
	Sig. (2-tailed)		.229* *				
	N	500	500				
Q25	Pearson Correlation	-	.229* *	105.204 ^a	16	.000	
	Sig. (2-tailed)		.000	Likelihood Ratio	119.105	16	.000
	N	500	500	Linear-by-Linear Association	26.200	1	.000
				N of Valid Cases	500		
**. Correlation is significant at the 0.01 level (2-tailed).			a. 6 cells (22.2%) have expected count less than 5. The minimum expected count is 2.24.				
Table 6 (25*2). ANOVA ^a							
Model	Sum of Squares	df	Mean Square	F	Sig.		
1	Regression	71.416	1	71.416	27.596	.000 ^b	
	Residual	1288.766	498	2.588			
	Total	1360.182	499				
a. Dependent Variable: Q25							
b. Predictors: (Constant), Q2							

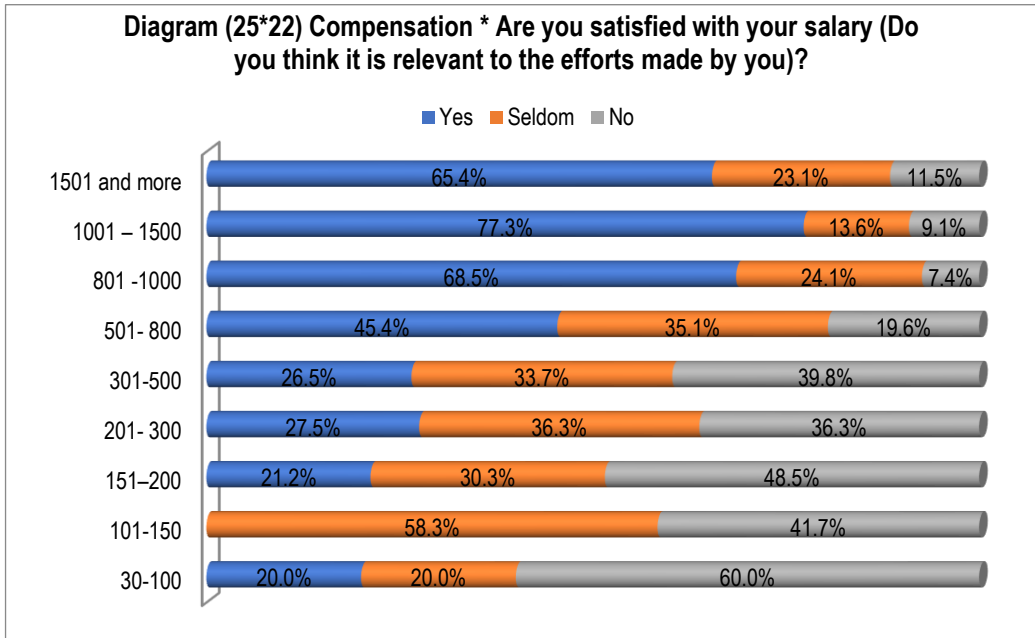
It turned out that 47% of the respondents receive compensation for working overtime; 17%-rarely receive, 36% has not received compensation for working overtime. (See the Diagram 18 (24).



38% is satisfied with salary, 32%-partially satisfied, 30%-dissatisfied. (see Figure 19 (22))



We got interested in the cross tabulation connection between the amount of payment and the satisfaction with payment. It was found that the number of absolutely dissatisfied ones are high among the low-paid people, the highest quality of satisfaction was revealed between the people whose salary was from 1001 to 1,500 GEL (see Diagram 20 (25*22)).



Pearson's correlation analysis showed that between these two variables there is a weak correlation connection (see Table 7 (25*22)).

Table 7(25*22). Correlations

		Your compensation is.	Are you satisfied with your salary (Do you think it is relevant to the efforts made by you)?
Your compensation is.	Pearson Correlation	1	-.348**
	Sig. (2-tailed)		.000
	N	500	500
Are you satisfied with your salary (Do you think it is relevant to the efforts made by you)?	Pearson Correlation	-.348**	1
	Sig. (2-tailed)	.000	
	N	500	500

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

Based on the determining the meaning of the Chi-square, the connection between these variables is less than 0,05, so the connection is reliable (see Table 8 (25*22)).

Table 8 (25*22). Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	85.094 ^a	16	.000
Likelihood Ratio	90.686	16	.000
Linear-by-Linear Association	60.544	1	.000
N of Valid Cases	500		

On the basis of the linear regression, the ANOVA test shows that the model is reliable - the sigma is less than 0.05 (**see Table 9 (22*25)**).

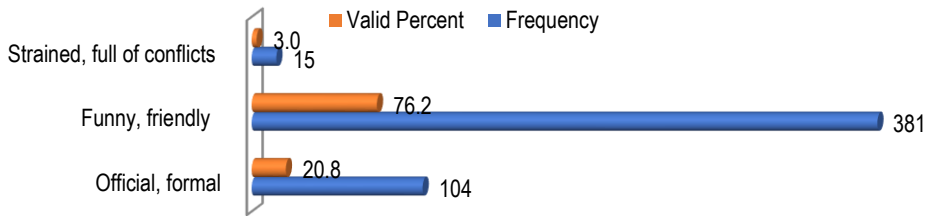
Table 9 (22*25). ANOVA^a

Model		Sum of Squares	df	Mean Square	F	Sig.
1	Regression	40.864	1	40.864	68.766	.000 ^b
	Residual	295.936	498	.594		
	Total	336.800	499			
a. Dependent Variable: Q22						
b. Predictors: (Constant), Q25						

3. Healthy processes established in the organization encourage the special attitudes towards the work. This is shown in keeping healthy relationships, knowledge sharing, appreciating talents, fairness and democratic principles.

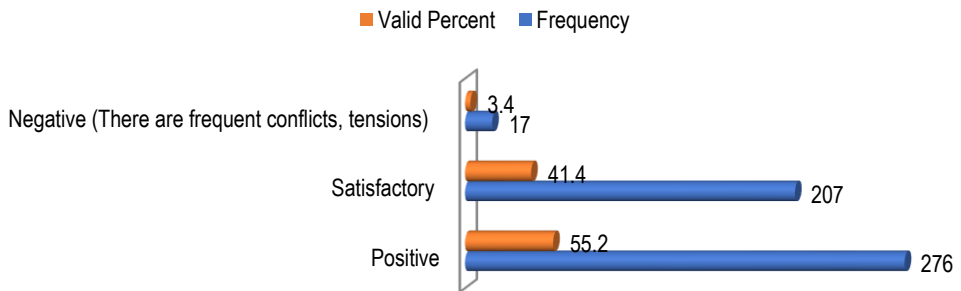
The forms of established relationships indicate healthy processes within the organization. 76% of the students say that the relationship during a working process is friendly and funny, 21% say that business relationships in their organization are official and formal, only 3% of the respondents answers to this question was negative (**see Diagram 21 (18)**).

Diagram 21(18). Relationships while working in the organization are



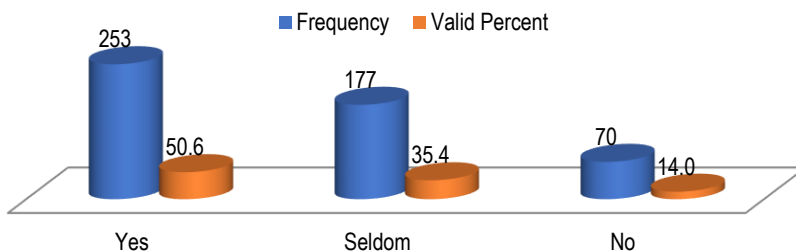
55% thinks that general relationships between organization members are positive, 41% of the respondents thinks that the relationships are satisfactory and 3% thinks that the relationships in their organization are tense and conflicting (see Diagram 22 (16)).

Diagram 22 (16). The relationships in your organization are

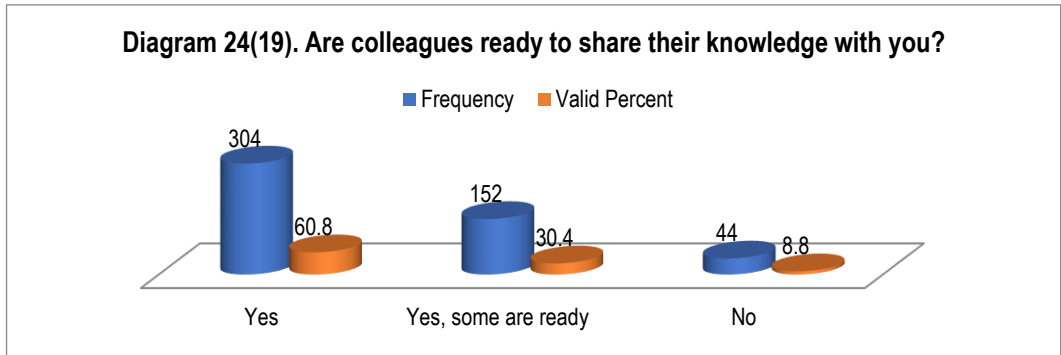


It is interesting that to the question if they have informal relationships with the organization members, 51% answered "Yes", the answer - "rarely" was given by 35%, and 14 answers show that they do not have such relationships (see diagram 23(17))

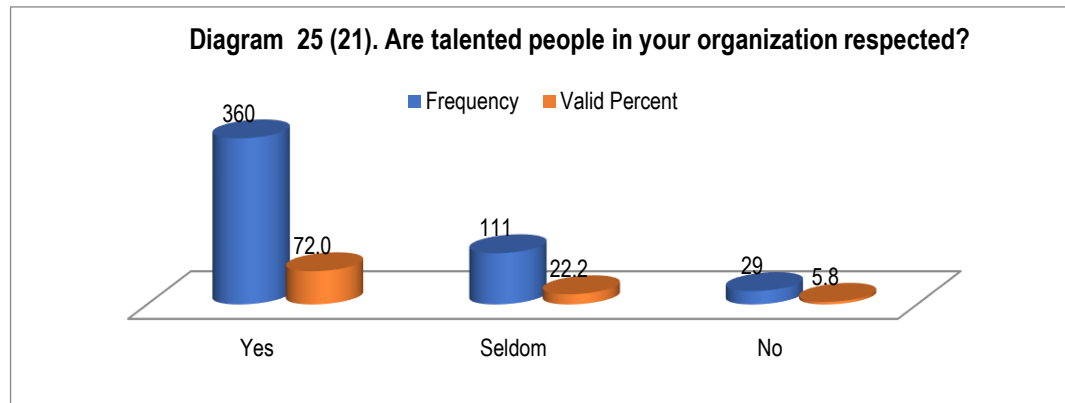
Diagram 23(17). Do you have informal relationships with organization members?



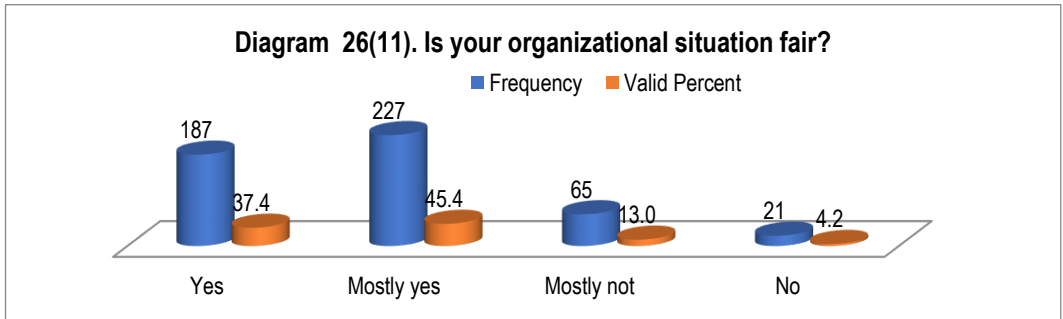
61% of the respondents say that employees are ready to share their knowledge, 30.4% indicate that some people share their knowledge and negative answers were shown by 9% of the students. (see **Diagram 24 (19)**)



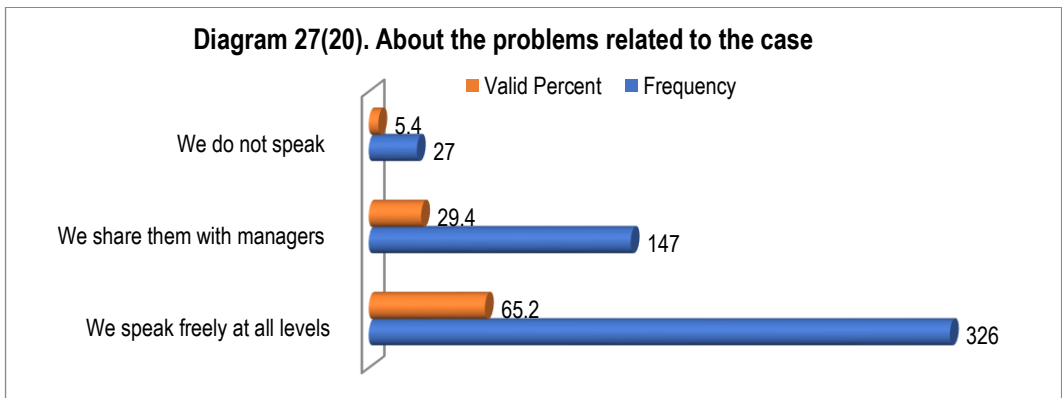
We got interested in how much the employed students feel the positive and fair attitude towards talents in their organizations. It is good that 72% of the respondents had a clear positive response to this question, 22% think talented people are rarely evaluated, and 6% of the respondents have answered negatively to this question (see **Figure 25 (21)**).



Fairness is a fundamental principle of functioning of the organization. A large number of the employed students (83%) report positive answers in this regard and 17% answers negatively (see **Diagram 26 (11)**)



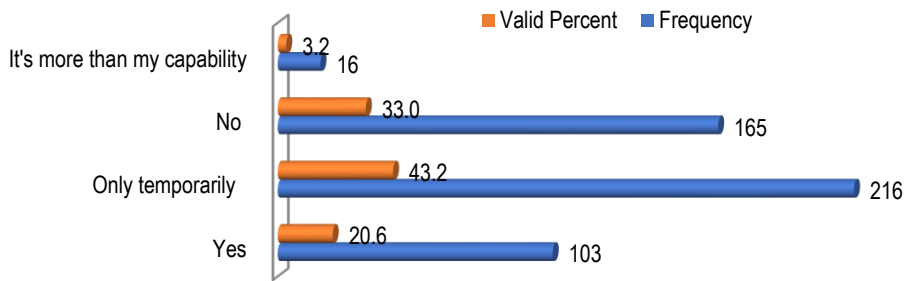
When asked about the quality of democracy - who they share business problems with - 65% of the respondents report that they speak freely about the problems in the organization, 29% of the respondents share them with managers, 5% don't speak about problems. (see Diagram 27 (20)).



4. It is important to determine whether the students relate their long-term goals with the current workplace.

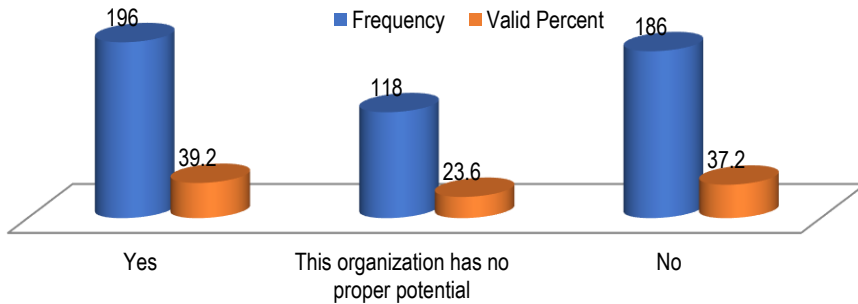
21% of the respondents are willing to stay on the current workplace, 43% only temporarily want to stay, 33% of the respondents exclude their future business connections from the current workplace and 3.2% of respondents think that this exceeds their abilities. (see Diagram 28 (12)).

Diagram 28(12). Do you want to stay in your organization to work constantly?

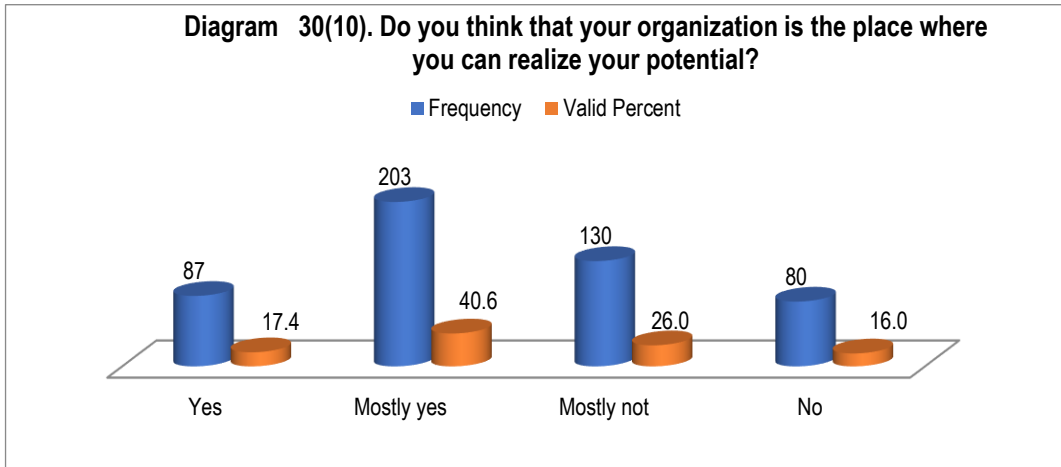


39% of the respondents think that it is possible to achieve its career peak in the current workplace, and 37% of the respondents have negative answers in this regard, 24% report that the current workplace does not have adequate potential (see **Diagram 29 (13)**).

Diagram 29(13). Do you believe in your organization you can reach the peak of your career?



58% of the respondents think that they will be able to realize their capacities at the current employment level, while 42% have negative answers in this respect (see **Diagram 30 (10)**).



The relationship between self-realization opportunities and the willingness to remain in the organization is shown in the cross-tabulation analysis (see Table 10 (10*12)).

Table10 (10*12). Cross-tabulation analysis

		Do you want to stay in your organization to work constantly?				Total
		Yes	Only temporarily	No	It's more than my capability	
Do you think that your organization is the place where you can realize your potential?	Yes	10.0 %	5.4%	1.2%	.8%	17.4%
	Mostly yes	9.4%	20.2%	9.2%	1.8%	40.6%
	Mostly no	1.0%	12.8%	12.0 %	.2%	26.0%
	No	.2%	4.8%	10.6 %	.4%	16.0%
Total		20.6 %	43.2%	33.0 %	3.2%	100.0 %

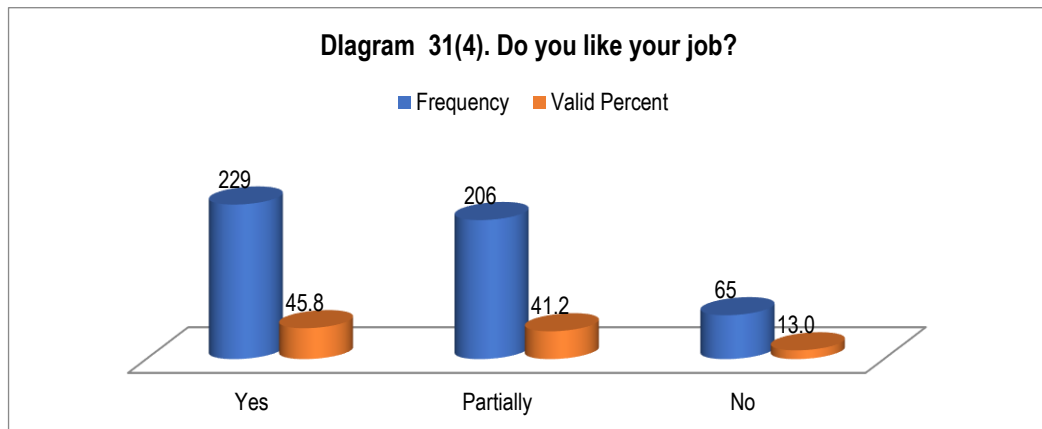
A positive weak correlation between these two variables was found with Pearson correlation test (see Table 11 (10*12)). The Chi-square test showed that the relationship between these two variables is reliable (see Table 12 (10*12)).

By the linear regression analysis, the ANOVA test showed that the model is reliable, since the sigma is less than 0,005 (see Table 13 (10*12)).

Table 11 (10*12). Correlations				Table 12 (10*12). Chi-Square Tests				
		Q10	Q12			Value	df	Asym p. Sig. (2-sided)
Q10	Pearson Correlation	1	.441*	Pearson Chi-Square	161.809 _a	9		.000
	Sig. (2-tailed)		.000					
	N	500	500					
Q12	Pearson Correlation	.441**	1	Likelihood Ratio	166.781	9		.000
	Sig. (2-tailed)	.000		Linear-by-Linear Association	97.204	1		.000
	N	500	500	N of Valid Cases	500			
**. Correlation is significant at the 0.01 level (2-tailed).				a. 3 cells (18.8%) have expected count less than 5. The minimum expected count is 2.56.				

Table 13 (10*12). ANOVA ^a						
Model		Sum of Squares	df	Mean Square	F	Sig.
1	Regression	61.230	1	61.230	120.478	.000 ^b
	Residual	253.098	498	.508		
	Total	314.328	499			
a. Dependent Variable: Q12						
b. Predictors: (Constant), Q10						

According to general estimation, 49% of the respondents like their place of employment, 41% like it partially, 13% of the employed students show their negative attitude (see Figure 31 (4)).



Preliminary hypotheses have been verified by statistical methods. In particular, we used Pearson correlation analysis of pyroson, the Chi-squared tests to substantiate the reliability of the connections between the variables and linear regression, namely the ANOVA test.

H1: Variable – Q3 (Are you employed by your specialty?) affects the variables:

Q4 (Do you like your job?);

Q8 (Do you think you have theoretical knowledge that you will use in practice or are you using it now?);

Q12(Do you want to stay in your organization to work constantly?);

Q13 (Do you believe in your organization you can reach the peak of your career?

H2: Variable Q9 (Does you organization help you with your study at the university?) affects the variables:

Q4 (Do you like your job?);

Q10 (Do you think that your organization is the place where you can realize your potential?);

Q12(Do you want to stay in your organization to work constantly?);

Q14 (Have you made your personal development plan with organization management?).

H3: Variable Q15 (Do you raise your qualification with your organization funding? (Trainings, paying training fee) affects the variables:

Q4 (Do you like your job?);

Q10 (Do you think that your organization is the place where you can realize your potential?);

Q12(Do you want to stay in your organization to work constantly?);

Q13 (Do you believe in your organization you can reach the peak of your career?).

H4: Variable Q11(Is your organizational situation fair?) affects the variables:

Q4 (Do you like your job?);

Q12(Do you want to stay in your organization to work constantly?);

Q13 (Do you believe in your organization you can reach the peak of your career?

Q21 (Are talented people in your organization respected?)

H1 Hypothesis: working with specialty (Q3) affects whether respondents like their jobs or not (Q4), whether they relate long-term goals to the organization (Q12), if they think that in this organization they will reach a career peak (Q13) also if practical experience can help them to perceive their own theoretical knowledge. (Q8)

To prove **H1** hypothesis we have made Pearson Correlative Analysis Test, confirming the existence of correlation between them. Though the connection between these variables is weak, the link between Q3 and Q8 is very weak (**see Table 14 (H1)**).

Table 14 (H1) Correlation

		Q3	Q4	Q8	Q12	Q13
Q3	Pearson Correlation	1	.383**	.033	.244**	.233**
	Sig. (2-tailed)		.000	.468	.000	.000
	N	500	500	500	500	500
Q4	Pearson Correlation	.383**	1	.092*	.418**	.323**
	Sig. (2-tailed)	.000		.040	.000	.000
	N	500	500	500	500	500
Q8	Pearson Correlation	.033	.092*	1	.021	.126**
	Sig. (2-tailed)	.468	.040		.637	.005
	N	500	500	500	500	500
Q12	Pearson Correlation	.244**	.418**	.021	1	.395**
	Sig. (2-tailed)	.000	.000	.637		.000

	N	500	500	500	500	500
Q13	Pearson Correlation	.233**	.323**	.126**	.395**	1
	Sig. (2-tailed)	.000	.000	.005	.000	
	N	500	500	500	500	500

The Chi-squared test has shown that the connection between all these variables are reliable (see Table 15, 16, 17), except one. The connection between Q3 and Q8 has not turned out to be reliable (see Table 18).

Table 15 (Q3 *Q4) Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	78.610 ^a	4	.000
Likelihood Ratio	83.888	4	.000
Linear-by-Linear Association	73.066	1	.000
N of Valid Cases	500		

a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 14.17.

Table 16. (Q3 * Q13) Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	29.137 ^a	4	.000
Likelihood Ratio	29.885	4	.000
Linear-by-Linear Association	27.039	1	.000
N of Valid Cases	500		

a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 25.72.

Table 17(Q3 * Q12) Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	37.419 ^a	6	.000
Likelihood Ratio	38.352	6	.000
Linear-by-Linear Association	29.669	1	.000
N of Valid Cases	500		

Table 18 (Q3 * Q8) Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	1.172 ^a	4	.883
Likelihood Ratio	1.192	4	.879
Linear-by-Linear Association	.527	1	.468
N of Valid Cases	500		

a. 2 cells (16.7%) have expected count less than 5. The minimum expected count is 3.49.	a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 7.63.
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With a linear regression analysis, the ANOVA test showed that the model is reliable, since the sigma is less than 0,005 (**see Table 19 (H1)**).

Table 19 (H1). Model ANOVA^a

	Sum of Squares	df	Mean Square	F	Sig.
Regression	53.379	4	13.345	24.191	.000 ^b
1 Residual	273.059	495	.552		
Total	326.438	499			

a. Dependent Variable: Q3

b. Predictors: (Constant), Q13, Q 8, Q4, Q12

H2 hypothesis: When an employer organization helps a student with studying (Q9), in this case the latter has developed a personal development plan together with organization management (Q14), , they like their job (Q4), believe that this is a place where you can find the place, where they can realize their abilities (Q10), have the desire to remain in this organization to work (Q12).

By Pearson Correlative Analysis Test the correlation between Q9 Q4 Q10 Q12 Q14 variables has been confirmed. However, the connection between these variables is weak (**see Table 20 (H2)**).

Table 20 (H2). Correlations

		Q9	Q4	Q10	Q12	Q14
Q9	Pearson Correlation	1	.306**	.253**	.223**	.261**
	Sig. (2-tailed)		.000	.000	.000	.000
	N	500	500	500	500	500
Q4	Pearson Correlation	.306**	1	.468**	.418**	.281**
	Sig. (2-tailed)	.000		.000	.000	.000
	N	500	500	500	500	500
Q10	Pearson	.253**	.468**	1	.441**	.384**

	Correlation					
	Sig. (2-tailed)	.000	.000		.000	.000
	N	500	500	500	500	500
Q12	Pearson Correlation	.223**	.418**	.441**	1	.244**
	Sig. (2-tailed)	.000	.000	.000		.000
	N	500	500	500	500	500
Q14	Pearson Correlation	.261**	.281**	.384**	.244**	1
	Sig. (2-tailed)	.000	.000	.000	.000	
	N	500	500	500	500	500

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

The Chi-square test showed that the connection between Q9, Q4, Q10, Q12, Q14 variables is reliable, each time the sigma is less than 0.005 (see tables 21, 22, 23, 24).

Table 21 (Q9 *Q4) Chi-Square Tests				Table 22 (Q9*Q10) Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)		Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	65.218 ^a	6	.000	Pearson Chi-Square	50.084 ^a	9	.000
Likelihood Ratio	61.481	6	.000	Likelihood Ratio	47.204	9	.000
Linear-by-Linear Association	46.748	1	.000	Linear-by-Linear Association	31.930	1	.000
N of Valid Cases	500			N of Valid Cases	500		
a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 5.20.				a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 6.40.			
Table 23 (Q9 *Q12) Chi-Square Tests				Table 24 (Q9 *Q14) Chi-Square Tests			

	Value	df	Asymp. Sig. (2-sided)		Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	44.560 ^a	9	.000	Pearson Chi-Square	47.766 ^a	6	.000
Likelihood Ratio	46.268	9	.000	Likelihood Ratio	51.877	6	.000
Linear-by-Linear Association	24.877	1	.000	Linear-by-Linear Association	33.915	1	.000
N of Valid Cases	500			N of Valid Cases	500		
a. 3 cells (18.8%) have expected count less than 5. The minimum expected count is 1.28.				a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 11.44.			

By the linear regression analysis, the ANOVA test has shown that the model is reliable, because the sigma is less than 0,005 (see Table 25 (H2)).

Table 25 (H2) Model ANOVA^a

Model	Sum of Squares	df	Mean Square	F	Sig.
Regression	66.474	4	16.618	19.478	.000 ^b
1 Residual	422.326	495	.853		
Total	488.800	499			

a. Dependent Variable: Q9

b. Predictors: (Constant), Q14, Q12, Q4, Q10,

H3 hypothesis: When with the help of organization financing, students are given the opportunity to improve their qualifications - the employer organization pays for training and learning fees (Q15), this affects the attitude towards the organization - the employers like it (Q4), they think that it is possible to reach a career peak in this organization (Q13), they think they found a place where they can realize their opportunities (Q10) and have the desire to stay permanently for working (Q12).

The existence of correlation between Q15, Q4, Q10, Q12, Q13 variables has been confirmed by the Pearson Correlation Analysis Test. However, the connection between these variables was weak (see Table 26 (H3)).

Table 26 (H3). Correlations

		Q15	Q4	Q10	Q12	Q13
Q15	Pearson Correlation	1	.183**	.343**	.178**	.226**
	Sig. (2-tailed)		.000	.000	.000	.000
	N	500	500	500	500	500
Q4	Pearson Correlation	.183**	1	.468**	.418**	.323**
	Sig. (2-tailed)	.000		.000	.000	.000
	N	500	500	500	500	500
Q10	Pearson Correlation	.343**	.468**	1	.441**	.456**
	Sig. (2-tailed)	.000	.000		.000	.000
	N	500	500	500	500	500
Q12	Pearson Correlation	.178**	.418**	.441**	1	.395**
	Sig. (2-tailed)	.000	.000	.000		.000
	N	500	500	500	500	500
Q13	Pearson Correlation	.226**	.323**	.456**	.395**	1
	Sig. (2-tailed)	.000	.000	.000	.000	
	N	500	500	500	500	500

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

The Chi-squared test has shown that the connection between **Q15**, Q4, Q10, Q12, Q13 variables is reliable, each time the sigma is less than 0.005 (see **Table 27, 28, 29, 30**)

Table 27 (Q15*Q4). Chi-Square Tests				Table 28 (Q15*Q10). Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)		Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	20.322 ^a	6	.002	Pearson Chi-Square	73.681 ^a	9	.000

Likelihood Ratio	21.821	6	.001	Likelihood Ratio	72.449	9	.000
Linear-by-Linear Association	16.647	1	.000	Linear-by-Linear Association	58.811	1	.000
N of Valid Cases	500			N of Valid Cases	500		
a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 10.14.				a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 12.48.			
Table 29 (Q15*Q12). Chi-Square Tests				Table 30 (Q15*Q13). Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)		Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	41.647 ^a	9	.000	Pearson Chi-Square	27.928 ^a	6	.000
Likelihood Ratio	40.773	9	.000	Likelihood Ratio	28.087	6	.000
Linear-by-Linear Association	15.868	1	.000	Linear-by-Linear Association	25.427	1	.000
N of Valid Cases	500			N of Valid Cases	500		
a. 3 cells (18.8%) have expected count less than 5. The minimum expected count is 2.50.				a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 18.41.			

With a linear regression analysis, the ANOVA test has shown that the model is reliable, since the sigma is less than 0,005 (see Table 31 (H3), Q15 and Q10 were the significant variables).

Table 31. Model ANOVA^a

Model	Sum of Squares	df	Mean Square	F	Sig.
1 Regression	86.558	4	21.639	17.543	.000 ^b
Residual	610.584	495	1.234		

	Total	697.142	499		
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Dependent Variable: Q15

b. Predictors: (Constant): Q13, Q12, Q4, Q10,

The H4 hypothesis: The fairness of the organization (Q4) affects the attitude towards the organization (Q4), when employed students consider that the environment is fair, they think that talented people are respected in the organization (Q21), they can achieve their career peak there (Q13), they have a desire to remain in such an organization for permanent working. (Q12).

By Pearson Correlative Analysis Test the existence of correlation between the Q11 Q21, Q12, Q13, and Q4 variables has been confirmed. However, the connection between these variables is weak (**see Table 32 (H4)**).

Table32 (H4). **Correlations**

		Q11	Q4	Q12	Q13	Q21
Q11	Pearson Correlation	1	.401**	.308**	.209**	.410**
	Sig. (2-tailed)		.000	.000	.000	.000
	N	500	500	500	500	500
Q4	Pearson Correlation	.401**	1	.418**	.323**	.354**
	Sig. (2-tailed)	.000		.000	.000	.000
	N	500	500	500	500	500
Q12	Pearson Correlation	.308**	.418**	1	.395**	.213**
	Sig. (2-tailed)	.000	.000		.000	.000
	N	500	500	500	500	500
Q13	Pearson Correlation	.209**	.323**	.395**	1	.237**
	Sig. (2-tailed)	.000	.000	.000		.000
	N	500	500	500	500	500
Q21	Pearson Correlation	.410**	.354**	.213**	.237**	1
	Sig. (2-tailed)	.000	.000	.000	.000	
	N	500	500	500	500	500

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

The Chi-squared test has shown that the connection between **Q11**, Q12, Q13, Q4 variables is reliable, each time the sigma is less than 0.005 (**see Table 33, 34 35, 36**)

Table 33 (Q11*Q4). Chi-Square Tests				Table 34 (Q11*Q12). Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)		Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	98.769 ^a	6	.000	Pearson Chi-Square	76.972 ^a	9	.000
Likelihood Ratio	94.350	6	.000	Likelihood Ratio	75.901	9	.000
Linear-by-Linear Association	80.281	1	.000	Linear-by-Linear Association	47.212	1	.000
N of Valid Cases	500			N of Valid Cases	500		
a. 1 cells (8.3%) have expected count less than 5. The minimum expected count is 2.73.				a. 3 cells (18.8%) have expected count less than 5. The minimum expected count is .67.			
Table 35 (Q11*Q13). Chi-Square Tests				Table 36 (Q11*Q21). Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)		Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	24.574 ^a	6	.000	Pearson Chi-Square	138.537 ^a	6	.000
Likelihood Ratio	24.337	6	.000	Likelihood Ratio	98.942	6	.000
Linear-by-Linear Association	21.786	1	.000	Linear-by-Linear Association	83.829	1	.000
N of Valid Cases	500			N of Valid Cases	500		
a. 1 cells (8.3%) have expected count less than 5. The minimum expected count is 4.96.				a. 3 cells (25.0%) have expected count less than 5. The minimum expected count is 1.22.			

With the linear regression analysis, the ANOVA test has shown that the model is reliable, since the sigma is less than 0,005 (**see Table 37 (H4)**), the most significant of the variables are the Q11 and Q21 variables.

Table 37 (H4). ANOVA^a

Model	Sum of Squares	df	Mean Square	F	Sig.
1 Regression	84.217	4	21.054	43.609	.000 ^b
Residual	238.983	495	.483		
Total	323.200	499			

a. Dependent Variable: Q11

b. Predictors: (Constant), Q21, Q12, Q13, Q4

The present research has confirmed that working with a specialty, organization's support for studying, training and improving employers' qualifications, healthy environment in the organization create grounds for employees to believe in their own strength, to like their job, to relate long-term goals with their organization.

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Are FTA's making the World Less Free? A Case Study of TPP

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Abstract

On January 23, 2017, right after assuming presidency, US President Donald Trump did good on his promise and signed the executive order that withdrew USA from the very agreement that it commenced the negotiations for: Trans Pacific Partnership (TPP). The unratified multinational trade agreement encompassed 12 countries which accounted for %40 of the world's GDP and over 800 million people. On a broader scope, TPP is often affiliated with two other trade deals; Transatlantic Trade and Investment Partnership (TTIP) and Trade in Services Agreement (TiSA) both of which in terms of content resemble a lot that of TPP. Given the fact that TTIP and TiSA are not complete and not entirely disclosed with the public, we shall be exclusively focusing on TPP. TPP has been subject to many controversies. But particularly the notion that TPP would enable corporations to sue governments in private arbitration tribunals over lost profits has drawn much attention. In this article we shall be investigating whether there is some truth to these allegations. Providing reference from the articles of the agreement, we shall be discussing the qualities of TPP's judicial reforms. But firstly, in order to introduce the reader to the subject; we will be providing with some context, to properly frame the subject, and with some information about the nature of these agreements. Secondly, we shall be addressing our main issue. In addition, we will be questioning the framework within which the agreements are officially presented. Finally, a conclusion that compromises the author's assessment of the case will be provided.

Keywords: FTA, TPP, TTIP, TiSA, Trans Pacific Partnership, free trade agreements

Introduction

When Alfred Mahan first suggested his ideas of maritime supremacy, it was a different world. However the supporters of thalassocracy today are not fewer. Mahan said that he, who dominates the seas, dominates the world. He further says that the best way to secure dominance over others at sea is either through decisive victories or blockades. Since the possibility of a decisive victory is ruled out in USA vs China case (so far), with the absence of a declaration of war, blockades are what is left. And the modern and covert way of conducting blockades is through forming coalitions and trade partnerships with targeted country's neighboring states and depriving the

target of the assets of the partnership, therefore achieving relative power over the targeted party. Consequently causing the neighboring states of the targeted country to gain more power against the target which results in a relative loss of power for the target.

Starting from the late 90's, the rise of China as a global power caused the eruption of 'The Chinese Question' in the American decision maker's mind. The world's most populous country was now breaking its shell and strengthening its position economically, militarily and politically. And the US needed to reposition itself towards this newly emerging power. This need was eventually expressed by the former president Barack Obama through his "Pivot to Asia" approach. Prior to the announcement of the pivot, the former president was known with his self declaration for being the first "Pacific President" of the USA. Although not officially pronounced, this emphasis on Asia and Pacific region was obviously mainly concerned with China. The government of Philippines, a critical US ally in the region went as far openly announcing a "Pivot to China" of their own. Thus, it seemed like US was openly repositioning itself as an anti-China party and beginning to pursue ways of confinement.

Such operation of confinement naturally consists of many legs. But the most crucial of them are most likely the military and the economic ones.

It is interesting to see that the US Army's Asia - Pacific branch was exempted from the 'notorious' defense budget cuts. Though, it is quite logical to make that exemption, especially within the context of the pivot. However there is something else that is far more interesting. For quite some time, Air Force Association¹ have been giving seminars about a new approach that they call "Air Sea Battle". The association deems that this new approach is about "warfighting in the 21st century" This new strategy puts an exclusive emphasis on the combined use of air and naval force. And "fighting in anti-access environments", "long term force deployment" and "culture change within and between services" are deemed to be vital for this new approach. More interestingly, American, Japanese and Australian air force capabilities have been performing air sea battle military exercises at US' farther-west territory, Guam Island's Anderson Air Base. It is no surprise that all of these indicators almost match with the conditions of a hypothetical war against China.

US government is probably devising other ways to contain China militarily. We believe the above-stated information is sufficient enough to draw a general picture about militarily containment. But our core issue has to do with the containment of China economically. And we will be focusing on that issue.

John J. Mearsheimer, a respected political scientist and realist who is renowned for his political predictions have foreseen in 1994 (when Ukraine was considering to give

¹ A non-profit organization with over 230 branches in US and more than 100.000 members. Considered to be one of the most influential pressure groups in the US. Its executive staff is mostly comprised of retired US Air Force generals.

up remnants of nuclear weapons from Soviet Union) that Ukraine would face certain Russian aggression without a nuclear deterrent. The invasion of Crimea and the fighting in northeastern Ukraine proves him right today.

Mearsheimer claims that US and China will eventually engage in a toe to toe conflict. Mearsheimer have predicted the construction of an anti-China camp by the initiative of the US in the Pacific region in 2004. He states that the US will try to contain China, in an attempt to deny it from becoming a regional hegemon. He also says that the US will attempt to form a balancing coalition that primarily comprises of India, Japan, Philippines, S. Korea, Vietnam, Indonesia to counter the growing Chinese strength and power projection capabilities.¹

It seems that his predictions check once again. And the anti-China camp that he prophesized is being structuralized through the TPP initiative. And after our literature survey^{2,3,4} we came to understand that TPP will constitute the economic leg of China's containment. Besides, signing a trade agreement with every important nation in the Pacific region except China tells a thing or two about this "agreement".

The Agreements

Trans Pacific Partnership is a trade agreement between USA, Canada, Mexico, Peru, Chile, Japan, Vietnam, Malaysia, Brunei Darussalam, Singapore, Australia and New Zealand. The agreement was signed on 4 February 2016. After USA's withdrawal, the agreement is being renegotiated. TPP has initially started as an extension of the Trans-Pacific Strategic Economic Partnership Agreement (TPSEP) which was between Brunei Darussalam, Chile, New Zealand and Singapore. As other countries wished to be included, the talks eventually evolved into negotiations for a separate comprehensive trade agreement. The final draft of the agreement is prepared both in English and Spanish, English version being the prevailing text in case of conflict. Ratification of the agreement requires enough states corresponding to %85 of the GDP of all signatory parties.

Transatlantic Trade and Investment Partnership is another trade agreement between USA and the European Union (Including UK, excluding Norway and Switzerland). The agreement is yet to be signed. It would not be too bold to deem it as the TPP of the Atlantic. All parties of the agreement account for nearly %60 of global GDP. TTIP shares the ISDS mechanism found in the TPP.

Trade in Services Agreement is a trade treaty between Australia, Canada, Chile, Hong Kong, Iceland, Israel, Japan, South Korea, Liechtenstein, New Zealand Norway, Switzerland, Taiwan, USA, European Union, Paraguay, Pakistan, Turkey, Peru,

¹ Clash of the Titans, Brzezinski & Mearsheimer, Foreign Policy, 00157228, Jan/Feb 2005, Issue 146, Page:3

² The Trans-Pacific Partnership(TPP): In Brief, Congressional Research Service, February 2016, R44278, Page:3

³ TPP's Impacts and China Strategies in Response, Zhonghe Mu, Stanford Center for International Development, January 2014, Working Paper No:490, Page:11

⁴ RCEP, TPP and China's FTA Strategies, Ronglin Li & Yang Hu, funded by UKaid

Panama, Mexico, Mauritius, Costa Rica, and Colombia. It is by far the most far reaching one among all TTT's¹. TiSA emphasizes on increasing cooperation and eradicating barriers for furthering trade of services such as banking, healthcare. TiSA – so far – does not contain an ISDS mechanism however it does comprise intellectual property protection provisions, almost identical to that of TPP.

Investor v. State

Through the literature survey, I have constantly found myself asking the same question: Where in the agreement says this? It was observed that almost all articles about the matter – both pro and anti-TPP ones – were lacking reasonable association of their suggestions with the articles of the agreement. This quality was observed among working papers from think tanks², brochures from environmental organizations³ and even bar reviews⁴. In the pages to come, we will be trying to address the issue while not neglecting to provide such logical necessity.

In order to oversee the implementation of the agreement, TPP Chapter 27 – Administrative and Institutional Provisions says that a commission will be formed to “*consider any matter relating to the implementation or operation of this Agreement;*” the same chapter also states that the decisions of the commission will not be subject to review. Its decisions also are not to be reversed by congress, senate or any other governmental body. Although, the commission will be jointly formed by all members.

My main concern with regards to reshaping the international law has to do with the proposed arbitration system, presented by TPP. The agreement tackles this issue at Chapter 9 – Investment.

TPP deals with disputes between states and investors through the ‘Investor – State Dispute Settlement’⁵ or as it is commonly referred to ISDS.

In the occurrence of a dispute, ISDS mechanism initially offers the use of consultation and negotiation. Article 9.18:1 states:

“ In the event of an investment dispute, the claimant and the respondent should initially seek to resolve the dispute through consultation and negotiation ...”

Should negotiations fail to resolve the issue, the agreement then enables the use of arbitration. Article 9.19:1 states:

¹ Acronym for TPP, TTIP, TiSA

² China and the TPP: Asia-Pacific Integration or Disintegration?, Adrian H. Hearn and Margaret Myers, July 2015, The Dialogue, China and Latin America Report

³ Dangerous Liaisons: The New Trade Trio, Friends of the Earth International

⁴ Investor-state dispute settlement: the importance of an informed, fact-based debate, International Bar Association (IBA)

⁵ Trans Pacific Partnership, Feb. 4, 2016, Chapter 9 - Investment, Section B

(<https://ustr.gov/sites/default/files/TPP-Final-Text-Investment.pdf>)

“ If an investment dispute has not been resolved within six months of the receipt by the respondent of a written request for consultations pursuant to Article 9.18.2 (Consultation and Negotiation)

the claimant, on its own behalf, may submit to arbitration under this Section a claim:

(i) that the respondent has breached:

(A) an obligation under Section A;¹

(B) an investment authorization; or

(C) an investment agreement; and

(ii) that the claimant has incurred loss or damage by reason of, or arising out of, that breach;...”

The article further enables representatives of enterprises to submit to arbitration, on behalf of their enterprises.

Article 9.19:3 states:

“At least 90 days before submitting any claim to arbitration under this section, the claimant shall deliver to the respondent a written notice of its intention to submit a claim to arbitration (notice of intent).”

TPP also recognizes previous agreements on the practice of arbitration. Such as International Center for the Settlement of Investment Disputes (ICSID), the Washington D.C. based institution handles cases between sovereign countries and investors.

Article 9.19:4 states:

“The claimant may submit a claim referred to in paragraph 1 under one of the following alternatives:

the ICSID Convention and the ICSID Rules of Procedure for Arbitration Proceedings, provided that both the respondent and the Party of the claimant are parties to the ICSID Convention;

the ICSID Additional Facility Rules, provided that either the respondent or the Party of the claimant is a party to the ICSID Convention;

the UNCITRAL Arbitration Rules; or

¹ The obligations under Section A are the promises, given by signatory parties. Section A, Article 9.10 is titled: “Performance Requirements”. Articles 9.10:1 and 9.10:2 deal with the aforementioned obligations extensively. To sum up; these articles require signatory countries to refrain from imposing obligations upon investors, i.e. exporting a given level of goods or services. They also require parties to not to condition the receipt of advantages. Such as the sales of goods and services. These obligations make it very hard for states to alter anything related to the investments.

In addition, Article 9.8: Expropriation and Compensation conditions the practice of nationalization.

if the claimant and respondent agree, any other arbitral institution or any other arbitration rules.”

The agreement further sets a time lapse limit. Article 9.21:1 states:

“No claim shall be submitted to arbitration under this Section if more than three years and six months have elapsed from the date on which the claimant first acquired, or should have first acquired, knowledge of the breach alleged under Article 9.19.1 (Submission of a Claim to Arbitration) and knowledge that the claimant (for claims brought under Article 9.19.1(a)) or the enterprise (for claims brought under Article 9.19.1(b)) has incurred loss or damage.”

Article 9.22:1 is the governing article for the selection of arbitrators. It states:

“Unless the disputing parties agree otherwise, the tribunal shall comprise three arbitrators, one arbitrator appointed by each of the disputing parties and the third, who shall be the presiding arbitrator, appointed by agreement of the disputing parties.”

Article 9.22:3 clears the role of Secretary-General in terms of the appointment of arbitrators. It states:

“If a tribunal has not been constituted within a period of 75 days after the date that a claim is submitted to arbitration under this Section, the Secretary- General, on the request of a disputing party, shall appoint, in his or her discretion, the arbitrator or arbitrators not yet appointed. The Secretary-General shall not appoint a national of either the respondent or the Party of the claimant as the presiding arbitrator unless the disputing parties agree otherwise.”

Article 9.23 along with its sub-articles determines the conduct of arbitration. 9.23:1 states:

“The disputing parties may agree on the legal place of any arbitration under the arbitration rules applicable under Article 9.19.4 (Submission of a Claim to Arbitration). If the disputing parties fail to reach agreement, the tribunal shall determine the place in accordance with the applicable arbitration rules, provided that the place shall be in the territory of a State that is a party to the New York Convention.”

The secrecy of arbitration tribunals have been a concern for a long time. TPP has meant to solve that issue by holding tribunals open to public. Meanwhile, it does not neglect that some of the information pronounced during the tribunal might be confidential. Article 9.24:2 states:

“The tribunal shall conduct hearings open to the public and shall determine, in consultation with the disputing parties, the appropriate logistical arrangements. If a disputing party intends to use information in a hearing that is designated as protected information or otherwise subject to paragraph 3 it shall so advise the tribunal. The tribunal shall make appropriate arrangements to protect such information from

disclosure which may include closing the hearing for the duration of the discussion of that information.”

Article 9.25 states the relationship between ISDS mechanism and the international law. It states:

“Subject to paragraph 3, when a claim is submitted under Article 9.19.1(a)(i)(A) (Submission of a Claim to Arbitration) or Article 9.19.1(b)(i)(A), the tribunal shall decide the issues in dispute in accordance with this Agreement and applicable rules of international law.”

TPP’s ISDS mechanism is almost all about reimbursing investor’s losses. Therefore, tribunals established under TPP’s Chapter 9 mainly focuses on granting awards. Article 9.29 is specifically designed for that purpose. It states:

When a tribunal makes a final award, the tribunal may award, separately or in combination, only:

monetary damages and any applicable interest; and

restitution of property, in which case the award shall provide that the respondent may pay monetary damages and any applicable interest in lieu of restitution.

Article 9.29:3 addresses the issue of attorney’s fees. It states:

“A tribunal may also award costs and attorney’s fees incurred by the disputing parties in connection with the arbitral proceeding, and shall determine how and by whom those costs and attorney’s fees shall be paid, in accordance with this Section and the applicable arbitration rules.”

Following two articles confirm that ISDS tribunals are not courts.

Article 9.29:6 states:

“A tribunal shall not award punitive damages.”

Article 9.29:7 states:

“An award made by a tribunal shall have no binding force except between the disputing parties and in respect of the particular case.”

Article 9.29.10 establishes that governments are responsible from the enforcement of ISDS awards. It states:

“Each Party shall provide for the enforcement of an award in its territory.”¹

Controversy

Particularly TPP has long been subject to controversy. Its negotiations were held in secret and it took the negotiators to agree on a final draft 5 years. It would summarize

¹ The word “party” is in reference to country.

how interesting and controversial of an issue TPP really is to say that Julian Assange, Donald Trump, Bernie Sanders and John Birch Society¹ all agree on the same thing: TPP is bad!

Discretion

The secrecy of negotiations was first to draw the attention. The entire negotiation process held completely secret from the public. Journalist Ed Shultz, whom by the way did over 100 stories on TPP, has stated on 2017; *"I was actually on Capitol Hill, talking to some democrats who never even knew what the TPP was and this was two years ago."*² The level of confidentiality was so high that even the congressmen were initially not allowed to review the draft. After large media coverage, situation relatively improved and few members of the congress were permitted to read the agreement text, with the condition to swear to secrecy about the content.

Florida Representative Alan Grayson told: *"I was the first member [of the House] to read it; since then, other members have read it. Aides were excluded on all counts, and I was told I couldn't discuss it or shouldn't discuss it with aides."*³

"A number of staffers from the Trade Representative's office came, brought the document with them, and insisted on staying in the room and looking at me as I read the document."

He further commented on what he has seen: *"It would be a punch in the face to the middle class of America. But I can't tell you why."*

ISDS

The ISDS mechanism of TPP on the other hand has been in the epicenter of debates. Most of the anti-TPP material particularly focused on the notion that corporations could sue governments over lost profits.^{4,5} Many journalists, activists and environmental groups have been vocal about this, claiming that corporations could sue governments if their decisions affect businesses.

Lori Wallach, the director of Public Citizen's Global Trade Watch, told VICE News that the ISDS "would formalize the elevation of individual corporations and investors to equal status with nation states."

"It makes a public treaty between two countries privately enforceable by any private investor or corporation... a foreign investor could challenge any government policy or action in an extrajudicial tribunal outside the domestic courts, outside the domestic

¹ A Christian, conservative advocacy group often described as far-right

² <https://www.youtube.com/watch?v=QMSGXg5T84E>

³ <https://news.vice.com/article/the-trans-pacific-partnership-could-establish-a-war-of-all-against-all>

⁴ <https://www.theguardian.com/commentisfree/2014/oct/29/why-support-the-tpp-when-it-will-let-foreign-corporations-take-our-democracies-to-court>

⁵ <https://www.nytimes.com/2015/03/26/business/trans-pacific-partnership-seen-as-door-for-foreign-suits-against-us.html>

law, and drag governments to face a kangaroo court staffed by three corporate private sector attorneys."¹

Framework

Former assistant secretary of treasury Paul Craig Roberts has said on TPP and TTIP: "They are not trade agreements. What they do is they make global corporations independent of the sovereignty of the nations." Particularly about the part that enables corporations to sue governments based on any alleged loss of profit through tribunals he further stated " They (the agreements) make global corporations rulers of the so called sovereign countries."

The Office of the United States Trade Representative has clearly denied the allegation that corporations could sue governments merely because they lost money as consequence of a state's action. The Office, in a Q&A session states:

" Can corporations use ISDS to initiate a dispute settlement proceeding solely because they lost profits?

*No. Our investment rules do not guarantee firms a right to future profits or to expected investment outcomes. Rather, they only provide protections for a limited and clearly specified set of rights. For instance, if a country decides to take away the property of a business without any compensation, that business can seek compensation through a neutral arbitration. Like U.S. law, the goal of impartial arbitration is to promote fairness, not to protect profit."*²

And as far as solely the final draft of TPP is concerned, he is right. Article 9.19:1 is the governing article for ISDS case submissions and the article – in correspondence with other articles of the section – does demand precise material breaches. Even more so, the agreement comprises of articles that impose penalties over those who make frivolous claims. However TPP also enables investors to file claims under other agreements, such as ICSID Convention or UNCITRAL Arbitration Rules. It is crucial to note that ICSID Convention (dated 1965) does allow investors to file claims like the following:

1 – Ethyl Corporation v. Canada

When Canadian government decided to ban MMT, a gasoline additive in 1997 it was challenged by an arbitration case. The government considered MMT a dangerous toxic that poses serious health risks and banned its import and transport. Manufacturer of the substance sued the Government of Canada under North American Free Trade Agreement (NAFTA), demanding \$251 million over losses and damage to

¹ <https://news.vice.com/article/the-trans-pacific-partnership-could-establish-a-war-of-all-against-all>

² <https://ustr.gov/about-us/policy-offices/press-office/blog/2015/march/isds-important-questions-and-answers>

its reputation. Case ended with settlement. Canadian government agreed to repeal the ban and paid \$15 million.¹

2 – TransCanada Corporation v. United States of America

In 2016, former US President Barack Obama canceled TransCanada Corporation's 'Keystone XL' pipeline project. The project aimed to connect Canadian oil sands to American refineries but Obama administration –out of environmental concerns – put an end to it. The company sued US Government under NAFTA's arbitration provisions for \$15 billion.² The case has not resulted yet.

3 – Vattenfall v. Federal Republic of Germany

Vattenfall, Swedish energy company sued Germany over claims that German government imposed upon them very strict environmental protection conditions that violate some of their rights guaranteed by Energy Charter Treaty. German government –as part of implementing EU's environment laws – restricted Vattenfall's Hamburg plant's usage of water, to preserve the Elbe River and the surrounding fauna. The company sued Germany in a local court and filed an arbitration case. The court issued the verdict first and reinstated the plant's water usage rights. Arbitration case ended in settlement.³ The company was allowed to use more water from the river.

After this decision of Germany's, The European Commission sued the German government saying Germany's authorization for Swedish company to use more water violates EU environmental law.

One year after the case closed, Vattenfall sued Germany again. This time over its decision to abandon the use of nuclear energy. The company is allegedly demanding €4.7 billion. Arbitration process has not yet ended.

Vattenfall case is quite a thorny one in which how law and arbitration collide with each other can be seen clearly.

But more importantly, it is obvious that 1965 ICSID Convention does allow enterprises to file claims and win them because they lose profits, arising out of states' actions. Both TPP and ICSID do not claim jurisdictional superiority over law, whether it's domestic or international. The arbitral system they propose only grant awards and do not claim to alter laws.

Corporate Involvement

Senator Elizabeth Warren (D-Mass.) voiced concerns over corporations' influence over the negotiation process and the draft itself. She said:

¹ <http://www.international.gc.ca/trade-agreements-accords-commerciaux/topics-domaines/disp-diff/ethyl.aspx?lang=eng>

² <https://www.italaw.com/cases/3823>

³ <https://www.italaw.com/cases/1148>

“ During the top-secret drafting process, 28 trade advisory committees were formed to whisper in the ear of our trade negotiators. Who sat on those committees? Eighty-five percent were senior corporation executives or industry lobbyists.”

Wikileaks supported the notion that large corporations were allowed into the negotiations.¹ In a country like the US, where the metaphor “revolving door” is often used to depict the relationship between the business and the regulatory government institutions, the idea of corporations involving in the preparation of a trade agreement is not so surprising. However satisfactory evidence to prove corporate influence over the deal was missing, until a letter was surfaced.

Energy giant Chevron has sent a letter to the US Trade Representative. The letter was primarily advocating for the institution of investor-state arbitration mechanism. It has proved that the negotiation process was subject to corporate meddling. But more importantly, corporations indeed played a role in instituting the ISDS scheme within the TPP framework. The letter was originally disclosed by the US state department but was later removed due to time-out.² This raises a question; are corporations trying to find a way to leave the jurisdiction of law? Where they can exercise ‘pay more and win more’ scheme?

Conclusion

In an economic system where the private sector constitutes the majority of the economy, it is logical for a trade agreement to favor the interests of private sector over the interests of public sector, in order to boost trade. And in that regard TPP, TTIP and TiSA are doing exactly that, prioritizing private interests over public ones. However there is a limit. Or at least, there should be one. If this process of deregulation and corporate interest prioritization goes unchecked, the inevitable result will be a system where states’ sovereignty is jeopardized.

The ISDS mechanism of TPP and TTIP do not enable claimants to sue governments over lost future profits. In terms of the use of arbitration tribunals they do not propose anything new over ICSID or UNCITRAL. ICSID and UNCITRAL however, grant the right to sue over lost profits. TPP and TTIP contain ICSID and UNCITRAL and they mean to elevate the use of arbitration tribunals to global level.

Should TPP and TTIP –as the way they are – are signed and ratified; a way to circumvent law will be created. And this new way to bypass courts will not only create an alternative to the rule of law, it will disrupt the functional harmony of both national and international law and consequently cost some of the civil and public liberties that we enjoy today.

¹ <https://www.youtube.com/watch?v=Rw7P0RGZQxQ>

² The letter is accessible through the following link:

<http://frackingfreireland.org/wp-content/uploads/2011/09/Chevron-Request-for-strong-ISDS.pdf>

I estimate that it is correct that these agreements will further boost trade between parties therefore increase economic growth and the volume of trade of the signatory countries. But at what cost? This time it appears that these deals enable corporations to roam more freely by taking from the rights of individuals and states. Exempting certain fields of industries from certain regulations or taxes is common practice to boom the business. But diminishing government's capabilities of litigation is too far reaching of an aim for that same purpose. It is not too hard to anticipate that disarranging the rule of law in a country will eventually generate repercussions on the freedom and the rights of people. And we know –thanks to many examples– the outcome of economic systems in which people are not free and forced to labor with few incentives.

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Workplace Sexual Harassment and its Underreporting in Pakistan

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Abstract

Sexual harassment in the workplace is a reflection of unequal power relationship among genders and should not be seen as isolated cases emanating from psychological or criminal roots. The practice of sexual harassment in the workplace occurs in occupations and industries which turns working environment for women into stressful, damaging, and hostile and makes it difficult for them to achieve their rightful place in employment. Sexual harassment in the workplace is the most frequent form of gender-based violence occurring in Pakistani society which is characterized by patriarchy and gender segregation. When women attempt to join workforce and take economic responsibilities of family in opposite to predominating social norms, they have to suffer from sexual harassment. This sort of unfriendly and hostile working environment for women disclose not only the gender-biased structure of the workplace but also ingrained and entrenched culture which objectify women and quite often paints her as mere recipients of male desire. The view of women's objectification are reproduced and perpetuated in working environment of patriarchal societies. This study is an endeavor to find out the causes of sexual harassment in the workplace in Pakistan; and what are the underlying factors which lead to under-reporting of the incidences of sexual harassment. This study asserts that the patriarchal values prevailing in Pakistani society breed sexual harassment in the workplace and also preclude victims to report the incidence by not giving them appropriate moral, cultural and legal support. This study argues that in an environment like Pakistan where rule of law is not prevalent in entire society so just having policies and awareness regarding these policies could not be a valid and significant element for lowering the sexual harassment incidences. This phenomenon reflects the unequal power relationships between genders and cannot be combated until patriarchal mindsets are changed which can be achieved only by transforming the existing patriarchal society itself that is producing such mindsets.

Keywords: Patriarchy; Sexual Harassment; workplace sexual harassment, Pakistan

Introduction

Sexual harassment is a form of gender-based violence. Men may be subjected to sexual harassment but majority of the victims are women. Gender-based violence is a reflection of unequal power relationship between men and women and should not be seen as isolated cases emanating from psychological or criminal roots. The subject matter that runs through the literature on Gender-based violence is women's unequal power in patriarchal society where women are subject to discrimination, exploitation and violence. Sexual harassment is a crime and perpetrated to control and domination of men over women and is a sort of threatening and intimidating message to women to limit their physical and social mobility. The practice of sexual harassment in the workplace is the part and parcel of all occupations and industries. The United States' Equal Employment Opportunity Commission (EEOC) defines sexual harassment as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature" that interferes with one's employment or work performance or creates a "hostile or offensive work environment." According to ILO, Sexual harassment as "Any physical, verbal or non-verbal conduct of a sexual nature and other conduct based on sex affecting the dignity of women and men, which is unwelcome, unreasonable and offensive to the recipient. Where a person's rejection of, or submission to, such conduct is used explicitly or implicitly as a basis for a decision which affects that person's job; Conduct that creates an intimidating, hostile or humiliating working environment for the recipient." Hence, it may be described as a social control exerted by men to keep women in private sphere.

Sexual harassment in the workplace is one of the most prevalent forms of violence against women which turns working environment for women into stressful, damaging, and hostile and make it difficult for them to achieve their rightful place in employment. EEOC classifies sexual harassment under two broad categories, namely hostile environment, and quid pro quo harassment. The most commonly recognized type of sexual harassment, "quid pro quo", comes from a Latin terminology which literally means "this for that". When a person submits to or refuses the immoral requests of the harasser and such requests are made for the employment decisions affecting the harassed individual, this is termed as a quid pro quo harassment. Failure to comply with harasser's requests or offers causes an adverse impact on employment procedures such as promotion, compensation and benefits, performance appraisals, and other conditions. In quid pro quo, harassers use threats or rewards of employment decisions to coerce sexual favors.

A hostile environment involves unwelcome sexual behavior or actions at work that yield a hostile, intimidating, or offensive workplace (Valente, et al., 2004). That's why it has been framed as the violation of basic human rights of women in that victims experience extremely stressful and damaging physical and psychological effects, which prevent these individuals from achieving their rightful place in employment

and educational settings. Sexual harassment also was described as a form of social control exerted by men to “keep women in their place” (Sigal, 2006). Feminists argue that sexual harassment reinforces the concept that women have a subordinate role and treats women as objects and victims.

The sexual harassment in the workplace occurs in both developed and developing countries. It is asserted that between 30 to 50 percent of women in European Union, 50 percent in the United Kingdom (UK), 25 percent in US endure sexual harassment in the workplaces (Renate van Oosten, 2013). International Trade Union Confederation in 2008 put estimation that 30 to 40 percent of working women reported some form of harassment. Experts assert that with the increase in women paid labor force in recent years, now the percentage of women experiencing sexual harassment is much higher. In Nepal, 53.8 percent of women workers reported that they experienced sexual harassment in the workplace (ILO, 2004).

Sexual harassment in the workplace in Pakistan is the most frequent forms of gender based violence in both formal and informal sectors. When women attempts to join workforce and take economic responsibilities of family in opposite to predominating social norms, she has to suffer from sexual harassment. This sort of unfriendly and hostile working environment for women disclose not only the gender-biased structure of the workplace but also ingrained and entrenched culture which objectify women and quite often paints her as mere recipients of male desire. The view of women’s objectification are reproduced and perpetuated in working environment of patriarchal societies. This study is an endeavor to find out the causes of sexual harassment at workplace in Pakistan, and what are the factors which preclude the reporting of sexual harassment in the workplace.

Social Context of Pakistan

Pakistani society is characterized by patriarchy and gender segregation. Gender is one of the important organizing aspects of society and traditional gender roles still prevail. Society views that women are subordinate to men (Women are also socially conditioned to be subordinate to men), and honor of man and family rest upon/lie in the actions and conduct of the woman of his family. In general, men is perceived as dominant, powerful and superior beings; whereas women are perceived as inferior, powerless, weak, and the like in the society. Woman is often discriminated, oppressed and subjugated and her basic rights are violated. Global Gender Gap 2014 report put Pakistan in the list of the second lowest performing country with respect to equality of gender.

Traditionally, the mobility of women was tightly restricted and her interaction with men except close relatives was often kept to minimum since women were and are perceived as the repository of family honor and her increased mobility and interaction with men might have caused disgrace to family honor. However, in the past few decades, the role of women in Pakistani society has been gradually started

to change. Traditionally, women were confined to their houses and their primary role was to take care of household chores. With time, due to increase in economic pressures on families and access to knowledge and information, the tradition which secluded women and confined them to traditional gender roles to keep male contact to minimum have also been changed to some extent; now women in many families are permitted to attain higher education and do paid jobs, but under some restrictions; They work along with men in different formal and informal sectors and can choose varieties of jobs and occupation previously regarded only for men. Women do paid-work in fields including but not limited to, journalism, law, sales and marketing, information technology, and police; however, their representation in these fields is still very small.

Men are still regarded primary bread earner of family but no longer regarded as the only bread earner of the family since many women are also financially supporting their families. However, the entry of women into paid labor force has not liberated them from housekeeping which is considered the main activity of married women. They have to manage double burden both at office and house. Women have to manage the work place and also have to run a house as well which demands a full attention to her husband, kids, and in-laws. When married women return home after the all-day tiring work of office, they have to do domestic chores, no matter how much tired they are. Indeed, many women by entering into the paid workforce have gained somehow economic independence but still their basic rights are violated, they are mistreated and regarded as “object” that is a mere passive recipients of male desire.

Despite the facts that the restrictions on their mobility and their interaction with men has somehow loosened but still they are perceived as the repository of family honor. In most cases, most women are still not allowed to take big and important decision, no matter how much important that decision to their life and career. Why women are not allowed to take their own decision? Answer of this question can be found in prevalent ideology and structure of patriarchal society which (a) view women as inferior to men and that they lack in reasoning, wisdom, and ability to make correct decisions and to give them liberty on this matter may bring adverse outcomes; (b) consider that women are the repository of family honor and any decision (specially related to marriage) taken by her may spoil the honor of family and bring disgrace, Because in Pakistani society, social stigma is attached with women’s choice of life partner and they are often forced to get married to men of her parents’ choice.

The condition of women in tribal areas of Pakistan is much more miserable than women living in areas where tribal culture are either weak or do not exist. Tribal cultures treat women like merchandise and women are treaded either as peace offerings in arranged marriages or in resolution of a dispute, ordered by a Jirga/ Panchayats ¹. In these cultures, instead of rule of law, rule of tradition is more powerful and “justice” is dispensed by informal legal systems namely Jirga. These

¹ Informal judicial system run by traditional assembly of tribal members

informal legal systems are gender-biased in which there is no representation of women. Gender-biased decisions of the informal legal systems is evident from the case of Mukhtar mai who was gang raped, on the orders/verdict of informal legal system as retribution for the alleged affair of her brother with girl of another tribe. How women in tribal areas of Pakistan treated is noticeable from the barbaric and dehumanized cultural practice such as Vanni/Swara¹ and informal judicial system. Besides that, every year the number of women are killed in the garb of culture practice called “honor killing².”

Workplace Sexual Harassment

Pakistani society is in a transient period where women are gradually coming out from their secluded lives within homes to join workforce against the assigned gender roles and gender norms. However, the dominant gender norms and cultural myths entrenched and ingrained in society are putting obstacles in their way through different means. However, there is the average annual growth rate of participation of women in the workforce and it has increased since 1990. It was just 13.2 percent in 1990 and has gone up to 22.4 percent in 2017. But still women work participation is very low in comparison with other countries of South Asia. Women in Pakistan are half of the population, yet they constitute nearly one-fourth of the total labor-force. This mean that massive human resources are presently untapped, neither contributing to economic development of the nation, nor to enhance their own status in society.

There are two major factors that preclude women to enter into paid labor force; they are socio-culture norms and sexual harassment. Firstly, Cultural values and gender norms regard the role of women is within the boundary of house. Living off the livelihood of a wife or daughter is regarded as shameful and embarrassing act. Besides that, there is stigma associated with women’s work which indicates that women working outside the home as not “respectable” in many social contexts. Henceforth, this social stigma may put restriction on women’s decision to work outside the house. Secondly, the common occurrence of sexual harassment precludes women to join paid workforce. Sexual Harassment in the work place often discourages women in participating in socio-economic development of society. The daring woman who endeavors to work and take financial responsibility of family in opposition to societal norms and gender roles has to suffer miserable life due to entrenched culture of women objectification and structure of the workplace.

The occurrence of sexual harassment in Pakistan is the most frequent form of violence. Large number of women faces Sexual harassment at workplace (AASHA 2002). It is almost impossible to obtain accurate figures on the incidence of sexual harassment in Pakistan where the topic is not publicly discussed. AASHA (Alliance

¹ A Cultural practice in which girl is forced to get married as compensation for killing / crime committed by her male family member

² The murder of a relative, generally woman, considering that she has brought dishonor to the family or community

against Sexual Harassment) (2002) demonstrated in its report that nearly 80 percent of working women including formal and informal sector in the country experienced sexual harassment at workplaces. Furthermore, this report revealed that compared with informal sector, the occurrence of sexual harassment in formal sector was higher reaching at 93 percent. Another study carried out by UNISON (2008) found that more than 50 percent of working women are sexually harassed in Pakistan; Truth is that most incidences of sexual harassment go unreported. As a result, the reported cases of violence on the basis of gender do not truly represent the occurrence of sexual harassment at workplaces. Parveen (2010), stated that during 2008 to 2010 only 520 incidences of sexual harassment in the workplaces were reported indicating that the incidences of sexual harassment often go unreported. Pakistani civil society vocal people have asserted that 70 percent of women experience sexual harassment at workplace; whereas other reports demonstrate the incidences up to 90 percent which show that the work place in Pakistan is not safe for women.

In Pakistani patriarchal society, in general, the working environment for women in paid labor force, is difficult and do not support women employees (AASHA 2002); women are perceived as an 'object' rather than a 'subject' and are given low and subordinate status in society. The occurrence of sexual harassment in the workplace disclose not only the gender-biased structure of the workplace but also ingrained and entrenched culture which objectify women and quite often paints her as mere recipients of male desire. The view of women's objectification are reproduced and perpetuated in working environment of patriarchal societies. Even increased access to education and information has often not succeeded in uprooting the deeply ingrained attitudes and concepts resulting in the widespread occurrence of sexual harassment in the workplace.

A significant number of people put blame on women for being sexually harassed. Even many women think that sexual harassment depends upon how women make their own environment; if they keep their personal boundaries, no one will dare to cross the boundaries and tease them. Indeed women should be strong enough that one should not dare to tease and sexually harass them but solely focus on how women make her environment which can either deter or motivate harasser is injustice. This implies that women can stop sexual harassment by bringing changes in their conduct and behavior. However, this denies the role of patriarchal structure which breeds sexual harassment in the workplace because of entrenched culture of women objectification.

The patriarchal values prevailing in Pakistani society breed sexual harassment in the workplace also preclude victims to report the incidence by not giving them appropriate moral, cultural and legal support. Given that sex – and anything related to the subject – is taboo in Pakistan, it comes as no surprise that sexual harassment is such a hush-hush affair. For the harasser, it is a harmless fun they could enjoy on a daily basis, however victims, endure the impairing and injurious physical, emotional,

and psychological effects of sexual harassment and often feel compelled to remain silent.

Patriarchy Breeds Sexual Harassment

The attitude and behavior of any individual is the manifestation of society in which he/she lives. The patriarchy mindsets are the byproduct of patriarchal society. Patriarchy is both ideological and structural. It is ideological, because it reproduces and perpetuates society's beliefs norms and values about women's roles and status in society. It is structural, because it bears on women's access to social institutions and their position within these institutions. Patriarchy is a system based on hierarchical and unequal power relations in which men has control on production, reproduction, and sexuality of women. This control is established, institutionalized and legitimized by using social institutions such as family, religion, media, society and the like.

Patriarchy promotes male privilege by being male dominated, male identified, and male centered. In patriarchal system women are perceived as an 'object' rather than a 'subject' and treated as subordinate to men. They experience discrimination, exploitation, and violence. Walby (1990) said that patriarchy is a system comprised of social structures and practices in which women are dominated, oppressed and exploited by men. Men use coercion to achieve what conditioning fails to achieve (Millet 1970:8). Violence is one of the mechanisms used by men to control and subjugate women; and is a manifestation of unequal power relationship sustained by patriarchy. Patriarchy makes violence necessary for the sake of its existence. Walby (1990) have identified violence as a mechanism to keep women subservient to men; Reiser (1999); Meltzer (2002); Xie et al. (2011) argue that men are losing power, and that some men employ violence to assert their authority and other men exercise violence to reassert their declining authority, power and status. Sexual harassment is used as a tool to control women. In sum, Women employ face backlash because they have taken new roles which belong to men domains within patriarchy and sexual harassment in workplace is all about the manifestation of unequal power relationships between genders and is exercised to perpetuate patriarchal relations. It is used to remind working women of their subjugated and vulnerable status and force women's conformity to gendered roles. Patriarchal society is a direct cause of sexual harassment and the values and attitudes of both men and women emanating from the society are posing great challenge in the prevention and stoppage of sexual harassment.

Why Cases of Sexual Harassment are Under-reported?

Patriarchal structure and rigid culture not only breed sexual harassment but also deter women to step forward and speak up about sexual harassment. Most often victims feel compelled to remain silent fearing that their complaint against sexual harassment may get them into trouble in patriarchal society where in these incidences character of woman is brought into question rather than harasser and with

it, the sanctity of her chastity and her eligibility for marriage or to stay in a marriage. Victim first experience the trauma of sexual harassment and then trauma of social harassment which is even more humiliating and disturbing. In Patriarchal society of Pakistan, victims are advised to ignore sexual harassment; on top of that this advice comes from women. Women enduring sexual harassment at workplace in Pakistan often tend to confront with harassment in different ways, ranging from ignoring harassers to get legal redress. Following are the three main factors that hinder victims to report incidences of sexual harassment.

(1) Feeling of Judgment, embarrassment or shame:

In a patriarchal society of Pakistan, prevailing dominant ideology links family honor to female virtue. Women are scared, afraid and reluctant to discuss and report sexual harassment fearing that their own reputation and that of their families would be damaged/ruined; Even victim may not get support from her own family and be told that this was bound to happen; Better is that she ought to have stayed at home. Thus, many of our women themselves stay quiet over this harassment because they don't want to embarrass their families or become the talk of the town.

Women enduring sexual harassment are often labeled and stigmatized as either "troublemakers" or "loose" women looking for attention. Thus, the victim often becomes the accused with their appearance, private life, and character likely to fall under intrusive scrutiny deterring women to report the incidences.

(2) Fear of reprisal/retaliation:

Victims can be scared of the repercussions. Women are often deterred to report sexual harassment since they fear that reporting a colleague especially a supervisor or boss may result in the abrupt loss of her job. Moreover, they fear that their harasser-employer may retaliate by blacklisting them and providing unfavorable reference information which can make it harder for them to find new gainful employment elsewhere. Women not only fear the losing jobs and career being threatened, they also fear that harassers may harm them in actual lives since harassers in most incidences retain higher positions. Therefore, women feel compelled to both resign from the job and search for new job; or victims may choose silence fearing the consequences of losing job and accept the abuse in the belief that nothing could be done about it.

(3) Gender-Biased Institutions and Weak Judicial System:

Most organizations in Pakistan have zero tolerance policy against sexual harassment but often without implementation. Rather than taking action against the offenders, senior management often suppresses the incidences and do not allow to be reported in order to secure the image of organization. This led woman to think that complaint about sexual harassment brings no results; this usually encourages the offenders to continue the offensive behavior. As a result, sexual harassment at workplace is a

common phenomenon without being reported in Pakistan. The another issue is victim has to prove the incidence of sexual harassment; if the harassment is verbal, which is often the case, then it cannot be proved and the harasser gets away with impunity. In addition, Women may find it difficult to prove sexual harassment in gender bias institutions and weak judicial system. On the reporting of sexual harassment in the workplace, Ali has rightly depicted the true picture of Pakistani society which deter sexually harassed victim to speak out. Ali has truly depicted the true picture of Pakistani women suffering from sexual harassment. He said that Pakistani women, in general undergo three levels of problem. To begin with women put endeavors to hide the incidences of sexual harassment on account of religious modesty and cultural traditions. Secondly, once victim decide to take firm action against the harasser but find that there is a lack of redress at both organizational level and governmental level. Finally, once they report the case, they undergo victimization in a gender-biased society of Pakistan.

Conclusion

Pakistani society is characterized by patriarchy and gender segregation. Gender is one of the important organizing aspects of society and traditional gender roles still predominate. In the past few decades, the role of women in Pakistani society has been gradually started to change. Earlier women were restricted to their home and their primary role was to take care of household chores. With time, due to increase in economic pressures on families and access to knowledge and information, this restriction somehow has been released. Now women in many families are permitted to attain higher education and do paid jobs, but under some restrictions.

Sexual harassment in the workplace in Pakistan is the most frequent forms of gender based violence in both formal and informal sectors. When women attempts to join workforce and take economic responsibilities of family in opposite to predominating social norms, they have to suffer from sexual harassment. This sort of unfriendly and hostile working environment for women disclose not only the gender-biased structure of the workplace but also ingrained and entrenched culture which objectify women and quite often paints her as mere recipients of male desire. The view of women's objectification are reproduced and perpetuated in working environment of patriarchal societies. For the harasser, it is a harmless fun they could enjoy on a daily basis, however victims, endure the impairing and injurious physical, emotional, and psychological effects of sexual harassment.

With the increasing entry of women to the workforce, the occurrence of sexual harassment incidences increased. This situation led government of Pakistan to pass the Protection against Harassment of Women at Workplace Bill in 2010. The aim of this law was to provide safe and healthy working environment to the women unfortunately the law has failed to wipeout the incidences of sexual harassment and served just as a piece of paper. Pakistan is also the signatory to international laws which demands basic human rights and gender equality. Of these international laws

Pakistan is also obliged to UN Declaration on Violence against Women, where Article 2 specifically mentions sexual harassment and intimidation at workplace, but the element of practical implementation of rights are missing.

The patriarchal values prevailing in Pakistani society breed sexual harassment in the workplace and also preclude victims to report the incidence by not giving them appropriate moral, cultural and legal support. In Pakistani patriarchal society where rule of law is not prevalent in entire society so just making laws and signing international laws without proper implementation will not eradicate gender inequality and gender-based violence. This study asserts that workplace sexual harassment is the violation of human rights; Pakistani state along with its law enforcement actors is held accountable for such a violation of human rights occurring in workplace (Hadi, 2017). Pakistani state and law enforcement actors should take serious and firm actions to reduce the incidences intra-familial violence against women. This study asserts that actions of state can reduce the occurrence of gender-based violence but cannot eliminate it because in order to eliminate violence against women, patriarchal system has to be changed which can be achieved by strengthening the social, political and economic position of women.

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The Association between Sleep Deprivation, Aggression, and Antisocial Behavior in Adolescents in Ejigbo, Lagos, Nigeria

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Abstract

The study investigated whether there were associations between how much adolescents slept per night and how much aggressive and antisocial behavior they displayed and were exposed to. Two hundred thirty-eight adolescents (122 females, 116 males; mean age = 15.5 years, $SD = 2.0$) from Ejigbo, Lagos, Nigeria, participated in the study, which was conducted with a paper-and-pencil questionnaire. It was found that the total sleeping time of the adolescents correlated negatively with five scales measuring Adult Aggression, Sibling Aggression, Domestic Violence, Parental Negativity, and Antisocial Behavior. Thus, the less the adolescents slept, the more they were exposed to aggression, and they also themselves behaved more aggressively and antisocially. Participants living in overcrowded conditions slept less than others.

Keywords: Aggression, antisocial behavior, overcrowding, sleep deprivation

Introduction

The aim of the present study was to investigate the relationship between lack of sleep and aggressive and antisocial behavior in adolescents in Ejigbo, Lagos, Nigeria. The study is part of a project investigating the relationship between overcrowding and aggressive and antisocial behavior in the same population (Makinde, Björkqvist, & Österman, 2016, 2017). A typical feature of living in overcrowded conditions is exposure to noise and sleep deprivation.

Sleep Deprivation and Aggressive Behavior

Carskadon and Dement (2011) have defined sleep as a reversible behavioral state of perceptual disengagement from, and unresponsiveness to, the environment. Sleep deprivation refers to a state when the individual needs to sleep, but is forced to stay awake. Sleep deprivation has been found to be associated with irritability, exhaustion, increased stress, and, in cases of long deprivation, psychotic behaviors (e.g.

hallucinations) (Smith, Jones, & Gullickson, 1995). The quantity of sleep required differs from person to person, but in general, an adult needs between 7-9 hours of sleep each night.

According to a report by WHO (1987), living in overcrowded conditions leads to lack of sleep for all family members, and the report suggests that this might have an adverse effect on the academic achievement of children. Articles by Edwards, Baglioni and Cooper (1990), and Evans, Saegert and Harris (2001) presented evidence for the fact that children raised in a crowded home usually have behavioral problems both at home and at school (see also Evans, Lepore, Shejwal, & Palsane, 1998). Overcrowding may affect the child's wellbeing and academic achievement due to noise and lack of a quiet place to study, and lack of productive sleep; it may affect mood and behavior, and enhance susceptibility to illness, which in turn might interrupt their schooling routine (Saegert & Evans, 2003). Sleep deprivation has been found to contribute to anger and stress, which may lead to feelings of anger, which in turn may lead to acts of aggression (Edwards, Baglioni, & Cooper, 1990; Åkerstedt, Petersen, Axelsson, Lekander, & Kecklund, 2012).

Teenagers reporting inadequate sleep have been found to come from overcrowded homes; they tend to engage in numerous extra-curriculum activities, leading to emotional health concerns, poor school performance, and behavioral problems (Dorofaeff & Denny 2006). Overcrowding has the propensity to invoke negative emotions, such as anger, and provoke insults between the cohabitants (Anderson & Carnegiey, 2004; Wilkowski & Robinson, 2010). In individuals with a history of severe aggressive behavior (e.g. prison inmates, psychiatric patients), an association between poor sleep and aggressiveness has also been found (Anderson & Carnegiey, 2004; Ireland & Culpin, 2006; Kamphuis, Dijk, Spreen, & Lancel, 2014; Kamphuis, Meerlo, Koolhaas & Lancel 2012). It can be concluded that anger and aggressive behavior tend to correlate with sleep deprivation

Noise, sleep deprivation, and aggression

Noise pollution is the most common cause for sleep deprivation. According to Howden-Chapman (2004), noise pollution consists of excessive noise in overcrowded houses and from neighboring houses and traffic. The noise causes sleep disruption, which has been found to cause impaired concentration and irritability (Berglund, Lindvall & Schwela, 1995). In addition, noise has been found to negate prosocial and interpersonal responses, such as helping, sharing, and comforting behavior (Sherrod & Downs 1974). Furthermore, high-intensity noise also enhances interpersonal aggressive behavior (Cohen & Spacapan 1984; Donnerstein & Wilson 1976).

If adolescents are exposed to noise over a period of time, they tend to exhibit not only negative and antisocial behavior, but also withdrawal, anxiety agitation, and helplessness (Stansfeld, & Matheson, 2003). A study conducted by Bailey and Coore-Desai (2012) with Jamaican inner city children found that there is a greater risk of

violence and criminal acts among those who are exposed to noise. Their analysis revealed that shouting, noise making, fighting, verbal abuse, slapping, tearing pupil's books, hitting, and beating were more prevalent in early childhood classes of these children. Akpochafo (2014) also examined the prevalence of childhood violence and found that forms of antisocial behavior like shouting, fighting, noise making, verbal abuse, hitting, slapping, beating, and tearing of pupils' books are found both in rural and urban areas. Parents in overcrowded homes are less compassionate (Solari & Mare 2012), which may lower the quality of parenting, reflect negatively on the parent-teacher relationship, and this in turn may affect children's academic performance at school (Caldwell & Bradley 1984).

Adolescents growing up in an overcrowded home are likely to end up as their parents, contributing to social inequality (Leventhal & Newman 2010), negative parent-child relationships (Baldassare 1979; Evans, Lepore, Shejwal, & Palsane 1998), loneliness, and isolation (Wenz 1984), which all could contribute to mental health issues and premature mortality.

Method

Sample

A total of 20 public schools, five from each of the four cities of Ejigbo, Isolo, Egbe and Ago-Palace in the Lagos metropolitan area were selected for participation in the study. A random selection of junior and senior secondary school classes (1–3) from each school resulted in a total sample of 238 adolescents participating in the study. The age range was 12–20 years. The sample consisted of 122 females ($m = 15.1$ years, $SD = 2.0$) and 116 males ($m = 15.8$ years, $SD = 2.0$). The age difference was not significant. Of the respondents 72.3% ($n = 172$) were Christians and 27.7% ($n = 66$) Muslims. A total of 71% ($n = 169$) of the respondents lived in apartments with only one bedroom for the whole family (in the present study regarded as a crowded condition), while 29% ($n = 68$) lived in apartments with more than one bedroom (a non-crowded condition). These proportions are in agreement with those found by Adeyemi, Waziri, Atere, and Emmanuel (2009).

Instrument

The data were collected with a questionnaire, including five scales constructed specifically for the study: Adult Aggression, Sibling Aggression, Domestic Violence, Parental Negativity, and Antisocial Behavior. The items were constructed in focus group discussions in which three persons took part: two of them were experts in psychometrics, and the third an expert in local conditions. Items and reliability scores (Cronbach's α) of the scales are presented in Table 1. Responses were given on a five-point scale ranging from 0 to 4 (never, seldom, sometimes, often, and very often), measuring the degree to which respondents agreed with the statements in the questionnaire.

Table 1

Items and reliability scores of the scales of the study (N = 238)

Scales and Items	
<p><i>Victimisation from Adult Aggression</i> ($\alpha = .84$)</p> <p>Pulled your ears Pulled your hair Slapped you Hit you with an object Pinched you Thrown things at you Sleep punishment</p>	<p><i>Victimisation from Sibling Aggression</i> ($\alpha = .91$)</p> <p>Pulled your hair Slapped you Hit you with an object Pinched you Thrown things at you Twisted your arms Bitten you</p>
<p><i>Parental Negativity towards Adolescents</i> ($\alpha = .84$)</p> <p>Name calling or bullying Insults Making and breaking of promises Constant criticism Intimidation Harassment</p>	<p><i>Witnessing of Domestic Violence</i> ($\alpha = .82$)</p> <p>Physical fights Quarrels Thrown things at each other Damaged belongings Twisted each other's arm Stabbed each other</p>
<p><i>Antisocial Behaviour of Adolescents</i> ($\alpha = .87$)</p> <p>Stolen petty things Used a catapult on a friend or neighbor or someone else Cheated neighbors of their belongings Smoked cigarettes Unconcentrated at school Fighting in school Absenteeism from school</p>	

Procedure

The data were collected using a paper-and-pencil procedure. The questionnaires were distributed among junior and senior secondary school students in Ejigbo and the neighboring towns of Isolo, Egbe and Ago-Palace, all in the Lagos metropolitan area. A total of 20 public schools, five from each city, participated in the study, and a randomized sample was drawn from these schools.

Ethical considerations

Permission was obtained from teachers, parents, and school coordinators, prior to the questionnaire being administered. The study was conducted in accordance with the Personal Data Act, Ministry of Justice in Finland, guaranteeing the anonymity of the respondents, and the guidelines of the Ethical Board of Åbo Akademi University.

Results

A *t*-test was conducted to investigate whether those who lived in crowded conditions (only one bedroom for the whole family) differed from those who lived in non-crowded conditions (more than one bedroom) regarding sleeping time. This was found to be the case: those who lived in crowded conditions slept at an average 6 hours (*SD* = 1.5) per night, while those who lived in non-crowded conditions slept at an average 7.8 hours (*SD* = 1.2) per night. This difference was significant [$t_{(229)} = 9.52$, $p < .001$].

The total sleeping time was correlated with the five scales of the study. The correlation coefficients are presented in Table 2. As the table shows, all scales correlated negatively, in many cases relatively highly, with the total sleeping time of the responding adolescents.

Table 2

Correlations between Total Sleeping Time and the Six Scales of the Study (N = 238)

Scales	Correlations with Sleeping Time
Adult Aggression	-.30 ***
Sibling Aggression	-.45 ***
Domestic Violence	-.47 ***
Parental Negativity	-.34 ***
Antisocial Behaviour	-.43 ***

*** $p < .001$

Discussion

The findings of the present study show that the total sleeping time of the adolescents living in Ejigbo, Lagos, correlated negatively with all the five scales of the study. That is, the less the adolescents slept, the more likely they were to engage in aggressive and antisocial behaviors. They were also more likely to experience parental negativity and aggression from siblings, and witness domestic violence between their parents.

As is well-known, correlations do not prove causality. However, the results are very consistent, and in line with those by for instance Anderson and Carnagey (2004),

Dorofaeff and Denny (2006), Edwards et al. (1990), Åkerstedt et al. (2012), and Wilkowski and Robinson (2010), who also found an association between lack of sleep and aggression and antisocial behavior. There is also evidence for a connection between overcrowding and lack of sleep (as in the present study) and noise (Howden-Chapman, 2004).

This study is yet an argument for the need to avoid overcrowded housing conditions for humanitarian reasons. Housing policies in Nigeria and other densely populated areas in the world would benefit from taking into account psychosocial concomitants of domestic overcrowding. Special focus should be placed on the needs of adolescents. Further research on both psychological and behavioral concomitants of overcrowding and sleep deprivation among all age groups is essential.

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Forced Migration, Unwanted Acceptance, Uncertain Future of Syrian Refugees: The Struggle for Legal Status

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Abstract

In this study, the current situation of Syrian immigrants coming to Şanlıurfa through forced migration is discussed. Also, the study deals with the level of their adaptation by means of their reflection on the locals. The study mainly focus on the interaction between Syrian immigrants and locals in terms of social encounter, labor relations and the perceptions on immigrants' position in the society and potential conflicts based on these perceptions. It reveals that the social encounters between the Syrian immigrants and the locals of Şanlıurfa have created an increasingly hostile environment within the social and cultural uncertainty relations because of the extended duration of the residence of the Syrians who are evaluated as "temporary guests". The situation of immigrants, whose legal status can be defined as uncertainty, is precisely a "threshold" position. The immigrants who have to leave their country cannot be a part of society. However, they live in the society. So, this situation leads to outwardness, inattention and uncertainty. In addition, immigrants are increasingly facing problems such as social exclusion, discrimination, marginalization, illegal work, and poverty. This is a descriptive study based on the literature review and the data of applied field research. In this study, it is aimed to understand the intentions and values behind the superficial, numerical part of the data.

Keywords: Forced Migration, Syrian Immigrants, Labor, Social Encounter, Marginalization, Exclusion

Introduction

Through the human history, people have migrated from one country to another individually or collectively. It effects the current distribution of population in the world and also political, social, economic and cultural structures of the countries. The reasons why people immigrate are to avoid from destructive natural conditions and pressure, to live in safer places, to create social groups, so in general improve their quality of life. Surges of migration have continued since the beginning of human

history, but recent migration movements have been changing in terms of quality and quantity.

For this reason, we can define our age by the phrase- 'Migration Age' as Gasset did. Also, Benhabib (2006: 16) also stated that international migration is at the center of many significant international events that shapes the whole world. Global migration which is discussed in Western countries too often leads to ethnic and cultural changes in countries and also affects the political, social, economic and cultural dynamics of the world (Somersan, 2004: 152).

As a result of this global migration, many people who lose their civil right confront terrible situations and this is a primary problem of the world (Soysal, 2010: 495). In this regard, it can be said that immigration and emigration affect the political, social, economic and cultural structures of both immigrant and emigrant countries in a positive and negative way.

In conclusion, the problem of migration and immigrants which is discussed too often by Western developed countries is also a problem for Turkey. Especially because of the political, social and economic crisis which have been occurred in neighboring countries of Turkey since 1980s, Turkey have become an immigration country and also path for many immigrants who have migrated to Western countries (İçduygu ve Damla, 2012: 7). After people who are not defined as 'strangers' not 'immigrants' have started to come to Turkey, the statue of Turkey in the international migration regimen changed (İçduygu, 2006: 11-21). Turkey was considered as 'an emigration country previously, but recently it is known as 'emigration country', 'immigration country' and 'transition country'.

Consequently, because of the recent developments in the world and the recent conditions which are result of social and economic changes in Turkey, Turkey has become "a transition country" on the one hand and "an immigrant country" on the other. This makes Turkey a country which is a home for a more permanent immigrant population. In parallel with the recent developments in the world and the political business cycles, Turkey has encountered with new population movements. In consideration of these, it is more understandable that Turkey has an immediate need to develop perspectives on migration and immigrants which have powerful impacts on social, economic, cultural and political aspects of the country as the increased population of immigrants has made the structures of most cities in Turkey more complicated.

In the circumstances, immigrants in Turkey, which is a country in both a qualitative and a quantitative transition process, struggle with social exclusion, discrimination, marginalization, illegal work, and poverty. In this regard, it is significant how Turkish people perceive migration, immigrants and refugee issue as Turkey will have to deal with international migration more.

Migration and immigration issues, which are multilayered, are increasingly varying. It is possible and even necessary to discuss these issues in many different perspectives. In this study, it is focused on the current situation of Syrian immigrants and the level of their adaptation to the society instead of the quality and quantity of their migration.

Social Cohesion and Adaptation

Syria is a country which is 911 kilometers far from Turkey and it is often discussed that there are some major similarities between these two countries in terms of their religiosity and ethnicity. However, research findings do not support this idea. Most Turkish people do not think that they are similar with Syrians in term of cultural background. While just 17.2% of Turkish people agree that they are similar with them, 70,6% of them do not (Erdoğan, 2015: 31).

When it comes to the migration, the most important issue that becomes a current one is social integration or adaptation due to the common perception that immigrants have negative impacts on the social and cultural fabric of the countries they migrate to. For this reason, immigrants are expected to adapt to lifestyles of these countries.

More clearly, it is expected from immigrants not only to adopt behavior patterns, social values and value judgments of the countries they migrate to but also to leave behind their own countries' habits and traditions. Moreover, as the issue of adaptation immigrants is directly related to urban space, it is required that many institutions and organizations take active participation in the solution of this issue (Kaya, 2009: 17).

Nowadays, adaptation to urban space refers to a multi-faced political process. This process involves many needs, rights and problems such as taking shelter, healthcare services, receiving education, getting a job, language problems, political participation, interactions between different ethnic or religious identities and sex, age or ethnic discrimination and requires patience (Penninx vd., 2008:5).

The adaptation process of immigrants mainly includes three dimensions. The first one is legal dimension and refers that an immigrant has same legal rights with the citizens of the immigration countries. The second one is economic dimension and refers that an immigrant has a job to meet the cost and standard of living in accordance with the standards of the country in which s/he lives and also to build a sustainable future for both himself/herself and his/her family. The last one is social and cultural dimension. It means that an immigrant establishes social and cultural bonds and contributes to the society by expressing himself/herself without a fear of discrimination (Fielden, 2008:3).

Legal Status: The (II) Legal Status of Immigrants

The legal status of Syrian immigrants in Turkey has been still ambiguous. At the beginning, because it was assumed that the Syrian civil war did not last too long,

Turkey accepted Syrian people as guests without any legal status due to humanitarian reason. But, the status of Syrian immigrants has become more ambiguous with the prolongation of the Syrian civil war. Fundamentally, Turkey is a party to the 1951 Geneva Convention on the Legal Status of Refugees. However, as Turkey accepted this convention with the disadvantage of geographical limitation, Turkey can't provide 'refugee status' people coming from non-European countries, so it has to accept them as 'asylum seekers'. Syrian people coming since April 2011 were described as 'guests'. Although, there is a risk of leading arbitrary practices towards Syrian people since the definition does not have any legal corresponding. For this reason, they were taken to the 'temporary protection statuses' since October 2011 in accordance with the 10th Article of 1994 Regulations of Ministry of Internal Affairs. After that, the first legal arrangement which was considering Syrian refugees was a 62th directive and named as "Receiving and Sheltering Syrian Arab Republic Citizens Who Are Residing in Temporary Shelters in Turkey and in Syrian Arab Republic". It was prepared on 30th of March in 2012. By this directive, Syrians' temporary protection statuses have been accepted legally (Orsam, 2014: 11).

The directive, which accepts Syrian refugees as "guests," allows Syrian refugees to obtain an identity card and to remain in the country for a temporary period of time. However, it doesn't include any information about how long they are permitted to stay in Turkey. Along with all other non-European refugees who are not thought to be permanent, Syrian refugees' statuses in Turkey and access to the rights are far from a right-based perspective. At the beginning of 2011, Syrians are accepted as guests, but now while most of them live in refugee camps, others live in different cities in Turkey with their own means. As long as the time that Syrian refugees' stay in Turkey has lengthened out and their number has increased, it becomes more impossible that they will return their countries. Because of that, it is necessary to take legal and social actions in order to help Syrians in the process of integration. Instead of accepting as temporary issue to improve life standards of Syrians and to eliminate the obstacles in which they confront with to access their basic rights, a right-based perspective should be adopted to solve this issue (Kirişçi, 2014). At first, the description 'guest' seems to be a welcome, innocent and favorable adjective, but it points to a distressing situation for both sides. It also evokes a hierarchical relationship. This results that especially guests are treated as victims.

Syrians indicate that Turkish people have been very welcoming and also because their time of staying has lengthened out, their emotions and relationships between Turkish people have been affected in a positive way. It is very remarkable that the most disturbing thing for them is to describe them as guests as they have indicated since it is not a right to be a guest. If the time will be lengthened out more, the householder could remind them that they are guests and it means that they should know their own places and behave in accordance with their limits. So, in this context, 'guest' is used as a delimiter statement (Erdogan, 2015: 23).

Because of this situation which is resulted from the legal statuses of Syrians, there is an ambiguity about them and it makes their legal and social integration process more difficult. There are two kinds of ambiguous situations. The first one is related to their legal statuses. As indicated before, they live in Turkey under the temporary protection regime. It creates partial uncertainty for them before the law. In this context, this uncertainty makes locals to concern about their security needs more, to feel more anxious about their economic situations and to support the idea that refugees which are defined as 'other' or 'enemy by locals must be dismissed from the country. Secondly, Syrians are precisely "threshold" positions. At the beginning of 20th century, an anthropologist Van Gennep became the first person who used the term 'threshold'. He developed the term for his discussion about cultural rituals and used it to point out the uncertain and in between situations that were experiences out of usual cultural and social relationships and rituals. For Syrian people, this threshold position leads them not to be a part of society completely. In conclusion, the threshold position brings with a situation such that neither they can be a part of society nor they can survive outside of the society (Akşit vd. 2016: 99).

In his 'The Rites of Passage' book which was published in 1909, Van Gennep mentioned some of the rites of passage such as adolescence, marriage, birth and the most important three phases which he confronted in these rites. According to him, there are three main phases of a rite. The first one is separation phase in which an individual or a group is separated from his/her/their past position or state. This is a preliminary phase which includes ceremonies such as purification, cutting etc. The second one 'threshold' corresponds to the in-between phase in which an individual or a group is separated from the previous state or position and cannot yet be integrated into the current one. The final one is the 'integration' phase in which an individual or a group has access to the new situation or position and it is socially accepted (Turner, 1997). According to Turner who examined the threshold phase, people in threshold are either here nor there. They are out of the social network which determines their cultural situations or positions and described as 'invisibles'. In other words, the individual is between the two statutes and experiences the uncertainty and the absence of the 'statelessness'. The individual at this phase was neither past nor current. For this reason, it is a time when the individual is regarded as dangerous for both himself/ herself and for society; is a situation that is disconnected from society and free from statutory and outside control spaces (Turner, 1969: 358).

It is obvious that because of the current legal infrastructure of Turkey, it is depriving of an infrastructure that would respond Syrian refugees with a "rights-based" approach. In other words, starting with the identification of Syrians who have reached enormous numbers, there is no legal or logistical clarification for their situations or positions in the future. This uncertainty should be seen as a source of possible problems that would be experienced in the future.

It is seen as a big problem in Turkey that the time period of Syrian people has been continuously lengthened out. The rate of those who see it as a problem is 76.5% (81.7% in the region) and of those who support that Syrians should be kept in camps in the worst case is 72,6 % (80,2% in the region) (Erdogan, 2015: 38). These results show that locals are anxious because of the in-between status of Syrians and they experience difficulties in deciding whether Syrians are enemy or not. On the one hand, there is a common description 'guest' for Syrians which used consciously, but on the other hand, it is believed that it is safer to keep them in the camps (Man, 2016: 162).

Refugees' homeless and inconsistent process of migration is disruptive for society. This process, in which people experience alienation and loneliness, is wearing and staggering for not only these refugees but also for the cities. "Refugees who are between to migrate or to stay have experienced the unpleasant feeling of threshold position" (Yaşar, 2014: 31).

Cultural/Social Situation: Dangerous 'Other' and Anxious 'Me'

Social exclusion has become a concept that is not only limited to economic poverty but also points out the inadequacy of institutions that build social cohesion and includes other inadequacies in the society (Rodges vd., 1995: 4).

The main areas of Syrian refugees have been excluded socially as depriving them from being a citizen truly are: the democratic legal system enabling civil integration, the labor market enabling economic integration, the welfare system enabling social integration and the family and community system enabling interpersonal integrations (Berghman, 1995).

In many countries, it is known that negative and offensive attitudes towards refugees have been developed and this problem has been increasingly getting bigger. Because refugees are treated as 'expendable', 'enemy' and 'waste' in their own countries, they are also treated in a same way in other countries. Many countries take advantage of 'these waste human', 'their children' and even 'their organs' such as dumpster diving to find metal, nylon and iron. They are not subjects anymore but objects (Yaşar, 2014: 14).

It can be easily said that in almost all countries, there is no problem between the refugees who are forced to leave their countries and locals. However, it is obvious that negative attitudes and behaviors towards refugees in Turkey have increasingly begun to become an issue. It is also difficult for these people to be accepted in the places where they have to live. In different contexts, the levels of exclusion strategies change as the legitimizations arguments for these strategies change. In the construction of identity, the biological and cultural differences are put in center and incoherency between refugees and locals are emphasized.

The construction of identity is a dynamic process in which identity is formed through interaction between and against others in a group (İnaç, 2005: 15-16). Because at the

first place, people and communities see and identify themselves with the eyes of others, others are important descriptors and complements of their identities in this process. Every identity is constructed by internalizing the others' attitudes and behaviors. The comparison between "themselves' and 'others" has a strong impact on their sense of belonging and identity. As identities are constructed on the basis of differences with the "other", the same differences become means of prejudice and exclusion (Diez, 2004: 321). Identity is constructed when people identify themselves with the group and on the other hand understand that they are different from the group (Güleç, 2004: 72-75).

In this relationship, the reason why the differences are emphasized rather than similarities is to aim at lowering locals to the refugees' levels or locals' fear of losing their superiority positions. Because of these reasons, refugees are constantly reminded their positions by emphasizing the differences. This relationship, which is fundamentally formed through differences, also means the exclusion of refugees.

There have been many studies on the social cohesion and social acceptance processes of Syrians whom Turkish people have lived together for the past few years. The last research findings indicate that Turkey sheltered the greatest number of refugees. The UNHCR (United Nations High Commissioner for Refugees) Turkish spokesman Selin Ünal, emphasized that it is very difficult to accept such a large number of refugees for a long period of time for our country and also expresses her appreciation of the hospitality and understanding of the Turkish society (dw.com, 2015). Although social acceptance takes place at a high level, it is emphasized that it is extremely important to manage the process well and gain social support. Especially, the conflict and tension between Syrian refugees and the locals have strengthened the social exclusion of Syrian refugees. In other words, while improving Syrians' life conditions, the socio-psychological conditions and the social cohesion must be considered besides economic ones (Özdemir, 2016).

The refugees' population explosion makes the structures of the many cities more complicated so that immigrants in Turkey, which is a country in both a qualitative and a quantitative transition process, struggle with social exclusion, discrimination, marginalization, illegal work, and poverty (Ünal, 2014: 68).

Social exclusion is a concept that is not only limited to economic poverty, but also includes all forms of poverty and indicates the inadequacy of institutions that provide social cohesion between the individual and the society (Rodges et al., 1995: 4). In a study conducted with British sample, social exclusion is defined as "inability to participate in the basic activities of the community in which the individual lives" (Burchardt et al., 2002: 30). When the issue of migration and refugees occurs intensely and uncontrollably, the threats of security such as fear of foreigners and ethnic violence arise and political, economic and socio-cultural structures are affected negatively (Deniz, 2014). The exclusion of these disadvantaged refugees creates the inability to participate in the basic activities of the society. Besides, this causes the

social inequality and hierarchy. Moreover, this process determines the advantageous and disadvantaged groups of the society and shapes the distribution of resources among these groups with its social hierarchy (Bali, 2008). In this process named as social exclusion, refugees as disadvantaged group are exposed to some exclusionary practices pushing them out of the whole social, economic and cultural system.

As reflected in the discourses, it seems that the concerns of locals are shaped especially on the axis of "security" and "order", so locals mostly feel anxious about security in term of Syrian refugees. In this sense, since Syrian migrants, as reflected in the discourses, are often seen as a fear full of obscurity and anxiety, it is a topic which is associated with social security and insecurity and the provisions must be made for this topic.

The factors underlying this insecurity are the uncertainty and the obscurity. The worries about increasing the security in this direction lead to a more intense feeling of feeling constantly threatened. As a matter of fact, it is seen that Syrians are mostly defined as "dangerous strangers" or "potentially dangerous groups" in the discourses. Therefore, it is thought that Syrian immigrants, described as "dangerous groups", "criminal group" or "potentially criminal group", have begun to dominate the region, city or neighborhood where the locals live and in more general, locals have been increasingly perceived their country, region, city or neighborhood as full of dangerous strangers "(Ünal, 2014: 78).

In general, these attitudes which are toward all foreigners in Turkey also apply to Syrian refugees. It is important to note that because Turkish people have similarities with Syrians in terms of religiosity, ethnicity, location and history, their attitudes toward Syrians are always merciful and compassionate, but these attitudes start to change adversely because of the uncertainty and the extended duration of the residence of the Syrians.

In other words, research findings do not support that there are some major similarities between Turkish and Syrian people which are frequently mentioned as having 911 km limit with Turkey in terms of their religiosity and ethnicity. Turkish people do not have a positive look on "they are culturally same with Syrians'. Only 17.2% of them agree with this statement. The statement that they are culturally different from Syrians was supported by extremely high rate of 70.6% (Erdogan, 2015: 31). In addition, 62.3% of the Turkish people believe that "Syrian refugees damage social morality and peace by committing crimes such as violence, theft, smuggling and prostitution in places where they are live (Erdoğan, 2015: 29).

Syrians become 'scapegoats' of many negative situations experienced in Turkey. Although in all studies, it has been found that the crime rate of Syrians is much lower than the locals', locals have been still thought that Syrians commit crimes such as theft, prostitution, extortion.

Besides, there are many other arguments of locals to support that Syrians are harmful for economic, social, political and cultural structures of Turkey (Özekmekçi, 2010: 44). For example, one of them is that because Syrians work for low salaries, many employers can decrease the salaries and most of Turkish people become unemployed. Another is that Syrians' high fertility rate can cause to collapse social system and jeopardize the national identity. So, it is obvious that the 'Syrian brotherhood' approach is not put into practice. The number of locals who emphasize the cultural differences, other them and define the residence of Syrians as a problem is really high. 'Syrian brotherhood' approach has not been widely observed in the Turkish society. One of the most important detailed which is highlighted in the report is that the frequent repetition of 'accepting them as guests' especially at the beginning of migration movement is related to limitation of their rights.

The studies which are conducted in regions where refugees mostly live show that locals use the discriminatory language and think that that Syrians must go back to their home. Especially, the sentence "Syrian refugees must go to their home or must be sent off as soon as possible" is really discriminatory. These negative attitudes lead people to think that a collective movement or resistance against Syrians should be developed.

In this sense, first it creates collective consciousness and social cohesion to accept them as guests, but then it is used to set limits for Syrians. The aim of setting limits is to protect the race and the culture by showing them other's distinctions so that locals can recognize the similarities and common sharing in their own culture. As a result, social exclusion against refugees, which has become a common act, emerges as an "ideological perception" in the form of "becoming against refugees" and "motivation to maintain unity against them" (İnce, 2011: 179). This ideological perception also manifests itself as a legitimate justification for 'denying the refugees or the other', 'seeing them as threats' and 'sending them off'.

Economic Situation: Economic Exploitation

When the topic is social cohesion process of Syrians, economy which is one of the most important topics must be mentioned. Even though, an individual who doesn't have deep knowledge on economy can understand that Syrians have a strong impact on economic resources. While the economic pie is getting smaller with the arrival of new refugees, it is also getting more difficult to obtain the current piece. For this reason, the main issue of Syrians' migration is that the locals and refugees, who both are introverted and nervous groups, compete with each other for limited economic resources (Clark, 2008: 211).

It is a fact that it is more difficult and longer periods of time for refugees, who cannot get involved in the economic system and cannot have relationship network in this context, to adapt to the society. Cultural cohesion is, in any case, spontaneously

overcome after one or two generations, but economic adaptation makes it much faster.

The existence of refugees also creates some results that can be evaluated in terms of economic policies. The main issue of Syrians' migration is that the locals and refugees, who both are introverted and nervous groups, compete with each other for limited economic resources (Clark, 2008: 211).

Indeed, economic encounters are important indicators of the fact that it is not easy for Syrian refugees to adapt to the place where they came. In this sense, it is possible to say that in addition to locals' anxiety about security, it is another issue or locals to share their economic resources with Syrians and this provides a basis for discriminative discourses (Ünal, 2014: 79).

In any economy related discussion about Syrian refugees, it is criticized that the government ignores their citizens and support the refugees financially. Also, it is supported that the government provide financial support for their poor citizens at the first place. Certainly, structural problems such as social inequalities and contradictions between classes also cause that some people take advantage of these disadvantaged situations of refugees and which, in turn, clinch these situations.

In many researches, it is aimed to find the reasons behind the anxieties and discriminations which are resulted from the existence of Syrian refugees. It is found that Turkish people especially care about the economic burden. 70.8% of them think that the economy is damaged because of the refugees. Moreover, 60.1% of them are against supporting Syrians financially while there are still many poor Turkish citizens (Erdogan, 2015: 26).

AFAD conducted a research with Syrians in refugee camps. Its results make locals' economic worries more understandable as it indicated that 80% of Syrians aim at working in a job and most of the others has already worked in other cities, so there is an intensive entrance to the labor market. There are two possible consequences of this situation. The first is a decrease in the salaries and the other is unemployment. According to the TURKSTAT' report, the unemployment has dramatically increased especially in the cities near the border of Syria border in three years. It should be noted that TURKSTAT has released the latest unemployment report in 2013, so there is no data after this year. When the unemployment reports of 2011, 2012 and 2013 are reviewed, it is seen that the unemployment in Şırnak, Batman, Siirt, Mardin, Sanliurfa and Diyarbakir have increased by 8-10 points in two years, but in contrast, the unemployment in Gaziantep, Adiyaman, Kilis and Ağrı has significantly decreased (TURKSTAT, 2011; TURKSTAT, 2012; TURKSTAT, 2013).

It is necessary to say that besides local's reasonable or unreasonable attitudes toward Syrians, for sure, Syrians believe that they live worse economic conditions than locals do.

Work Permission as an Obstacle: Unemployment and Labor Exploitation

The "temporary protection" status of the Syrians, which is not evaluated under the refugee status of Turkey, is not sufficient for immigrants to benefit from refugee rights. The work permission is one of these rights. In order to solve this problem, many actions has been taken, but all is unsuccessful and still refugees do not permitted to work.

Syrians live with the help of financial support and their own savings for a time, but more than half of Syrians (%52.8) see unemployment as a problem (Karasu, 2016: 106) and indicate that they want to enter the workforce and fend for themselves. This makes locals especially live in the cities near the border annoyed. Because of cheap labor movement, they feel threatened and fear of losing their jobs, so that they protested and even though they attacked refugees. 56.1% of the Turkish people agree with the sentence "Syrians strip of our jobs". As expected, the percentage of those who support this sentence in the cities near to the border is very high (68.9%) (Erdogan, 2015: 27).

The unemployment is a significant problem for refugees who face with this kind of reality. Even they find a job, they have to struggle with many other problems such as low salaries, negative attitudes, etc.

While most of them want to get a job, some of them do not look for a job because of labor exploitation. They are exposed to labor exploitation in many ways like no or low salary, forced labor, working overtime. In a research conducted in Konya, the findings show that Syrians are paid less than locals as well (Koyuncu, 2014: 100).

Syrians who have continued to work in uninsured day labor illegally are exposed to many injustice attitudes and their statuses are too open to be misused. Compared to the other workers, Syrians are paid less or late and even sometimes they are not paid. These are the most common problems that they face with in work life.

Working refugees give in these conditions. However, they are aware of injustices. In this context, there is an implicit agreement between employers and working Syrians which arises from the lack of legislation. This unfavorable situation does not only affect Syrian refugees but also cause the decrease in labor market, so other workers paid less as well. As a result, Turkish workers blame Syrians to lower the salaries. In this situation, Syrian refugees are victimized in both sides.

Result and Discussion

Results show that social exclusion is a term which has many dimensions such as economic, politic, psychological and cultural and it may result in many negative consequences. Immigrants who are socially excluded do not benefit from the rights which locals do. This inequality could rise in conflict between these two groups. When immigrants cannot satisfy their basic needs, they may try to improve their disadvantageous status in illegal ways. Furthermore, because of the social restriction

and inequality, they may behave aggressively and harm the cohesion of the society. In addition, immigrants came to Turkey to live better life but when they do not feel themselves as part of the society and do not obey the country's rules, it may result in a chaotic environment.

This situation shows that Syrians stay permanent in Turkey at least for a long time so that politics must be developed for refugees and immigrant in order to help them to adapt to the society in a healthy way.

In this context, firstly, refugees' legal positions must be made clear in order to extinguish the uncertainty.

Moreover, in order to solve the most significant problem which is economic and to allow refugees to participate in the labor market legally, the legal obstacles for them must be removed. This legal regulation also allows to solve other related problems such social and moral ones.

Because of extended duration of the residence of the refugees, locals' feeling of help has been decreasing and refugees are exposed to social exclusion more. It results that they experience the feeling of deprivation.

On the one hand, Syrians think that there is an social inequality between themselves and locals in terms of different rights, but on the other hand locals think that it affects the welfare of the society to support refugees financially, who escaped from the war and do not deserve support. Also, the findings of researches which were conducted in this topic indicated that the feeling of anger is intensified on this topic.

Otherwise, locals have mercy on the refugees and support them to satisfy their basic needs. This is very important for refugees to improve their life conditions. However, it is not an effective way to solve their daily and social problems in the long term. In conclusion, the social, economic and security related conflicts between the locals and the refugees are the main dynamics that leads the refugees to be excluded socially. For this reason, quick and effective politics must be developed in order to make their legal, economic and social integration easier.

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