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**The Acceptance and Purchase intention of
Dietary Supplement Products Made from Organic Rice**

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Abstract

Consumers around the world began to awake and have turned their attention to the health care of themselves more. This research aims to study the acceptance and purchase intention of consumers to buy dietary supplement products from broken-milled rice and by-product of organic Rice in Roi-Kaen-Sarn-Sin area, in the Northeastern region, Thailand. The data was collected by the field survey with consumers in Thailand that ever bought and consumed nutritional supplements products and health supplements from broken-Milled and by-product of organic rice. Result from study the relationship of product development and the acceptance and purchase intention of consumers by one-way analysis of variance (One-way ANOVA) and regression analysis, showed that the composition of products in product development and the commercial production guidelines include pricing and value for money, marketing communication, and distribution influence the acceptance and purchase intention of consumers. Hence, the different personal characteristics, the composition of products in product development, and the commercial production guidelines are influencing on the acceptance and purchase intention.

Keyword : The Acceptance, Purchase intention, Dietary Supplement Product and Organic Rice.

1. INTRODUCTION

For several years, eating locally grown food has been promoted widely in the popular media and scholarly literature as a way of providing numerous health, environmental, social, community and economic benefits. (David, 2013) In addition, organic farming delivers equally or more nutritious foods that contain less or no pesticide residues, and provide greater social benefits than their conventional counterparts. (John Reganold, 2016) While still a tiny portion of food production overall, organic products have gotten more space on supermarket shelves in recent years. Stores and restaurants that specialize in organic food have grown in popularity. Farmers and others who grow and process organics have been reporting big increases in demand and sales. (The Wall Street Journal, 2015) The global market for organic produce looks very healthy indeed, having increased five-fold since 1999. In 2013, global sales of organic food and drink reached \$72 billion, with Europe and the United States driving 90 percent of the world's sales. (Niall McCarthy, 2015) Sales of organic foods are growing by double-digit rates in many countries. The fastest growth is reported in China, up 32% per year from 2010 through 2014, driven in part by frequent scandals over food contaminated by chemicals. (SCB Economic Intelligence Center, 2017) The global sales of organic foods are expected to continue the positive trajectory, with most growth envisaged in North America and Northern Europe, according to Organic Monitor. (FNI Team, 2017) “However, behind the organic boom we have observed for quite a long time

already, a deep shift in the awareness of people. People are fed up with being responsible for environmental destruction. More and more people realize that we have one planet only and that we have to care for it.” Organic production provides credible answers because the organic industry is not just talking but really solving issues and the concept of sustainable production is the only agriculture concept with a future perspective we can explain to our children if we want to give them the same opportunities to feed people. Such awareness for quality rises especially in times of crisis. (Kalle Huebner, 2009) Considering the environmental and social importance of organic food production and increased supply and demand for organic products in the world. (Luciano, 2018) That is why WHO is promoting efforts to improve food safety, from farm to plate (and everywhere in between) on World Health Day, 7 April 2015. The World Health Day 2015 slogan is: “From farm to plate, make food safe”.(World Health Organization, 2015)

The popular variety of rice is nowadays widely known as Hom Mali Rice, which is a variety of varieties, but more prominent is the Hom Mali Rice 105. Hom Mali Rice has been registered certificate about Geographic location is Hom Mali Rice of Thung Kula Ronghai area in Thailand (Peeradeth Thongampai, 2016). The area of Thung Kula Ronghai or Roi-Kaen-Sarn-Sin area is over 0.79 million acres in 5 provinces namely Roi Et, Surin, Sris Khasan, Mahasarakham, and Yasothon, which were once seen as backcountry, are now being developed as "the best Hom Mali Rice growers in Thailand" (Wanpen Boonpen, 2017). It is the context in the study because it is the largest organic Hom Mali Rice growing area in Thailand and has been recognized internationally.

The introduction of products is widely recognized as one of the most important marketing activities of companies.(KatrijnGielens et al, 2007) Recognition the needs and acceptance of individuals is the beginning stage of any businesses and this understanding would be helpful to find the way of future development. (Hamed Taherdoost, 2018)

The way consumers interact with brands has changed owing understand the factors that motivate consumers what stimulates their decision to purchase.(José Martins et al, 2018) Consumers assess the credibility of product reviews to guide their purchase decisions. (Fernando and Norma, 2013) Understanding consumers' purchase intentions is an important goal for decision making in marketing and product innovation. (Jih-Hwa Wu et al, 2015)

As a consumer, maybe you're considering buying more organic products. That's a wise plan. Organic products have many benefits for consumers, such as: Organic food contains fewer harmful hormones and pesticides than conventional food. Organic production helps conserve and protect water. Organic agriculture reduces carbon dioxide and helps slow climate change. Organic farming helps combat serious soil problems, such as erosion. Erosion doesn't sound like a consumer issue, but it truly affects the planet, causing problems for the land, food supply, and humans. (Jennifer Chait. 2017) Almost all foods and beverages, with few exceptions can be certified organic. Additionally, organic certification guidelines for food are well laid out, so it's easier to deal with organic food and beverage certification than it is to deal with other certifications. Food and beverages that can be certified organic include whole fresh produce, alcohol, coffee, tea, edible flowers, wild crops, grains, meat and more. Processors and handlers may also manufacture organic food items, for example pizza or jam. (Jennifer Chait, 2017) Consider pricing decisions of agri-food retailers offering organic versions and non-organic

conventional versions of a single agricultural product, where the two product versions differ from each other in terms of their shelf lives and their utility to customers.(Yaacov, Yael and Sara, 2018) Product quality is a key determinant of a firm's competitiveness, (Ezlika et al, 2017,María, Mercedes and Óscar, 2017) The market for green and organic cosmetics is expanding globally (Ezlika et al, 2017,Onel, 2016; Raska and Shaw, 2012). The rising health- and go-green consciousness and the growing consumer awareness of the hazards of synthetic chemicals have fuelled the demand for a healthier life style and for organic personal care products (PCP). (Ezlika et al, 2017)

The study of the acceptance and purchase intention of consumers to new products that produced by broken-milled rice and by-product of organic Hom Mali Rice was interesting. The research question is whether new products resulting from the development of products that produced by broken-milled rice and by-product of organic Hom Mali Rice in Roi-Kaen-Sarn-Sin of Thailand are factors that affect consumer acceptance and purchase intention.

2. LITERATURE REVIEW

2.1 The Acceptance

A manifestation of assent to the terms thereof made by the offeree in a manner invited or required by the offer (The Law, Sales, and Marketing, 2012) Consumer acceptance of innovative products is widely studied in the field of information management.(Paul et al, 2015, Shih-Chih and Chung-Wen, 2016) There is still a great disparity between curious trying and actual acceptance. (Hui Shan et al, 2016) Perceived quality is an individual construct that includes the product's perceived healthfulness together with other quality aspects like expected taste and convenience, whereas competitive differential refers to the price-quality relationship as evaluated against existing products to which the new product would be regarded as a possible substitute.(Maria et al, 2014)

2.2 Purchase intention

Purchase intention is the preference of consumer to buy the product or service. In another words, purchase intention has another aspect that the consumer will purchase a product after evaluation,(Sohail Younus, Faiza Rasheed & Anas Zia, 2015) indicates likelihood that consumers will plan or be willing to purchase a certain product or service in the future (Wu, Yeh, & Hsiao, 2011 and José et al, 2018) states that purchase intention is an effective tool to predict buying process. Purchase intention may be changed under the influence of price or perceived quality and value. In addition, consumers are affected by internal or external motivations during the buying process. (Gogoi, 2013 and Vahidreza 2015). One of the most common approaches undertaken by marketers in gaining an understanding about consumers' actual behavior is through studying their intentions (Blackwell, Miniard, & Engel, 2006; Ghalandari & Norouzi, 2012 ; Ahasanul Haque et al, 2015) Purchase intentions are often measured and used by marketing managers as an input for decisions about new and existing products services. Purchase intentions are correlated and predict future sales, but do so imperfectly. (Vicki Morwitz 2012)

2.3 Dietary Supplement Product

Dietary supplements include such ingredients as vitamins, minerals, herbs, amino acids, and enzymes. Dietary supplements are marketed in forms such as tablets, capsules, softgels, gelcaps, powders and liquids.(Food Facts, 2017.) Dietary supplements are products that intend to supplement the

diet, which contains vitamins, minerals, herbs, botanicals, biofortified yeasts, ayurvedic formulations, amino acids, or any combination of the above ingredients. Dietary supplements can be found in the market in different forms such as gel, pills, caps, oils, capsules and tablets (Patricia and Agustín, 2018) used to supplement the diet by increasing total dietary intake, metabolite, constituent, extract, or combination of any of the above. (P.K. Mukherjee et al, 2017) s “a product intended for ingestion that contains a dietary ingredient intended to add further nutritional value to (supplement) the diet.”(Bhushan, Gururaj and Girish, 2015).

2.4 Organic Rice.

Organic farming is one of the fastest growing sectors of world agriculture. Although it represents only 1% of world agricultural area, organic is one of the most recognized food labels and most people in developed countries consume some amount of organic food today. (Verena, Navin and Tabea, 2017) Rice (*Oryza sativa*) is the second most cultivated cereal in the world, with increasing production in recent years. (Flávia et al, 2017) Thailand is a major rice producing country. In 2017, the total volume of Thai rice exports was 7,395,579 metric tons (US\$ 3, 324.03 million) (Thai Rice Exporters Association, 2017). Thai rice can be classified into 2 types: non-pigmented (or white rice) and pigmented rice (or colored rice). White rice is obtained by removing the husk and outer layer from the entire grain while colored rice is achieved by eliminating the husk and only a small amount of the outer layer that contains some pigment. Different pigments that include anthocyanin, proanthocyanidins, and carotenoids produce differences in rice grain color that range in black, blue, red, and brown (Pereira-Caro et al., 2013). Even though white rice has long been a staple food in Asia, few people know that pigmented rice actually contains higher health benefits (Sampaonthong, 2016). Organic rice has also become a popular raw material in many health food products because of consumers' health concerns. It is considered a healthier and safer. (Supaluck Kraithong, Suyong Lee and Saroot Rawdkuen, 2018)

2.5 Thai Hom Mali Rice

Hom Mali Rice is a rice species that is native to Thailand and a major export product of Thailand, which is known around the world because this Rice is not grown in the world as well as grown in Thailand (Biz Amnat, 2018). Hom Mali Rice is widely grown and widely consumed. The most popular varieties are Khao Dawk Mali 105 and RD 15 (Preenan Longjamnong, 2017), which is characterized by white rice, clear, long slender, and smell like pandan. When it comes to cooking, it is softer than ordinary rice, so it is popular for consumption and distribution in the market. (Wincent 1973, 2015)

2.6 Thung Kula Ronghai Area

Thung Kula Ronghai or Roi-Kaen-Sarn-Sin area is a large plain with an area of about over 0.79 million acres, covering the area of 5 provinces namely Roi-Et, Srisaket, Surin, Buriram, and Maha Sarakham. This area was formerly a backcountry but has now been developed as the "Best Hom Mali Rice Growing Area in Thailand", accepted by the Department of Rice and the Department of Agriculture of Thailand (Creative Thailand, 2015). The harvested rice is good quality, clear grain, and tough. The cooked rice is so fragrant and soft that Hom Mali rice in Thug Kula Long Hai area is a unique quality that is different from Hom Mali rice produced from other sources, and is recognized by traders and consumers both domestically and abroad. (Department of Intellectual Property, 2012).

2.7 Broken-Milled rice

Broken-Milled rice is a by-product of the paddy dye derived from fragments of rice broken into small pieces. High-grade rice mills often break down the grade of broken rice into many grades, which is higher than that of rice bran (Sumitra Shunngon, 2013). Broken-Milled rice had higher glucose and protein content than white rice (Khanarong Sriroot, Geuagoon Piyajomkwan, and Wilai Santisopasri, 2000). The body can be absorbed easily for those who want to control sugar (Knowledge center, 2015). Broken rice can also be consumed as part of local cuisine in several countries in Africa, Thailand, and elsewhere in South East Asia, where the broken varieties are often less expensive so are preferred by lower income consumers. (Augustin Caceres, 2013)

3. METHODS

This research aims to study the factors that affect the acceptance and purchase intention of consumers to new products that produced by broken-milled rice and by-product of organic Hom Mali Rice in Roi-Kaen-Sarn-Sin of Thailand. The quantitative research using the field questionnaire survey was conducted to test the consumer's new product acceptance and purchase intention on both Organic Rice products from September to November 2016.

New products are goods and services that differ significantly in their characteristics or intended uses from products previously produced by the firm. The new products are based on the concept of new health food products that have been tested and selected according to the process of Figure 1 that are the Broken-Milled organic rice cereal powder mixed drink and the organic rice pudding cake.



Figure 1 The new products development process



Figure 2 Packaging examples of the Broken-Milled organic rice cereal powder mixed drink

The Broken-Milled organic rice cereal powder mixed drink are made from the mixed varieties kinds of rice, especially, from Broken-Milled organic Hom Mali rice, and also contains cereals, including crushed millet and crushed black sesame. It also has nutritional value, including carbohydrates, proteins, fats, vitamins, minerals, and essential minerals that help treat chronic diseases. The product is a coarse powder that can be dissolved in hot water.



The organic rice pudding cake has 3 flavors; Cocoa, coconut, and orange flavors that are made from by-product of organic Hom Mali rice, both organic brown rice and white rice, which provide complete nutrition and health care. The product is soft texture, soft tongue, and sweet taste by seasoning added.

Figure 3 Packaging examples of the organic rice pudding cake

The data was collected by the field surveys with consumers in Thailand that buys and consumes the dietary supplements products from broken-Milled and by-product of Organic Hom Mali Rice agricultural products or natural materials. The non-probability sampling was preceded using purposive, quota and convenience sampling methods included selecting the market locations that all samples in Khon Kaen province and selection criteria included Thai nationality and experience on Organic Rice products. This means the respondents were asked whether they are Thai and had consumed (tried/bought) prior to taking the questionnaire. In total, 142 Organic Rice consumers completely responded to the questionnaires, each respondent was required to answer two sets of questionnaires for study the relationship of product development and the acceptance and purchase intention of consumers by one-way analysis of variance (One-way ANOVA) and regression analysis, then analyzed using SPSS program.

4. RESULTS

The respondents's profile is demonstrated in Table 1.

Respondents' Profile	Frequency (person)	Percentage	Respondents' Profile	Frequency (person)	Percentage
Consumed any Organic Rice			Gender		
Yes	142	54.3	Female	213	68.5
			Male	98	31.5

Respondents' Profile	Frequency (person)	Percentage	Respondents' Profile	Frequency (person)	Percentage
No Total	169 311	45.7 100.0	Total	311	100.0
Marital Status			Education Level		
Single	148	47.6	Lower than		
Married	153	49.2	Bachelor degree	116	37.3
Divorce/Widow	10	3.2	Bachelor degree	166	53.4
Total	311	100.0	Higher than		
			Bachelor degree	29	9.3
			Total	311	100.0
Age			Income (Baht per month)		
20-30 years old	138	44.4	Less than 20,000	197	63.3
31-40 years old	56	18.0	20,000 - 40,000	86	27.7
41-50 years old	40	12.9	40,001 - 60,000	18	5.8
51-60 years old	48	15.4	60,001 - 80,000	6	1.9
Above 60 years old	29	9.3	80,001 – 100,000	1	.3
Total	311	100.0	More than 100,000	3	1.0
			Total	311	100.0
Occupation			Marketing communication in Top 5		
Private company officer	30	9.6	TV commercials	232	74.6
State Employee	36	11.6	Magazine	86	27.7
Government officer	57	18.3	Website	84	27.0
Entrepreneur/Business owner	46	14.8	Facebook/Facebook	74	23.8
Stay home parent	37	11.9	Fan Page		
Freelance/Part-time job	60	19.3	Radio	60	19.3
Other	311	100.0			
Total					
Distribution in Top 5					
Drugstore	143	46.0			
Department store	141	45.3			
Convenience Store	123	39.5			
Supermarket	104	33.4			
Direct buying from agent / Salesman	69	22.2			

Table 1 Quantitative Data Collection - Respondents' Profile

The majority of respondents indicate the need to understand these new products prior to making any buying decisions due to its innovative product nature (new to the market). Therefore their major buying criterion is buying experience on healthy products.

For the dietary supplements products from broken-Milled and by-product of Organic Hom Mali Rice agricultural products, the majority of respondents agree that the importance of vitamin C, which helps keep the arteries healthy. The Broken-Milled organic rice cereal powder mixed drink product, the majority of respondents agree 30g. per a packaging with the price of 15 Baht. On another hand, for the organic rice pudding cake, the majority of respondents agree 40g. per cup with the average price of 35 Baht. However, they are unsure whether they will buy the products if the products are available in the market. The results summary is demonstrated in Table 2.

Product Acceptance	The Broken-Milled organic rice cereal powder mixed drink	The organic rice pudding cake
Product Features	It contains vitamin C, which helps keep the arteries healthy. (41.8%)	
Packaging	1 Pack/ 30g. (50.5%)	1 Cup/ 40g. (41.5%)
Price	15 Baht (43.7%)	35 Baht (40.5%)
Consumer Buying Intention	May be (52.7%)	May be (53.4%)

Table 2 Result Summary of Innovation Product Concept Acceptance – Organic Rice

The product testing results suggests that the product attributes and ingredients of both products should be contains vitamin C, which helps keep the arteries healthy that are important for everyone's health. For the Broken-Milled organic rice cereal powder mixed drink, the respondents moderate like packaging, price, overall image, and product quality, especially scent. On another hand, the organic rice pudding cake, respondents very likes packaging, price, overall image, and product quality, especially mellow taste or deliciousness. The most suitable marketing communication channels for both innovative products are convenience stores, supermarkets, and department stores. Although the product concept acceptant seems positive, the results of buying intention are mostly negative in the Broken-Milled organic rice cereal powder mixed drink. However, most respondents indicate they maybe buy both products. The result summary of product testing is demonstrated in Table 3.

Buying Intension	The Broken-Milled organic rice cereal powder mixed drink	The organic rice pudding cake
Decision Making (what make them buy)	It contains vitamin C, which helps keep the arteries healthy. ($\bar{x} = 4.20$)	
Packaging	Moderate ($\bar{x} = 3.37$)	High ($\bar{x} = 3.57$)
Price	Moderate ($\bar{x} = 3.35$)	High ($\bar{x} = 3.51$)

Quality	Moderate (Scent, $\bar{x} = 3.30$)	High (Mellow taste / deliciousness, $\bar{x} = 3.85$)
Overall Image	Moderate ($\bar{x} = 3.26$)	High ($\bar{x} = 3.89$)
Distributions	Convenience stores, supermarkets, and department stores ($\bar{x}=3.97$)	
Buying intention	May be ($\bar{x} = 3.76$)	May be ($\bar{x} = 3.93$)

Note: Mean \bar{x} score is out of 5.

Table 3 Result Summary of Product Testing (Buying Intention)

The results of the hypothesis testing by one-way analysis of variance (One-way ANOVA) in Hypothesis 1 showed the different personal characteristics; gender, age, status, career, income per month, education, and family members; are influence on the acceptance and purchase intention of both products.

The regression analysis in Hypothesis 2 test the relationship the composition of products in product development includes Key Benefits / Nutrition and Quality, Packaging and Branding, and Expected Products with the consumers' acceptance and the purchase intention of Dietary Supplement Products Made from Organic Rice. The result showed, for the Broken-Milled organic rice cereal powder mixed drink, the composition of products; Key Benefits / Nutrition and Quality (Products made from 100% organic rice), Packaging and Branding (the form of box and sachets packaging, the color of the sachets packaging), and Expected Products (the mellow taste, the deliciousness, and the smell); influence on the acceptance and purchase intention. The organic rice pudding cake, the composition of products only Packaging and Branding (The color characteristics of the coconut packaging, the font of the orange flavor, the outer packaging of the cocoa packaging, and the orange flavored amount) influence on the acceptance and purchase intention.

Hypothesis 3 test the relationship of the commercial production guidelines contain with product and marketing communication and distribution with the consumers' acceptance and the purchase intention of Dietary Supplement Products Made from Organic Rice. The result showed the commercial production guidelines for the Broken-Milled organic rice cereal powder mixed drink; product (form) and marketing communication and distribution (sell through healthy restaurants); and for the organic rice pudding cake; marketing communication and distribution (Communicate through broadcast media) influence on the acceptance and purchase intention.

Hypothesis	Independent Variable	Result
1	Personal characteristics	Accept
2	The composition of products in product development	Accept
3	The commercial production guidelines	Accept

** Significant at 95% ($p < 0.05$)

Table 4 The Result of the factors influence on the acceptance and the purchase intention

5. CONCLUSION AND DISCUSSION

Marketing managers are often Measured and used by The acceptance and purchase intention of consumers as an input for decisions about new and existing products. There are correlated and predict future sales.

The relationship of product development with the acceptance and purchase intention of consumers found that the factors are the different personal characteristics, the composition of products in product development and the commercial production guidelines include pricing and value for money, marketing communication, and distribution influence the acceptance and purchase intention of consumers.

In the acceptance, the different demographic characteristics are a factor that relate to it because Consumers who tend to accept new products tend to be younger but educated, have a good career and are wealthy. As with consumer intentions, Personal Factor, like age, purchase decisions will vary over time. During childhood or adolescence, parents will decide to buy almost all of their products. When a person is a teenager, they often decide to buy something themselves. Then, when adults enter their own income, they have the power to make the most of their purchase intention. When a person goes to old age, opinions from other people such as relatives, children will come back to influence the decision to buy again. Career is another factor leading to the demand for different products and services like Personal Income that affects the purchase intention. The people that have a different career make a difference income. People who have a lot of income can buy products and services to meet their needs as much as satisfied. At the same time, people with low income can only buy goods and services only necessary. (Chatyaporn Samerjai, 2007; Hui Shan et al., 2016) The composition of products in product development and the commercial production guidelines include pricing and value for money, marketing communication, and distribution influence the acceptance and purchase intention of consumers because Purchase intention changed under the influence of price or perceived quality and value. In addition, consumers are affected by internal or external motions during the buying process. (Gogoi, 2013 and Vahidreza 2015; Wu, Yeh, & Hsiao, 2011 and José et al, 2018).

6. LIMITATION AND FURTHER STUDIES

This research aims to provide some insights on the new product concept development and product acceptance testing using the new ingredient, Organic Rice, from Thailand. Although this research may not contribute much on theoretical literature, it has substantial contribution in valuable insights in practical implication, especially for those developing countries that mainly focused on agricultural businesses. Further research and development on other local Rice types should be encourage in order providing variety choice of products to consumers. Further studies on research and development of the Broken-Milled organic rice cereal powder mixed drink on their quality should be implemented in order to attract the specific target consumers who live their taste. On another hand, the organic rice pudding cake should emphasize on their distinctive price in order to compete with other products in the current market.

The limitation of this research includes it cannot be generalized due to its specific nature of new products and study setting (some provinces in Thailand). Further studies include continuous innovation of product development, product testing and market testing. Further studies on consumer behavior and value co-creation should be emphasized in term of theoretical contribution as they are important in order

to further develop the new products for specific niche market targets with support from various actors in this specific business.

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Deviant Behavior and Moral Reasoning during Adolescence: An Indisputable Link?

A Study in the Tunisian Context

Slah eddine Ben Fadhel¹, Semia Harbawi²

Abstract

Deviant behaviors have been the object of substantial research particularly in sociology, but not quite so much in psychology. The aim of our study is to address the issue from a psychological perspective by analyzing how young adolescents, particularly in the Arab world, internalize societal rules and develop their own sociomoral reasoning.

The study examined 139 Tunisian adolescents aged between 12 and 18 years who were, in part, involved in delinquent behavior and treated in specialized centers. To evaluate the degree of moral reasoning, we used Gibbs' Sociomoral Reflection Measure - Short Form and a series of five dilemmas inspired by Piaget's and Kohlberg's works. The results have mostly highlighted the adolescents' low level of moral reasoning in both of the above-mentioned tests.

At the same time these results invite us to examine this issue in relation to different socio-cultural contexts, especially in various Arab countries, the study also addresses the issue on a universal level, seeking to understand and reinforce universal dimensions in young people's socialization.

Keywords

Deviant behavior, moral reasoning, moral values, adolescence.

Introduction

Behavioral deviance among young people is a complex psychological and social phenomenon most particularly present in today's societies. Indeed, facing globalization, a far too rapid socioeconomic and cultural evolution as well as difficulties in family communication within societies, which are paradoxically at the forefront of communication technology, some young people are relegated to the margins for adopting deviant and socially inappropriate behavior.

Deviant behaviors have indeed been the object of substantial research mainly in sociology, but not quite so much in psychology (Steven, 2013; Hartl, 2012; Conrad, 2008). In fact, adolescence is a peculiar developmental phase that is most often associated with the confluence of uncertainties, which is sometimes conducive to behavioral difficulties. This largely stems from the transgression of communal social norms (Malti and Keller 2010). Our research incorporates the study of moral judgment within the framework of socio-personal dynamics by analyzing teenagers' deviant and non-deviant itineraries. The

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aim is to address the issue from a psychological perspective by investigating the way young adolescents, particularly in the Arab world, internalize societal rules and build their own sociomoral reasoning.

In psychology, a great deal of research has focused on the possible links between young people's deviant behaviors and their level of moral reasoning. Thus a series of research, using the Kohlberg evaluation procedure and comparing young offenders with non-delinquent ones (Bartek, Krebs, and Taylor, 1993; Gregg, Gibbs and Basinger, 1994; Aleixo and Norris, 2000), generally demonstrates a low level of moral reasoning by making significant use of the stages of the preconventional level.

These various studies thus explain delinquent behavior by relying on Kohlberg's developmental model. According to the latter, the moral quality of an individual's conduct is necessarily dependent on its level of logicomathematical development, as evidenced by Piaget. For the purpose of our research, what is important is not whether a conduct is deemed good or bad, but rather the level of reasoning that would help us argue whether this conduct is moral or not. Based on this premise, Kohlberg shows that this argument follows a progression in six successive stages and is divided into three preconventional, conventional and post-conventional levels.

More recently, Gibbs, Basinger, Fuller (1992), following Kohlberg's work, developed a tool (SRM-SF) to classify subjects within a four-stage model with two distinct immature and mature levels. As far as our study is concerned, it must be said that even if it is an important aspect of delinquency, the level of moral reasoning alone does not offer an explanation for deviant behavior. Indeed, other educational and cultural variables interact and also strongly determine young people's behaviors (Malti and Keller, 2010; Paxton, Ungar, and Greene, 2012).

Most of the research on the subject has been conducted in Europe and the United States. In this regard, we believe that it is useful to check the relationship between moral judgment and delinquency in different cultural contexts, especially since very few publications concern the Arab world on this subject.

The objective of this study is twofold. On the one hand, we propose the very first data ever compiled about an Arab country concerning the link between moral judgment and deviant behavior. On the other hand, the study presents the first data of the SRM-SF translation. We thus verify the hypothesis of a link between immature moral judgment and deviant behavior.

Method

Participants

The sample included 139 participants; 89 were delinquent adolescents internalized in a rehabilitation center for juvenile delinquents on account of antisocial behavior and 50 were selected from a vocational school in Tunis and had the same educational and social level as the first group. The mean age for the total sample was 16 years old, 16.4 (SD=1.35) for the control group and 16.7 (SD=1.33) for delinquent adolescents. Fifteen percent of the participants in the delinquent group were female and 85 % were male.

Procedures

The adolescents' moral reasoning was assessed using two types of tools: - The first tool is an adapted Arabic version of the Sociomoral Reflection Measure-Short Form (SRM-SF) by Gibbs, Basinger, and Fuller (1992) and inspired by Kohlberg's work. This tool is specifically adapted to the population we are interested in because of the low attention span it requires.

The questionnaire contains 11 items and focuses directly on the importance given by young people to different moral values such as keeping a promise, helping others, preserving people's lives or their own, abiding by laws, and punishing criminal acts. The questionnaire is mainly predicated on an assessment of the degree of importance of the targeted behavior. It also requires a written justification of

the evaluation carried out. The scoring is done by ranking the answers within the different stages that mark the development of moral judgment. The test allows the calculation of a score, the SRMS, which allows the classification of the subject within a model in four stages, subdivided into two intermediate stages (Table 1). The tool exhibits good inter-judicial fidelity. The internal consistency of the questionnaire is relatively good (Cronbach alpha = 0.72).

Table 1: Gibbs' Sociomoral Stage Theory (Gibbs *et al.*, 1992)

<i>Level and Stage</i>	<i>Description</i>
Level 1: Immature	
Stage 1: Unilateral and Physicalistic	Moral justifications are based upon unilateral authority and rule-based, or
Stage 2: Exchanging and Instrumental	lated to punitive consequences of the Moral justifications based upon an understanding that has arisen from social interaction with others. For example, decisions to help others may be justified because that person may help you in the future. Justifications remain superficial
Level 2: Mature	
Stage 3: Mutual and Prosocial	Moral justifications are characterized by further decentration, and are based upon a prosocial understanding of emotional states (e.g. empathy), care and good conduct.
Stage 4: Systemic and Standard	Further maturity is indexed by the development of an understanding of the complex social structures in which we live. Justifications are also based upon constructs such as rights, values and character within society. Other justifications may be based upon social justice and responsibility or conscience.

- The second tool is a series of five dilemmas inspired by the works of Piaget and Kohlberg and adapted to the Tunisian and Arabic culture. These are fictitious moral situations inspired by everyday life, through which the subject is asked to make a choice between conflicting values or principles and to explain his/her choice.

In the form of a semi-structured interview, the subjects' answers allow us to situate them within developmental stages of the moral judgment, which range from concrete immaturity to systematic maturity and from privileging punishment towards prioritizing universal ethical principles. The

assessment sessions were one-on-one and carried out by professional psychologists. The level of moral judgment was evaluated according to Lawrence Kohlberg's theory of moral judgment and its six stages of development.

Results

The distribution of subjects within different stages of moral judgment, in accordance with their responses to SRM-SF, shows that the link between moral judgment and delinquency is not as strong as one might assume. The subjects in both groups are distributed as indicated in figure1.

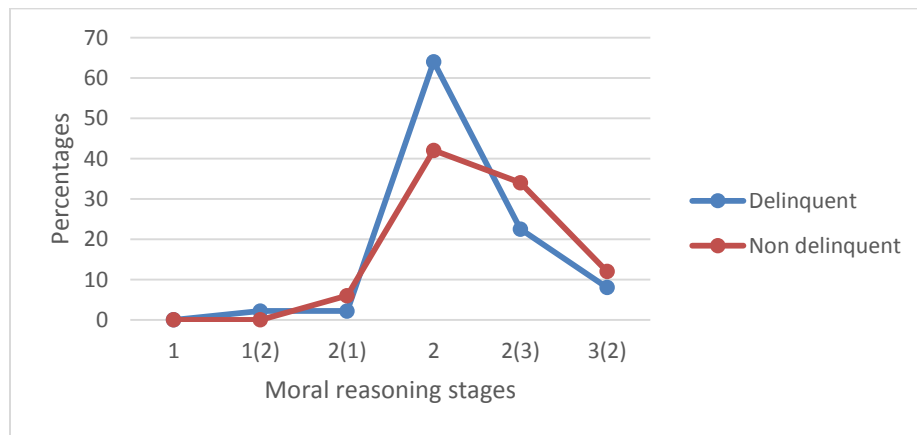


Figure1: Distribution of Subjects in the Moral Stages according to the SRM-SF

We observe that there is no statistically significant relationship between the level of moral reasoning and delinquency ($\chi^2 = 0.159$, $Z = 1.74$, $p > .005$). If we group the stages, we find that 94.5% of the delinquent group is in stage 2 with only 8% in the second stage (3), while 88% of the group without delinquency are in stage 2 with 46% in stage 2 (3) and 3 (2).

Our results confirm the immaturity of adolescents' moral judgment in both delinquent and non-delinquent groups. A moral judgment is said to be immature when it is within stage 3 according to Gibbs *et al.* Our results, however, show a discrete difference between the two groups without this being significant. These results considerably modify those obtained by other international research. In fact, only 1% of delinquent adolescents and 6% of non-offenders have a mature moral level (i.e. greater than or equal to 3). In the study conducted by Gregg *et al.* (1994), this figure stands at 60%.

While our study confirms the low level of moral reasoning in adolescent offenders, it demonstrates the same low level in the case of non-delinquent adolescents, which confirms that the question of moral reasoning arises at the general level of our study context. It requires taking social and cultural factors into account and cannot be explained solely by the cognitive level attained by the subject.

Moreover, the method of recruiting subjects seems to provide a relevant explanation for these results. Our study compares adolescents from disadvantaged backgrounds and following a professional school curriculum, which is not highly valued in our context.

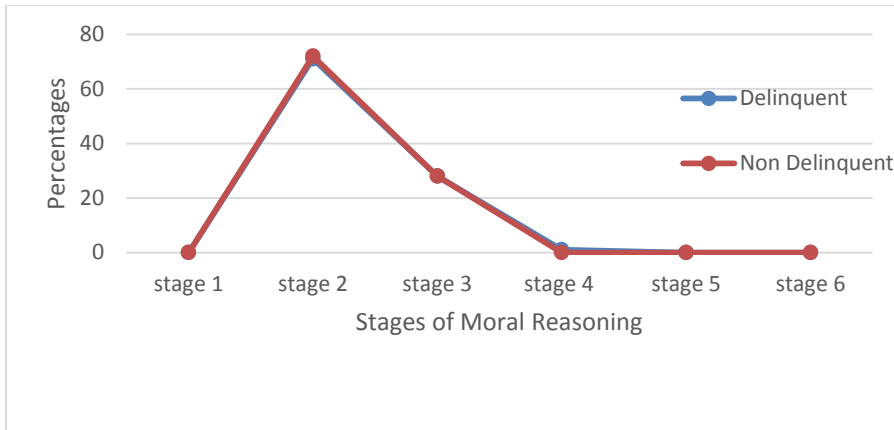


Figure 2. Distribution of Subjects in the Moral Stages according to the Moral Dilemmas

We also observe that there is no statistically significant relationship between the level of moral reasoning as assessed by moral dilemmas and delinquency ($X^2 = 0.75$, $Z = 1.36$, $p > .005$). Virtually 100% of the evaluated subjects with or without deviant behaviors are at stages 2 and 3.

Relationship between Moral Reasoning and Gender

In trying to analyze our results according to the sex of the subjects, we observe that the differences between males and females are not significant. Indeed, the great majority of the subjects are within the second stage (Exchanging and Instrumental) whether female (88%) or male (93%). However, we note a small advantage for males without it being statistically significant.

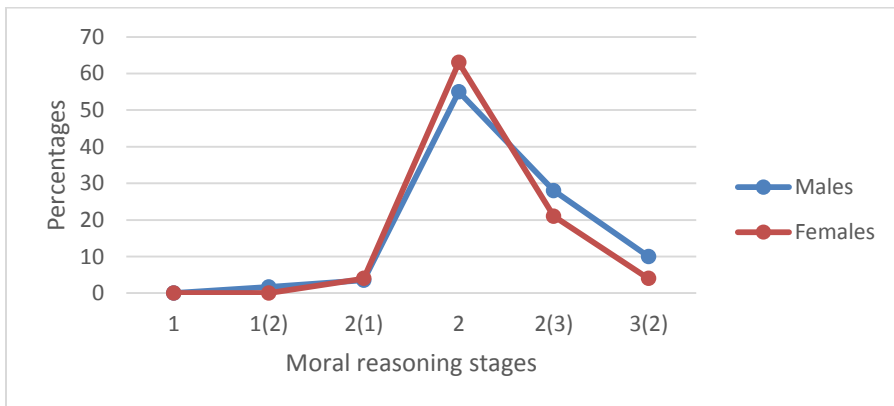


Figure 3. Distribution of Subjects (Males and Females) in the Moral Stages according to the SRM-SF

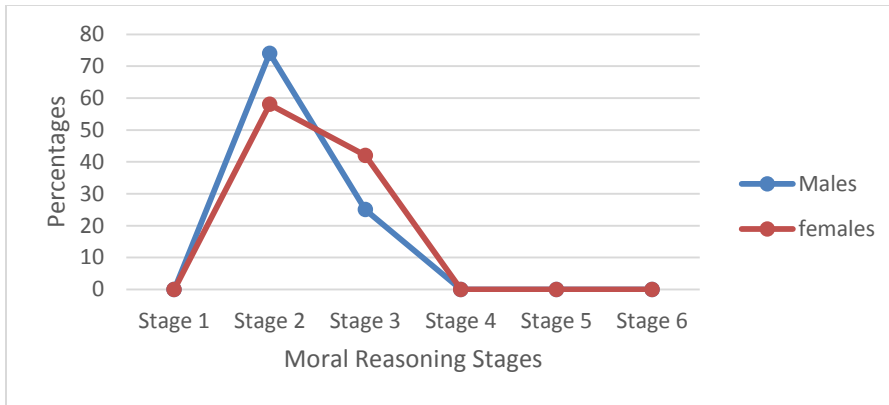


Figure 4. Distribution of the Subjects (Males and Females) in the Moral Reasoning Stages according to the Moral Dilemmas

We observe as well that the majority of the subjects, whether male or female, are in stages 2 and 3 according to their answers to the moral dilemmas. However, we notice a slight advantage for females with 42% in stage 3 compared with 25% for males. The relationship between the level of moral reasoning and gender is not statistically significant. ($X^2 = 0.83$, $Z = 1.56$, $p > .005$)

Discussion

In our study, the analysis of the relationship between sociomoral reasoning and delinquency, using two types of tests (SRM-SF scale and moral dilemmas), does not point out a significant or actual distinction between the two groups of delinquent and non-delinquent subjects. Our findings considerably modify other results which highlight the low level of sociomoral reasoning in adolescent offenders.

Our study indicates that the difference between delinquent and non-delinquent adolescents is difficult to verify and that other factors not taken into account in our study, such as family education or peer pressure, may play a crucial role.

Our results confirm the immaturity of adolescents' moral judgment in both groups. While adolescent offenders are well within expected levels, adolescents in the control group are below the expected outcome.

The explanation for these results could be ascribable to the way in which the subjects were recruited, since our study compares adolescents from disadvantaged social backgrounds and enrolled in a vocational school, which is not quite valued in our context. Indeed, the harmonization of our sample at the level of social environment and schooling makes the two groups of subjects, delinquent and non-delinquent, much more homogeneous.

Our results indicate that the immaturity of moral judgment is not the prerogative of delinquent adolescents, hence the need to consider other research in different cultural contexts, which tackles the nature of the link between moral judgment and delinquency. It seems important for us to situate the notion of moral judgment in a general perspective within the different theories of personality.

It would be necessary to understand how moral judgment interacts with other variables of psychological and social functioning (emotions, social interactions, family education).

This study emphasizes the importance of situating theories of moral judgment within the theories of psychological development. This perspective, which has not been sufficiently explored so far, would allow a deeper understanding of moral judgment and its behavioral implications.

On the other hand, the results of this research have certain limits. The use of evaluation tools (SRM-SF and dilemmas) requires a more robust adaptation. The scoring of the replies obtained is done by comparing it to the answers obtained by an American sample. It would be necessary to produce a rating manual based on the needs of an Arab and Tunisian population.

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The Relations Between Authoritarian Leadership and Counterproductive Work Behaviors: The Role of Psychological Resilience

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Abstract

The present study investigates the mediating role of psychological resilience on the relationship between authoritarian leadership and counterproductive work behaviors (sabotage, withdrawal, theft and abuse). The sample consisted of 227 male employee, mostly blue-collar, working in different sectors. Their ages ranged between 23 and 58. The results showed that psychological resilience partially mediates the relationship between authoritarian leadership and sabotage, withdrawal and theft sub-dimensions of counterproductive work behavior. Mediating role of resilience was not significant for abuse sub-dimension. These findings show that resilience is necessary to overcome the negative consequences of working with authoritarian leader. Hereby, these findings support literature that the psychological resilience ability is a crucial competency in stressful circumstances.

Key words: Authoritarian leadership, psychological resilience, counterproductive work behaviors

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Introduction

Counterproductive work behaviors has been specified as a workplace problem (Fida, Paciello, Tramontano, Fontaine, Barbaranelli, & Farnese, 2014; Holtz & Harold, 2013; Marcus, Taylor, Hastings, Sturm, & Weigelt, 2013; Meier & Spector, 2013). Counterproductive work behaviors (CWB), to be specific, voluntary behaviors that violates significant organizational and social norms (Collins & Griffin, 1998; Robinson & Bennett, 1995; Spector & Fox, 2005) and in turn damages organizations and their stakeholders like employers, supervisors, co-workers, and clients. CWBs may include both overt acts, such as direct aggression and theft, and covert acts, such as purposefully failing to follow instructions or doing work incorrectly etc. (Spector et al. 2006).

Several researches have examined the different factors that could help to understand the process leading to CWB, considering both situational and personal dimensions (Bowling & Eschleman, 2010; Spector & Fox, 2005). To this extent, the stressor-emotion model of CWB (Spector, 1998; Spector & Fox, 2005) represents a comprehensive model explaining why workers in stressful conditions may enact CWB at work. In particular, capitalizing on both the frustration-aggression theory developed by Dollard and his colleagues (Dollard et al. 1939) and stress theories (Jex & Beehr, 1991; Lazarus, 1999), obscured, giving access to CWB as a plausible behavioral strategy to cope with negative emotions derived from negatively perceived situations. The most commonly studied stressors have been workload and role stressors, such as role conflict, role ambiguity, and role overload. However, researchers have begun to acknowledge the importance of stressors resulting from the social work environment, namely interpersonal conflict (Keenan & Newton, 1985). Research has demonstrated leaders themselves can often be a central source of stress among employees (Basch & Fisher, 2000; Offermann & Hellmann, 1996; Sosik & Godshalk, 2000).

Counterproductive Work Behaviors

Counterproductive work behaviors (CWBs) are behaviors by employees intended to harm their organization or organization members (Bennett & Robinson, 2000). In the literature, it has been labeled in different ways such as workplace aggression (Neuman & Baron, 1998), antisocial workplace behavior (Giacalone & Greenberg, 1997), and workplace deviance (Robinson & Bennett, 1995). However, despite the specificity of the different definitions provided, all operationalizations share a common emphasis on the actual or potential harmful and detrimental effects of such behaviors on both the organization and its members (Giacalone & Greenberg, 1997; Spector & Fox, 2005). Specific examples of counterproductive work behaviors include stealing from one's employer or co-workers, arriving late for work without permission, intentionally withholding effort, and sabotaging the work of others, to name a few (Gruys & Sackett, 2003; Robinson & Bennett, 1995; Spector et al. 2006).

Because of the practical implications of counterproductive work behaviors, much research attention has been reserved to identifying the potential antecedents of these behaviors. Some studies, for instance, have investigated the main effects of individual difference variables (personality traits; Berry, Ones, & Sackett, 2007; Salgado, 2002), whereas others have investigated the main effects of work stressors (Bruk-Lee & Spector, 2006; Chen & Spector, 1992; Diefendorff & Mehta, 2007). A number of studies have also investigated the interactive effects of individual differences and work stressors on counterproductive work behaviors (Fox, Spector, & Miles, 2001; Penney, & Spector, 2002).

Authoritarian Leadership

Authoritarian leadership style, also called coercive or dictatorship, involves the manager retaining as much power and decision-making authority as possible. The focus of power is with the leader and all interactions within the group move towards the leader (Mullins, 1999; Puni, Ofei & Okoe, 2014). The leader unilaterally exercises all decision-making authority by determining policies, procedures for achieving goals, work task, relationships, control of reward, and punishment (Mullins, 1999). The autocratic leaders believe mainly in the rules and regulations, rewards and punishment as motivation. The subordinates carry out the leader's directives without question(s) and there are no groups inspired decisions.

According to Puni et al. (2014) leadership makes possible organizations to be more productive and beneficial, but the extent of success depends on the style of the leader and the resultant environment created for employees to function well (Puni, Ofei & Okoe, 2014). Authoritarian leadership captures behavior that "asserts absolute authority and control over subordinates and demands unquestionable obedience" (Cheng, Chou, Wu, Huang, & Farh, 2004). Authoritarian leaders are likely to exercise control by initiating structure, issuing rules, promising rewards for compliance, and threatening punishment for disobedience (Aryee et al., 2007). Similarly, Tsui, Wang, Xin, Zhang, & Fu (2004) noted that an authoritarian leadership style stresses personal dominance over subordinates, centralizes authority on him- or herself, and makes unilateral decisions.

Research about causes of counterproductive work behaviors showed that leadership is seen as one of the organizational factors that give rise to deviant behaviors (Mbah & Ikemefuna, 2011). Stress researchers found that leadership can increase stress if it is too much control-orientated: a leader who continuously gives subordinates instructions such as 'work more quickly', 'work accurately', 'you could do more', 'hurry up, we haven't much time left', generates detectable physiological symptoms of stress among the staff (e.g. increased levels of systolic and diastolic blood pressure) (Misumi, 1985; McCormick & Powell, 1988).

Psychological Resilience

In a metatheory review of the constructs of resilience and resiliency, Richardson (2002) traced different streams of inquiry into these topics. According to the first group of researchers, psychological

resilience is viewed as an individual difference in the capacity to bounce back or recover from stress (Block & Kremen, 1996; Smith et al., 2008). The second group of researchers focus on resiliency as a “process of coping with stressors, adversity, change or opportunity” (Richardson, 2002). Sinclair & Wallston (2004) defined resilience as the tendency to “cope with stress in a highly adaptive manner.” Britt et al. (2016) distinguish between a “capacity for resilience” and a “demonstration of resilience,” thereby differentiating personality predispositions and the use of resilience-oriented coping strategies (predictors) from demonstrated adaptation to adverse events. According to Shoss et al. (2016) although both streams of research conceptualize resilience somewhat differently, that psychological resilience and resilient coping approaches are intertwined.

Resilient individuals tend to develop strong beliefs, perceive life as meaningful, and be flexible in adapting to change (Rosenstein & Naylor, 2012). According to Luthans & Youssef (2004) resilience is a state that can be developed, not a fixed trait. Individuals develop resilience over their lifetime as a result of successful cognitive and emotional processing of personal challenges, which result in effective coping strategies that strengthen individuals’ responses to challenging circumstances (Luthans & Youssef, 2004).

The assumption is that because resilient individuals seek out the positive in situations, search for creative solutions to difficult challenges, and focus on recovering losses they encounter (Bonanno, 2004; Tugade & Fredrickson, 2004), they are less likely to experience the pervasive negative effects of authoritarian leadership. Because resilient individuals seek to adapt to negative situations (i.e., bending instead of breaking), it has been proposed that resilience may be able to buffer the negative impact of authoritarian leadership on a counterproductive work behaviors. Although the literature has documented several beneficial effects of resilience at work (Luthans, Avolio, Walumbwa, & Li, 2005; Shin et al., 2012; Youssef & Luthans, 2007), there is little empirical research on the effects of resilience on counterproductive workplace behaviors (Shoss, Jiang, & Probst, 2016). Therefore, the purpose of the present study aimed at examining the mediating role of psychological resilience as an individual characteristic and coping strategy for the impact of authoritarian leadership on counterproductive work behaviors subdimensions (sabotage, withdrawal, theft and abuse).

Method

Sample

The study sample consisted of 227 individuals whom most of them were blue-collar worker. Respondents work in different sectors such as engineering, technician and job security specialist. Data were collected by convenience sampling. The sample included a wide age range. Respondents were between the ages 23 and 58 ($\bar{X} = 35.93$ $S = 6.35$). More than half of the samples (55.9%) had a highschool degree. The work experience of the respondents varied between 1 and 25 years ($\bar{X} = 9.16$ $S = 6.97$).

Measures

Authoritarian Leadership Scale. Authoritarian Leadership Scale was one of the 9-item dimensions of Paternalistic Leadership Scale developed by Cheng, Chou, Wu, Huang, and Farh (2004). The Cronbach Alpha coefficient of the scale was .89. In addition to this scale, three items selected from Paşa (2000). These three items had supplementary and supportive role for the nine-item scale. Responses were obtained on a fivepoint Likert-type scale ranging between 1 (strongly disagree) and 5 (strongly agree). The 12-item Authoritarian Leadership Scale was adapted to Turkish by Giray (2010). Cronbach Alpha coefficients for the current study was .80.

Psychological Resilience Scale. The Connor-Davidson Resilience Scale (CD-RISC; Connor & Davidson, 2003) is a 25-item scale that measures the ability to cope with adversity. In the present study 10-item CD-RISC by Campbell-Sills & Stein (2007) was used because this abridged version showed

excellent psychometric properties. The scale items reflect the ability to tolerate experiences such as change, personal problems, illness, pressure, failure, and painful feelings. Respondents rate items on a scale from 0 (not true at all) to 4 (true nearly all the time) sample item: “Can deal with whatever comes”. Higher scores indicate higher levels of resilience. Higher scores indicate higher degrees of resilience. It is recommended by the authors to use this instrument as a unifactorial scale. The Cronbach Alpha coefficients for 10-item abbreviated version was .80 (İkizer, 2014). Cronbach Alpha coefficients for the current study was .85.

Counterproductive Work Behavior Checklist. Counterproductive Work Behavior Checklist (Spector et al., 2006) consists of 33 items. Each item describes a CWB that prevails in workplaces. Respondents are asked to indicate on 5-points Likert type scales the frequency with which they engage in the behaviors described in the items. Response choices range from “never” to “everyday”. The scale has five subscales identified as abuse toward others, production deviance, sabotage, theft and withdrawal with Cronbach’s alphas ranging from .42 to .81. The scale was adapted to Turkish by Öcel (2009). The Turkish version of the scale consists of 32 items and four subscales identified as abuse toward others, sabotage, theft and withdrawal. Cronbach alpha coefficients for the current study were .92 for sabotage, .95, for withdrawal, .93, for theft and .98 for abuse.

Procedure

Questionnaires have been distributed to several organizations selected from various sectors. Authoritarian leadership, psychological resilience and counterproductive work behavior measures were provided by the focal study participants. Participants voluntarily responded to a survey during working hours. All participants were informed that participation was voluntary and that no individual or organizational would be identified at any stage of the research.

Results

All analyses were conducted using SPSS 15.0. Table 1 contains the means, SD, correlations and Cronbach Alfa coefficients for the measured variables. As can be seen in Table 1, all of the scales had acceptable Cronbach Alfa coefficients, given that their coefficients were all greater than 0.60 (Hair *et al.*, 1998). Authoritarian leadership had a significant negative correlation with psychological resilience and a significant positive correlation with sabotage, withdrawal, theft and abuse that subdimensions of counterproductive work behavior.

Table 1. Mean (M), Standard Deviation (SD), Internal Consistencies (Cronbach’s α) and Correlataions

	<i>M.</i>	<i>SD</i>	1	2	3	4	5	6	7	8	9
1.Age	35.93	6.35									
2.Education	1.96	.75	-								
			.46**								
3. Tenure	9.16	6.97	.79**	-							
				.27**							
4.Auth. Lead.	30.67	8.93	-.04	-.09	-	.80 ^δ					
					.06						
5.Psy. Resil.	32.66	9.39	.07	-.06	.05	-.14*	.85 ^δ				
6.Sabotage	3.41	1.65	.07	-.06	.02	.24**	-.15*	.92 ^δ			
7.Withdrawal	6.84	3.10	.06	-.07	.00	.27**	-	.85**	.95 ^δ		
							.22**				
8.Theft	6.77	3.28	.03	-.07	.02	.27**	-	.81**	.94**	.93 ^δ	

								.23**					
9.Abuse	19.06	8.83	.04	-.02	.02	.26**	-	.80**	.91**	.91**	.98 ^δ		
								.19**					

* $p < .05$, ** $p < .01$, ^δCronbach Alfa Coefficient (Subdimensions of Counterproductive Work Behaviors: Sabotage, Withdrawal, Theft, Abuse).

Multiple regression analysis were done to determine of mediator role of psychological resilience on relationship between authoritarian leadership and sabotage, withdrawal, theft and abuse.

The results of research indicated that psychological resilience would partially mediate the association between authoritarian leadership and sabotage, withdrawal and theft that subdimensions of counterproductive work behaviors. It has been used hierarchical regression for testing the predicted mediation and the Sobel Test to assess the statistical significance of the indirect effects.

Table 2. Moderated Regression Analysis Results for Sabotage, Withdrawal (Subdimensions of CWB's)

Variables	Sabotage						Withdrawal							
	<i>R</i>	<i>R</i> ²	F	β	<i>t</i>	<i>p</i>	<i>R</i>	<i>R</i> ²	F	β	<i>t</i>	<i>R</i>	<i>p</i>	
Step 1														
Age	.11	.01	1.00				.07	.00	.37			.07		
				.18	1.68					.08	.77			
Step 2														
Age	.28	.08	4.60				.30	.09	5.54			.30		
Auth.				.20	1.86					.10	.95			
Lead.				.25	3.89					.30	4.57			
Step 3														
Age	.31	.09	5.51				.36	.13	6.40			.36		
Auth.				.21	2.02					.12	1,19			
Lead.				.23	3.51					.26	4.05			
Psyc.				-	-					-	-3.0			
Resil.				.13	1.98					.19				

* $p < .05$; ** $p < .01$; *** $p < .000$

Hierarchical regression analysis was performed for testing the mediator role of psychological resilience between authoritarian leadership and subdimensions of counterproductive work behaviors which are sabotage, withdrawal, abuse and theft. According to the results, psychological resilience was a partial mediator of the effect of authoritarian leadership on sabotage ($\beta = .88$, $t = 2.55$, R^2 change = .02, $F_{change7,321} = 9.18$, $p < .000$), withdrawal ($\beta = .88$, $t = 2.55$, R^2 change = .02, $F_{change7,321} = 9.18$, $p < .000$) and theft ($\beta = .88$, $t = 2.55$, R^2 change = .02, $F_{change7,321} = 9.18$, $p < .000$) (See Table 2, 3). According to Baron and Kenny (1986), three steps must be fulfilled. In Step 1, the independent variables should predict the mediator. In Step 2, the mediator should predict the outcome variable and in Step 3 the independent variables should predict the outcome variable. Perfect mediation emerges when a previously significant relationship between the independent variables and the dependent variables becomes insignificant with the inclusion of the mediator. When the mediating variable is included in the last equation, a decrease in the coefficients in Step 3 shows an element of mediation (Baron and Kenny, 1986).

Table 3. Moderated Regression Analysis Results for Theft, Abuse (Subdimensions of CWB's)

Variables	Theft						Abuse					
	R	R ²	F	β	<i>t</i>	<i>p</i>	R	R ²	F	β	<i>t</i>	<i>p</i>
Step 1 Age	.05	.00	.17	.06	.54	.00	.04	.00	.17	.06	.53	.00
Step 2 Age Auth. Lead.	.29	.08	4.93	.07 .28	.70 4.37		.27	.07	4.47	.07 .27	.68 4.16	
Step 3 Age Auth. Lead. Psy. Resil.	.36	.13	6.49	.10 .24 -.22	.98 3.80 -3.42		.32	.10	4.96	.09 .24 -.16	.88 3.70 -2.53	

* $p < .05$; ** $p < .01$; *** $p < .000$

Dicussion

In the present study it has been studied the the mediator role of psychological resilience in the relationship between authoritarian leadership and sabotage, withdrawal, theft and abuse subdimensions of counterproductive work behaviors. According to the results, psychological resilience was a partial mediator of the effect of authoritarian leadership on sabotage, withdrawal and theft but not on abuse. This can be interpreted, as the fact that although people who are supervised with authoritarian leader and have a high level of psychological resilience may accomplish to cope with this stressful situation and do not show counterproductive behaviors that may harm the organization, even if they are working with a autocratic leader. Thus, this findings consistent with (Block & Kremen, 1996; Klohn, 1996; Wolin & Wolin, 1993) which that resilient individuals are characterized by high positive emotionality and psychological resilience refers to effective coping and adaptation although faced with negative circumstances, hardship, or adversity (Lazarus, 1993; Masten, 2001; Tugade & Fredrickson, 2004).

Unexpectedly, psychological resilience was a partial mediator of the effect of authoritarian leadership on abuse subdimension of counterproductive work behaviors (See Table 3). This finding could be explained together with Social Exchange Theory. According to the Social Exchange Theory (SET) individuals form relationships with others and maintain it only because they want to increase their benefits (Blau, 1964; Emerson, 1972). The theory predicts that individuals who perceive that they are receiving unfavourable treatment are more likely to feel angry, vengeful, and dissatisfied. Consistent with the norms of reciprocity, when individuals are dissatisfied with the organization or their boss, they may reciprocate with negative work behaviours such as withholding effort, arriving late at work, taking longer break times, and leaving early (Emerson, 1976).

These consistent findings with literature, demonstrate the robustness of the general idea that psychological resilience is necessary to overcome the consequences of stressful work life resulting from

working with an authoritarian leader. Much of the literature on resilience in workplace settings has focused on the main effects of resilience (Cooke, Cooper, Bartram, Wang & Mei, 2016; Laschinger, Wong, Regan, Young-Ritchie, & Bushell, 2013; Youssef & Luthans, 2007). Whereas this study shows that mediating role of psychological resilience in a stressful situation. Besides, there is no many studies have examined relationship of the psychological resilience and counterproductive work behaviors. Thus, the present findings extend research on counterproductive work behaviors by exploring the role of psychological resilience. Together, these results suggest that organizational interventions to boost employee resilience might indeed be able to positively impact employee and organizationally relevant outcomes. Hence, it is likely that training interventions that promote the use of resilient coping strategies might help promote positive outcomes and enable employees to more effectively cope with the stress of working with authoritarian leader.

Although this study is strengthened by the consistent findings it is not without limitations. First limitation is utilization of self-reports. Undoubtedly, the cross-sectional nature of data makes it more difficult to infer causal relations among variables considered. Future longitudinal research should be implemented to confirm and strengthen of the results. Another limitation is that all participants were male and the majority of them were consisting from blue-colour workers. Clearly, we can not generalize to all employees.

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Perceptions of Academic Roles and Academic Identities and Their Impact on Conceptualizing Teaching Quality: a Case Study at a Private HEI in Oman

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Abstract

The paper presents a study aimed at examining the way students, academics, and administrators in a private Higher Education Institution in Oman perceive lecturers' academic roles and academic identities. The paper discusses the impact of these perceptions on conceptualization of teaching quality. The data collection methods used in the study are visual research and semi-structured interviews. Analysis of the obtained results is based on Social Theory and Phenomenographic approaches. The data analysis shows differences among the 114 participants' perceptions of academic roles and identities and their ideological foundations. The analysis examines the impact different perceptions of academic roles and identities have on the participants' conceptualization of teaching quality. The study suggests that frequent use of innovative qualitative data collection methods and interpretive approaches in conducting research in teaching quality at private Higher Education Institutions in Oman may have a positive impact on teaching quality evaluation and enhancement practices.

Keywords: Academic roles, Academic Identities, Teaching Quality, Quality Enhancement

Introduction: The context

Currently many private Higher Education Institutions (HEIs) are going through the second stage of the accreditation process set by the Ministry of Higher Education (MoHE) and the Oman Academic Accreditation Authority (OAAA). Each HEI has to meet multiple standards set by the MoHE and the OAAA.

Both accreditation bodies have defined the criteria according to which Teaching Quality has to be evaluated and maintained. In addition to the already set standards and the frequent OAAA audits, the MoHE conducts its own research in order to establish student satisfaction levels, the nature of their expectations and the extent to which they consider their expectations to be met (MoHE, 2012). The research is conducted by using either close-ended questionnaires or unstructured interviews as data collection tools (MoHE, 2012). Important decisions are made based on the results of the surveys and audits, such as giving or taking away accreditation status to/from a specific HEI, raising or decreasing the funds and financial support, as well as staff retention or replacement.

The setting, as described above, has many positive effects on the assurance of quality in HEIs, but there are also two side effects- first, the frequent conducting of surveys and quality assurance related interviews are often seen as a routine, and hence, associated with boredom. Second, given that all participants are aware of the consequences which follow a positive or a negative evaluation, the surveys and interviews are often used as tools for power and control by all stakeholders. Both these side effects lead the participants to either the "just ticking the box syndrome" or giving untruthful information.

Furthermore, the questionnaires and interviews designed and conducted in private HEIs in order to satisfy the nationally set standards are designed to collect more quantitative than qualitative data and have very strong positivist ontological underpinnings. Teaching quality is clearly defined by the set indicators for the OAAA standards (OAAA, 2016), which has a direct influence on the conceptualization of academic roles. The collected data are matched to the established definition. The surveys are also designed in such a manner, so that the definition of teaching quality is already formulated in the questions. Whether or not students' expectations are met and students' satisfaction- achieved is

determined by collecting and analyzing data in a way, which presupposes that students' expectations are actually the same as those outlined by the MoHE, the OAAA and the management of the private HEI. Another important factor, which is often ignored is, that in private HEIs in Oman, there is a high percentage of foreign academic and administrative staff, from different countries and with different background and previous work experience (MoHE, 2012), whose understanding of academic roles and concepts of teaching quality varies from person to person. Hence, at times, it is the clash between students' expectations and understandings of what the role of a lecturer is with the understandings of the lecturers on the same topic that creates a lot of tensions and misunderstandings, and yet is completely undetectable by the collected quantitative data at best, or in other cases, the qualitative misunderstandings and lack of satisfaction are "translated" into the quantitative surveys, and thus many things are "lost in translation".

While the currently applied methods in conducting students' surveys and collecting quantitative data with regards to teaching quality evaluation are, to a great extent, useful for the purposes of satisfying quality assurance audits conducted by the agency external to the HEIs (in this case, the OAAA), the current paper defends the idea that qualitative data collection based surveys which examine students' expectations and perceptions of academics' and lecturers' roles and professional identities based on relativist ontology and using a more ethnographic and socio-constructionist approaches, would be valuable for quality enhancement purposes.

Within this context, the authors of this paper decided to undertake a study using a different from the already officially applied approaches, in order to examine what students', academics' and administrators' perceptions of academic identities and roles are and to analyze what impact said perceptions might have on the conceptualization of teaching quality as constructed by the three stakeholders at one of the private Higher Educational Institutions in Oman. For the purpose of this paper, the HEI is anonymised and will be called "HEI-O".

Research Questions:

The study aims to examine three main points:

- How do students, academics and administrative staff perceive academic roles and academic identities?
- What are the underpinning ideologies on which the perceptions of the stakeholders are based?
- What is the impact of the stakeholders' perceptions of academic roles and academic identities on the conceptualization of teaching quality?

Epistemology and Methodology:

The epistemological underpinnings of this paper are Phenomenological and Socio-Constructionist. The researchers believe that concepts are expressed through language results of the actors' rationalization of reality, as per their experiences. Furthermore, the researchers believe that constructed concepts influence the way actors perceive and rationalize reality. Based on their Socio-Constructionist epistemological beliefs, the researchers rely on Discourse Analysis, Ethnographic and Phenomenographic approaches.

The ethnographic approach was necessary, because in order to choose effective methods for the data collection process in this particular study, the researchers relied on their knowledge of the participants' environment and cultures. The phenomenographic approach, on the other hand, allowed them "to explore the range of conceptions held (...) among a population of individuals." (Trowler, 2005), given the understanding that reality is not an external entity, it is a relation between a person and the phenomenon (Trowler, 2005).

Based on their Socio-Constructivist beliefs, the researchers conducted the study following the described below steps:

First, they examined the manner in which academic roles and academic identities are constructed within the conceptual framework of three educational models: the market-oriented, the state-centered and the Humboldt models. Then, ethnographic and phenomenographic approaches were used in designing a survey that enabled them to collect data related to the “HEI-O” stakeholders’ understandings and perceptions of academic roles and academic identities- the methods used in designing the survey and the data analysis are further described in the “Methods” section of the paper. Through discourse analysis the researchers reduced the collected data into four categories and analyzed the semantic relationships between the understandings and perceptions of academic roles within the reduced categories and the understandings of academic roles within the three educational models of education. Discourse analysis was also used in establishing a semantic relation between the perceptions of academic roles and the conceptualization of teaching quality.

Conceptual Framework:

The market-oriented, the state-centered and the Humboldt Models

Dobbins et al (2011) divide the Higher Educational models into three categories: The state-centered model, the Humboldt model (university as a self-governing community of scholars) and the market-oriented model. The role of the Higher Educational Institutions and hence, their academics, is defined by the ideology of each different model.

In the state-centered model, the state has the strongest (compared to the other two) control and right to supervise and dictate the way the HEI functions. The academics are seen as public servants, they are often appointed by the state and report to the state’s institutions because their purpose is to serve the public in exact accordance with the state’s vision. The roles of the academics are strongly linked to local social imagery.

Academics and HEIs have a different role in the Humboldt model – their role is to preserve and secure the academic freedom and autonomy. They are serving the public by, on the one hand complying with the framework of values agreed upon in the social contract of the state, and on the other- they act as regulators of the state whenever they decide that the state’s actions would endanger the “public good” as seen by the academics. State and HEIs are partners that perhaps regulate each-other, but are not necessarily dependent ideologically on each-other. .

Finally, Dobbins et al (2011) describe the market-oriented model as a model where the state enhances and supports to some extent the HEIs, and yet the main driving corrector is the market itself and the main driving force- competition. HEIs are regarded as economic enterprises in which the main organizational principles are entrepreneurial tactics. The prevailing governance mechanisms are based on ideas of the New Public Management and the principle of competition ensures adaptability to the ever-evolving market and society needs.

The researchers use the outlined academic roles in the above-described three educational models as conceptual tools in the reduction of the collected data and its organization into several categories. The link between academic roles and identities is based on the assumption of the researchers that there is a traditionally expected existence of a strong co-relation between actions, social roles and identity-construction.³

Academic Identities and Academic Roles:

The underpinning ideologies of each of the three Models have a significant impact on the way teaching quality, academic identities and roles are perceived and conceptualized. However, often the HEIs context is complex and multicultural (here we use the term broadly and do not bind “multiculturalism”

³ Here we refer to the notion of the co-relation between social actions and identity-construction as developed by Hegel (among many other Modern Philosophers). However, in order to avoid the philosophical debates , which do not fall within the focus of this study, we nevertheless think that an explicit statement of the assumption is in order.

to “internationalism” only) and thus, drawing firm boundaries of academic identity, or expecting that all academic staff will accept and act according to an externally (to the HEI) constructed imagery of academic identity and roles is unrealistic.

Trowler (1997) argues that because of this complexity, in addition to the new-managerialist reductionist imagery, there should be policies and research practices within the HEIs which would allow for an “in-depth understanding of structural factors which interact in particular contexts” to be developed.

His argument reflects the differentiation that Habermas (1971) makes between rational (Enlightenment Rationality) and communicative actions. The “restricted and simplified policy science” of new-managerialists that Trowler (1997) critique is based solely on rational action- as Habermas (1971) explains, it simply determines the goals under specific conditions and the strategy under which the goals can be reached, and it completely ignores the existence of communicative actions among actors which refers to “a pragmatic domain of relations between human subjects”- the mutual understanding of subjects, which leads to reciprocity. Habermas (1971) states that development in terms of labor action does not guarantee an automatic development in intersubjective terms- a point that Trowler (1997) stresses in “What Managerialists Forget”. Or, put differently, he argues that academic life can neither be developed nor managed well, unless its “actors”, with their cultural, ideological, epistemological and phenomenological characteristics, are taken into consideration. Identity “is not a fixed entity but a relational process (...), it is a multiple, dynamic and situationally contingent” (Trowler, 1997). These arguments are related to the constructed by the OAAA and MoHE notions of academic roles and the implied co-relation between academic role and academic identity. In the OAAA standards manual there are several chapters in which the roles of academics are clearly outlined (OAAA, 2016). The MoHE also explicitly clarifies what roles academics have to acquire (MoHE, 2011). The descriptions of academic roles as per both institutions are strictly related to the actions and attitudes an academic is expected to undertake/have. The surveys conducted by the MoHE, as described in the report (MoHE, 2011), as well as the surveys related to teaching quality evaluation and students’ satisfaction in “HEI-O” have, as mentioned before, positivist ontological underpinnings, are quantitative and focus on evaluating actions. This emphasis on actions implies that there is a conceptual equivalence between “what an academic does” with “what the academic’s role is”. Furthermore, from the evaluation policies outlined by the two accreditation bodies as well as the “HEI-O” ones, an implied co-relation between roles and identities can be noticed: “an academic is the one who does”. Hence, the importance of the way teaching quality is conceptualized- in order for the evaluations to be summative, there is the need of an explicit definition of teaching quality. As mentioned in the introduction of this paper, the OAAA and the MoHE give a clear definition of teaching quality in their respective documents, which is strongly related to “actions”. Taking into consideration the above-mentioned arguments, and in agreement with Trowler’s statements, the researchers argue that despite the clear definition of teaching quality by the OAAA and the MoHE and despite the implied co-relation between roles and identities, the Socio-Constructionist study of the complex reality of the “HEI-O” context shows a large diversity in the actors’ perceptions and understandings, which should be explored not only through quantitative, but also through qualitative studies.

In examining the way academic roles and identities are perceived, we should take into consideration the way “professionalism has been defined in narratives and discourse and how meanings of professionalism are experienced in the daily routines of academic staff.” (Calvert et al, 2011). The issue is that in private HEIs similar to “HEI-O”, research is based on the established by the external institutions’ conceptual framework and often “tends to occupy itself with responses to neoliberalism and managerialism” as Trahar (2011) puts it. Trahar (2011) further on argues that students and academics constitute the values, cultures and traditions within a HEI, and yet their roles are seldom examined,

made transparent and critically analyzed. Therefore, in this paper the researchers focus precisely on the way the actors perceive and construct reality.

Methods and Data Collection:

Due to the frequent conducting of similar to the described in the introduction (quantitative) surveys, and the repetition of the vocabulary in said surveys' discourse, the researchers feared that if they designed a questionnaire which in form resembles the current ones, the participants would confine their answers to the already established clichés.

Therefore, in order to avoid conformity, it was decided to use images, instead of controlled questions. In addition to the advantage that the use of images has in terms of avoiding less critical and truthful answers, it also has the advantage of letting the participants choose their own words, and thus, express more freely and accurately their thoughts and feelings without restricting them within a conceptual framework set by anyone else. Another reason was that "the visual often connects with an emotional dimension that text-based research does not reach" (Cousin, 2009).

Each participant was shown the same portrait pictures of eight different people and asked to choose one of the pictures and explain in a writing why he or she thought that the person from the chosen picture would be an effective lecturer.

The question was asked orally and in addition the stated above, it was explained that it is a hypothetical question and that the justifications have to be related to qualities people attribute to "good lecturers". It was explained that the justification cannot contain comments on the physical appearance of the people (such as "I think number 2 would be a great lecturer because I like her dressing style, number 3 because he is tall", etc).

All participants were shown the exact same pictures and each one of them had to answer independently, in writing, without having the possibility to consult another participant.

The underpinning conceptual framework of the designing of the survey and the choice of the pictures used in it is strictly related to the idea that each individual perceives in a certain image whatever he or she holds as concepts and understandings. In other words, the answer to the question reflects the predispositions and understandings of the perceiver and is in no way a reflection of the "essence" or "truth" of the object or picture perceived. Taking into account that different individuals react differently to the same observed object, their reaction is a reflection of their subjective perceptions, and not of the objective "qualities" of the perceived object.

The aim of the study was to analyze students', academics and administrative staff's perception on what the role of an academic is and hence, what the most valuable professional identity-related qualities in these three groups of stakeholders' opinions and perceptions are. Hence, in order to avoid any kinds of distractions and biases related to physical appearance, the researchers chose the portrait pictures in accordance with the following criteria:

1. All portrait pictures were of either actors or models, i.e, pictures of people who are in a certain fictitious role that does not represent their true personal identity.
2. All the portrait pictures were of people whose appearance corresponds to the appearances to which all participants had been frequently exposed, either in real life or through the mass media (all people in the pictures were dressed in commonly seen clothes which did not bear any religious or ethnic group belonging, in other words, none of the clothes' items such as business suit or jeans and t-shirt were considered by the participants to have any explicit religious or ethnic symbolism.)
3. The questions were explicitly formulated in a way that required answers related only to the professional-identity and professional roles' personality traits- it was emphasized that comments related to the looks and appearance of the people in the pictures wouldn't be accepted. All participants without exception complied with this request.

4. The portrait pictures were of four men and four women in order to represent the genders equally. Furthermore, it was emphasized that gender is not a determinative factor.

6. The only two differentiation indicators which were considered in the choice of the portrait pictures were age and facial expression, hence, the pictures of two young men and women, along with two middle-aged men and women were chosen, one smiling and one with a serious facial expression for each sequence. The reason why age and facial expression were taken into account when choosing the pictures was that age and facial expression symbolize different things for each individual- some participants qualified the young serious woman as “hard-working and emphatic” and the very same personality traits were attributed to the smiling middle-aged man. While some participants attributed “experience” as a quality of the young smiling woman, others made the same claim while choosing the serious middle-aged man. Given that age and facial expressions were interpreted by each individual in a very subjective manner, the researchers decided that these two differentiation indicators were appropriate and fit for the purpose of the study.

9. The respondents were: ninety (90) students from different levels (undergraduates), ten (10) administrative staff and fourteen (14) academic staff. The sampling principle for the selection of participants was to conduct the survey with one group of students of each academic year. The academic and administrative staff were selected based on their affiliations with different quality assurance committees at the “HEI-O” whose responsibilities included teaching quality assurance policies and procedures design.

Data Analysis:

In order to analyze the data more effectively, the first step to be taken was to sample the different participants’ responses and organize them in emerging categories. Given that the survey was open-ended and each participant had the freedom to express his or her feelings in a discourse chosen by him or her, and not constrained by the researchers, the sampling method was based on pragmatic discourse analysis. Three major tendencies were noticed among participants’ responses in their description of the most important qualities of an academic and the most important actions for the successful completion of an academic’s role.

The first tendency was expressed by describing qualities and perceived duties of academics’ role from a very relativist and inter-subjective ontological basis. The emphasis in these descriptions was on the Ego-Alter relationship in an idealized form.

Within this category we placed the respondents who used in their responses words such as:

“optimistic”, “kind”, “understanding my feelings”, “compassionate”, “fun to be with”, “interesting”, “supportive”, “team player”, “helpful”, “laid back/calm”, “extrovert”, “approachable” etc.

The respondents from this category construct their perceptions of academic roles relying on the communicative action principle, as defined by Habermas (1971). In other words, the perception is built on the belief that the normative regulating process’ success relies mainly on the inter-subjective interactions, and not on externally imposed criteria. Within the framework of the three educational models, market-oriented, state-centered and Humboldt, we can argue that the first category of respondents has a market-oriented ideology, which has a strong impact on their ways of conceptualizing academic identities and hence, academic roles. Thus, the students are perceived and perceive themselves as “customers” and, on the basis of this belief, the most important role of academics is perceived to be as the “service provider”. Taking the above-mentioned into consideration, we conclude that the definition of “quality teaching” among actors of the first category includes in itself the concept of “good inter-subjective skills” and hence, the criteria according to which it is measured include similar concepts as well.

This first category includes the responses of 45 students (50% of the students-respondents), 8 members of the academic staff (57% of the academics-respondents) and 3 members of the administrative staff (30% of the administrators-respondents).

The second tendency was expressed by describing qualities and perceived duties of academics' role from a positivist ontological basis and through the prism of "rational actions", as defined by Habermas. (1971).

Within this category we have placed the respondents who used in their responses words such as:

"Highly educated", "successful in his/her career", "experienced (academic experience)", "has clear goals/objectives", "formal", "professional", "research-oriented/academically inquisitive", "hardworking", "knowledgeable", "ambitious", "practical", etc.

The respondents of this category base their perceptions on the belief, that the academics' identities and roles are mainly related to professional knowledge and skills. Hence, "teaching quality" is measured by different criterions, which are very similar to ones outlined in the official teaching quality evaluation survey at the "HEI-O"

The second category includes the responses of 32 students (36% of the students-respondents), 5 members of the academic staff (36% of the academics-respondents) and 1 member of the administrative staff (10% of the administrators-respondents).

The third tendency was expressed by describing qualities and perceived duties of academics' role from a relativist ontology, but unlike the first tendency described above, where inter-subjectivity was the key concept, here we noticed a strong social-constructionist ideology.

Within this category we have placed the respondents who used in their responses words such as:

"dignified", "holding high behavioral standards", "leader", "socially responsible", "decisive", "fair", "inspires respect", "orderly", "can give me personal advice", "can resolve conflicts", etc

The respondents of this category build their perceptions of academics' identities and roles through the prism of already established social roles. Hence, the academics not only have to have a prior understanding of the way society constructs the concept of their roles, but they also have the duty to construct their own identities and roles in accordance to social imagery and situations.

Like the first and the second category of respondents, this last category perceive the roles and identities of academics as being dynamic, however, the difference among said perceived dynamism is that, while in the first category the invariable axis around which the dynamism develops is inter-subjectivity, and in the second category the invariable axis is professional knowledge and skills (in accordance to the international development of the academics' discipline), in the third category, the invariable axis is society in its local contextual and temporal dimensions.

The third category includes the responses of 11 students (12% of the students-respondents), 0 (zero) members of the academic staff (0% of the academics-respondents) and 4 members of the administrative staff (40% of the administrators-respondents).

Among the 114 respondents, 5 gave responses which do not fit the above-listed categories, and thus, form a fourth, different category.

They have used the following words:

"democratic- has a clear opinion, and yet respects the views of others", "authentic personality", "not conforming to the rules", "individualistic", "has his/her own opinion", "can have unprejudiced, open discussion".

The respondents of this category base their perception on beliefs which are very close to the Humboldt model idea that the academics' role is at the same time profession-oriented one and socio-oriented one, and that the academics have the responsibility to create a "balance" among the different stakeholders. At the same time, the underpinning understanding is that, unlike in the previously examined categories,

where academic identity and roles are to a huge extent constructed in accordance to market, professional communities or society's concepts, according to the respondents from the fourth category, academic roles and identities are related to the external context, and yet are not necessarily constructed by it. What is more, it is sometimes the very core of an academic's responsibility to be the socially invariable axis, around which academic dynamism is enacted.

The fourth category includes the responses of 2 students (2% of the students-respondents), 1 member of the academic staff (7% of the academics-respondents) and 2 members of the administrative staff (20% of the administrators-respondents).

Discussion of the Data Analysis:

From the data analysis we can see that the perceptions of academic roles and identities that the participants hold are diverse and not in unison, which is a rather expected result, given the international and multicultural context of "HEI-O". However, it is precisely this diversity which is ignored to a great extent by the existing practice of quality assurance audits, which, as Fanghanel and Trowler (2008) define it, focus "on measurable outcomes", and yet do not "provide a (...) realistic apprehension of the realities of practice and of the factors that might obstruct enhancement initiatives" (Fanghanel and Trowler, 2008).

What the data analysis shows is that indeed the majority of the students and academics' perceptions of academic roles and identities coincide with the market-oriented concepts formulated in the OAAA manuals and MoHE documents. However, it is important to notice that it is not an overwhelming majority- the respondents in the other two categories also constitute a significant percentage.

The most noticeable difference among the responses of the three stakeholders groups is that while a significant part of the administrative staff respondents indicate through their answers that their ideology is aligned with the state-centered model, and thus consider the importance of the academic's role in society and in accordance to social rules and imagery, none of the academic staff expresses similar views. This can be seen as an issue, due to the fact that it is often administrators who create policies and evaluate teaching quality, and the academics who supposedly are the "agents" of said policies. Furthermore, the conceptualization of academic identities and roles in accordance to existing social imagery, but without this being explicitly expressed, leads to several challenges. Trahar (2011) argues that teaching and learning principles are often culturally mediated, and thus, the lack of examination of this cultural dimension could result in "ethnocentric pedagogical approaches that are less sensitive to diversity". It can be argued that the same principle applies to the perceptions of academic identities and roles- we can see from the collected data that many students and administrative staff see the academic as a "dignified person", a 'good leader', "a good example", and yet what these concepts mean according to each participants' imagery depends enormously on his or her social background, personal narrative, etc. The lack of an explicit examination of these concepts could lead to tensions and misunderstandings among students, administrative and academic staff.

Furthermore, in relation to the arguable co-relation between roles and identity, if we agree with Calvert et al (2011) on the idea that "a person's identity is not be found in behavior (...) but in the capacity to keep a particular narrative going", we can argue that in this case, the surveys designed to measure students' and management's satisfaction of the teaching quality of an academic focus solely on the academic's behavior, and yet the existing narratives of the different actors (academics and those who evaluate them- students and management) are not taken into account. This creates a particular challenge for the actors when they express their satisfaction: when the surveys are focused on the already established (by the institutions external to the HEI) measurable outcomes and standards, the respondents often "translate" their narratives into the imposed conceptual framework, which creates inaccuracies in the responses. As a simple, and yet frequently occurring example, if an academic is perceived as

fulfilling(or not) his or her role of a “social role model”- a belief held as important by the “evaluator” (student or administrative staff member), then the dissatisfaction or satisfaction is expressed by the discourse and concepts which are made available to the evaluator. And hence, “dignified” (or not) is “translated” into “has good class management skills” (or not), which, we might agree, are not identical concepts. The nuances which are “lost” in this translation may be considered as unimportant for the greater aim of quality assurance audits- to assure teaching quality to the ‘customer’, and yet impede the effectiveness of processes and practices such as quality enhancement and professional development, to name a few.

As mentioned before, the majority of participants perceive the role of academics within a market-oriented educational ideology, which is in congruence with the MoHE and the OAAA conceptual frameworks. However, this result raises a few questions: first, the presumed principle in a market-oriented ideology is that it is the “customer” who conceptualizes the roles and identities of the “service provider” in an ideal scenario. In the HE context, however, the role of the “customer” is complex- as stated in the MoHE report, “the student’s role as a customer is more specific than any other (...) customer, because he or she is not only a consumer of the product, but is also an active participant in the production” (MoHE, 2011)⁴. What is more, in a market-oriented model, the “customer” makes informed decisions, which usually rely on the amount and type of information, which is available to him or her. In the case of the “HEI-O” participants’ perceptions as seen in the data analysis, based on the collected data and the used method for data collection, it is impossible to determine whether the perceptions of academics’ roles and identities of the respondents of the first category are based on “an informed” choice, or they are the reproduction of existing social norms, based on educational cultural traditions. It is also impossible to determine the extent to which the influence of certain actors’ perceptions on other actors’ perceptions is unilateral or bi-lateral: in other words, whether it is the students’ expectations that influence academics’ perceptions of academic roles and identities, whether it is vice-versa, or whether the influence is from both sides. It is interesting to notice for example, that the percentage of the students’ respondents of the first category is much higher among first-year students, and then significantly decreases among third and fourth- year students (whose responses are more aligned to the second and third categories). It can also be noticed that a very small minority (below 5%) of first-year students’ perceptions of academic roles falls into the third category, but this percentage increases among third and fourth-year students, and yet, as mentioned, the percentage of academics’ responses in this category is null. Hence, one could explain the influence of first-year students’ perceptions on lecturers’ perceptions in the beginning of their studies, and the influence of lecturers’ perceptions on students’ perceptions with the passage of time in the first mentioned above case. And yet, in the second case, there is a clear external influence on the students’ perceptions, which indicates that their concepts are not constructed only within the academics-students’ relationship framework.

Conclusion: Implications

This study has many limitations. Due to its heavy reliance on ethnographic, phenomenographic and social theory approaches, the results have a very limited generalizability- they are strictly confined to the local context and are temporality-dependent. Moreover, the data collection methods’ dependency on Pragmatics and Semiotics render the data analysis strongly linked to the researchers’ ontological, epistemological and ideological biases and interpretations.

However, the study shows the existing diversity among the different “HEI-O” stakeholders’ perceptions of academic roles and identities. The OAAA and the MoHE documents show strong market-oriented ideological understandings of academic roles, and though their discourse focused on actions emerges the implied idea of a strong semiotic co-relation between roles, actions and identity. These understandings

⁴ The extract is translated from Arabic by the researchers

have a significant impact on the way teaching quality is conceptualized and the setting of the standards according to which teaching quality is measured. However, the conducted by the researchers survey shows that the participants perceptions of academic roles are not solely based on the market-oriented ideology- many participants construct their perceptions from other ideological standpoints. The discourse used by the participants indicates that their perceptions of academic roles are diverse and the perceived co-relation between roles and identities is controversial. The participants' perceptions of academic roles and identities have also a significant impact on the way they conceptualize teaching quality and the way they assess it. Nevertheless, quantitative surveys are often the only medium through which policy-makers (OAAA, MoHE) and policy-agents (students, academic and administrative staff) communicate. Hence, the study suggests that the more frequent use of phenomenographic and social theory approaches in data collection and data analysis would provide a better medium for communication among the different stakeholders and would be beneficial for a higher effectiveness in the development of teaching quality enhancement policies and procedures

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Dual Training at Budapest Business School
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Dual training was introduced in 2014 at a Hungarian college. Due to the success of this training program, other institutions have included it in their curriculum as well.

Budapest Business School (BBS) launched its first year of dual training in 2015. Our goal was to provide comprehensive academic and practical knowledge in our field: business (international business, trade, marketing and IT). The University provides academic, theoretical knowledge, while practical skills are taught by the company through its own project-based approach. The student can adapt to life-long learning.

A change of approach is needed by institutions entering the program: the academic training has to be adapted to the practical skills needed by businesses. But businesses need to adapt as well: it's important that the HR strategy of the company regards the training of students as an investment into the future.

Budapest Business School is the largest university of applied sciences in Hungary.

BBS offers study programs in three foreign languages and five education areas (business, IT, social sciences, arts and humanities, as well as teacher training). BBS offers thirteen bachelors, eight masters, and eight professional training programs, and is active in the field of continuing education as well. Due to the high-level work of more than 15,000 students and 700 professors, BBS graduates are highly coveted in the Hungarian labor market, many of them becoming leaders in their field.

BBS has won the Higher Education Niveau Prize in 2010. The University has four faculties:

- Zalaegerszeg Faculty of Business Administration;
- Faculty of Commerce, Hospitality and Tourism;
- Faculty of International Management and Business;
- Faculty of Finance and Accounting.

Dual training

The idea of dual training was introduced by the Act on the National Higher Education (Act CCIV of 2011). According of Section 108,d Dual training is a practice oriented BA or MA program accepted by the Dual Training Council.

The aim of dual training is to harmonize the needs of the labor market and higher education through the practice-oriented training of future professionals. To achieve this, the student has to spend almost as much time (80%) doing practical training as in school. This means that during term time, dual students are with their peers at school, but over reading weeks and holidays (for at least 22 weeks per year), they are enrolled in practical training with the partner institutions.

Dual programs at BBS

BBS is a leader in dual training in Hungary. From the academic year 2014/15 onwards, BBS has gradually introduced dual training, starting with five partner institutions and sixteen students. Ever since then, the number of participating partners and students has continued to increase. In September 2017, more than a hundred students have enrolled in dual training with fifty-three partner institutions. There are eight study programs offered by BBS in dual training:

- Business IT;
- Finance and Accounting (offered by two faculties);
- Tourism and Hospitality;
- Commerce and Marketing;
- International Business;
- Business and Management (offered by two faculties).

Dual training: What's in it for the companies?

Dedicated and competent professionals are indispensable for a successful company today. Finding, training, and integrating new employees is an important and risky task for all organizations.

Dual training gives additional responsibilities and tasks to all participants (school, student, partner institution), but it also provides clear advantages. This is proven by the increasing number of partner institutions, which means more and more companies see an opportunity in this type of training.

Advantages and responsibilities of partner institutions:

Advantages

- Dedicated student/employee who knows the company well;
- Selection of students based on the company's own criteria;
- Student remuneration free of social contribution fees, diminished education contribution fees (with certain programs);
- Consultation rights for the creation of the academic part of the program;
- Close partner relations, common projects;
- Steady supply of professionals;
- Socially conscious operation.

Responsibilities

- Creation of objectives of participating in training;
- Creation of common training plan;
- Selection of future students;
- Mentoring and evaluating student/employee;
- Providing excellent work and study conditions;
- Paying student remuneration.

Advantages and responsibilities of students:

Advantages

- Gaining relevant work experience while studying;

- Getting to know the world of labor;
- Learning important competences;
- Earning money;
- Networking;
- Transforming academic knowledge into practice;
- Gaining significant work experience while studying enables them to start their career after graduation.

Responsibilities

- Providing diligent, dedicated work while studying;
- Completing all academic requirements;
- Completing projects;
- Interacting with mentors at both school and partner institution.

Advantages and responsibilities of BBS:

Advantages

- Providing practice-oriented programs;
- Educating students according to the needs of the labor market;
- Close cooperation with partner institutions, valuable feedback from companies.

Responsibilities

- Cooperation with partners and the Office of Education, providing data;
- Providing a contact person;
- Administrating all dual students;
- Continuous development of dual training system.

All partner institutions pledge to create a training plan for dual students (together with the school), run the selection process, pay them remuneration (at least 15% of minimum wage per week), provide for their professional training and evaluate their progress.

For the duration of the training (and possibly even beyond), dual training provides the companies with dedicated, performance-oriented student-employees, who know the company well. In addition, companies learn about novelties, as well as international and domestic research, through close cooperation with the school.

Companies participating in dual training have the option to lower their education contribution fees.

Joining dual training

Companies interested in joining BBS's dual training for the academic year of 2018/19 have to indicate their interest by October 2017. The first step is looking for a faculty and a program suitable for the company, then getting in touch with the University and the dual training contact person.

All companies are eligible for joining if they fulfill the requirements posted by the Dual Training Council (creation of objectives and training plan, providing the necessary conditions for work and training).

After the initial information gathering the partner organization and the University sign a partnership agreement with the objective of providing practical training for students enrolled in the University's dual training program. The agreement outlines the basics of the training, as well as the objective, methods, and framework of cooperation. If the company wants to participate in dual training in the academic year of 2018/19, the deadline for signing the agreements is October 20, 2017. After the Dual Training Council approves the agreement, the Office of Education registers it and notifies prospective students about the possibility of dual training in the annual Prospectus of Higher Education, published on December 31, 2017 at the latest.

Provided that a prospective student is accepted by both the company and the University, they can enroll for the next academic year at BBS and sign the student employment contract with the company, and start their academic year as the student-employee of the company.

Our partners

BBS introduced dual training in 2014/15, starting with five partner organizations. Ever since then, the number of our partners have been steadily increasing; our students could choose from over fifty companies in the academic year of 2017/18. By next year, that number will have surpassed eighty.

Our partners include:

- Auchan;
- Bosch;
- Deloitte;
- Siemens;
- as well as several trading companies, SMEs, and Hungarian and international financial institutions.

A description of dual training programs

Business and Management BA program

We train professionals who know the basics and main contexts of business, as well as the guidelines of managing resources and production factors. They are able to coordinate, direct, organize and operate business processes, as well as create and modify organization structures along with their systems and company culture. With their sound knowledge in economics, social studies and applied economics, our graduates are able to:

- Plan and analyze all business processes of companies;
- Direct and organize business activities;
- Apply problem solving techniques to preparing business decisions;
- Build their careers and evaluate their knowledge;
- Work independently in various systems of the company;
- Fill leadership positions in the company organization.

Commerce and Marketing BA program

The aim of the program is to educate economic experts equipped with economic, business, commercial and marketing knowledge and skills who will be able to procure and market different goods and services in a demand-driven way, to organize and manage commercial activities of small and medium-sized enterprises. Students are enabled to demonstrate considerable knowledge regarding quality management in businesses, as well as knowledge required to continue their studies on a post-graduate degree programme, in the second cycle of education.

International Business BA program

The aim of the program is to enable students to become economic experts who can fluently speak at least two foreign languages. After the completion of the courses they will be able to engage in, manage and organize international entrepreneurial activities in the possession of the knowledge acquired in the fields of economics, socio-theory, applied economics, methodology, and their specializations. Relative to their specialization they have deep knowledge about types, processes and the legal base of international transactions; logistics, including international transportation and acquisition; international communication and interactions, including working at international NGOs.

Finance and Accounting BA program

The objective of the program is to train professionals with strong theoretical knowledge combined with high level of practical skills in the field of finance and accounting. Our graduates have complex and comprehensive professional knowledge. To meet the demands of the labour market, we emphasize the importance of practical skills and abilities, therefore this is a practice oriented programme.

In this program we train business, economic professionals to ensure that they have strong theoretical and practical knowledge and skills which make them competent to:

- Establish and operate the organizations of economic entities;
- Manage financial and accounting tasks;
- Conduct the preparation and analysis of financial statements;
- Analyze, evaluate and control of business activities of the economic entities;
- Calculate the amounts of different types of taxes prepare tax reports;
- Define the financial and accounting results, effects and consequences of economic transactions and processes.

Tourism and Hospitality BA program

The objective of the program is to provide practice oriented training based on high level theoretical education for professionals able to communicate in several foreign languages. Our top priority is to enable our students to gain a complex approach to the profession, as well as excellent leadership skills that will help them adapt to a constantly evolving professional environment.

Process and timeline of joining BBS's dual training programs starting in 2018/19

- Inquiry, initial talks. The partner institution and the University get in touch, share their ideas and vision. Deadline: September 2017.
- Cooperation agreement. The partners sign a cooperation agreement that sets the framework for cooperation. Deadline: October 20, 2017.
- Listing of partner organization. Based on the decision of the Dual Training Council, the Office of Education registers the available dual programs. Deadline: December 31, 2017.
- Recruiting future students. The partner institution advertises the dual training and publishes information about its selection process. Deadline: June 2018.
- Selection process. The partner institution selects the students through its own procedure and informs the University. Deadline: June 2018.
- Student employment contract. If the student selected by the partner institution is accepted by BBS and enrolls at our University, the partner institution signs a student employment contract. Deadline September 30, 2018.

Is Industrial Policy the wave of future trade?

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Abstract

While the phrase Industrial Policy may be new way of thinking for economists, at least the practice is arguably fairly old. The spectrum of Industrial Policy which runs from Hard IP with tariffs all the way down to Soft IP which involves creation of Special Economic Zones does have some space for accommodating international trade competition, which is to say that international trade competition does not always have to be in terms of trade wars. It's not that the only way to protect domestic industries is to wage an all-out tariff war on your international competitors. A well calculated Industrial Policy might make much more sense in times of globalization. This paper examines the literature of the impact of Industrial Policy on economic development. We have tried to develop an argument in favor of IP as a way to protect nascent domestic industries and have discussed examples from the recent past on IP lines.

Keywords: Industrial Policy, Soft IP, Hard IP, Protectionism, Trade policy

Introduction

Trade debates in the past used to be based on two opposing ideas of free trade and protectionism. With the rise of anti-globalization sentiment as incarnated in Trump's victory and Brexit (Awan 2016), protectionism became clearly a resuscitating phenomenon. To many, it seemed the world was going to plunge into protectionism or even a new version of nationalism as the Europe also saw the rise of victories for conservative parties nearly all across the board (Popescu 2018).

Many political leaders in the recent past have got elected with the campaign rhetoric based on protecting the national industries. Most of the sloganeered industries were based in manufacturing technology as the production cost for firms in these countries tends to be higher than countries like China, India, Vietnam and other countries in South East Asia. The public resentment in these Western countries was that jobs in the past decades had been sneaking away to East Asian countries thereby causing dire consequences in the domestic economies. Learning new skills could save people from a great deal of trouble but not everyone is well suited to take up the challenge. Some midway-through-life workers simply couldn't be retrained for new jobs. The campaign rhetoric was based on a hope of the return of

domestic manufacturing back home. Arguably much more by the economy itself is to be lost if the process is to be reversed in favor of political campaigns and electioneering. Apart from that, the firms would be unwilling to shift back for national benefit (Gaskill 2017). Many of the firms cannot, any way, call any single country home. Their design and supply chain might be controlled from Silicon Valley but their manufacturing, logistics and sales services are so complicated and intertwined with so many national borders that it is at the very least debatable as to where they belong.

But it is useful to recall that the world history in general and the past five hundred years in particular, have been a progression of the rise and fall of two alternating sweeps: *laissez faire* and protectionist models. Political leaders and disgruntled public in the past have waged wars against the spirit of globalization many times over (Held and McGrew 2007). However, the general trend of the world economy has been in the direction of globalization and borderless world (Williamson 1997). The recent election trends may well be but just another bead in the chain of historical events. Many scholars hope this trend too will die its own death and give a way for the trend of the integration of global economy (Shangquan 2000). What is to happen to the political sentiments in future is yet to be seen. Meanwhile, the trade debates have shifted from these two strict models to other, more nuanced, more responsive and more actively pursuable policy measures in the past few decades. Industrial Policy, an umbrella term for a set of government plans and procedures, is one of those measures.

Industrial policy is a set of policies, formulated and implemented by national governments, sometimes in unison with foreign players, to promote some specific industry or sector (Schultze 1983). This process makes some industries more favored by the national, provincial and district governments to make them competitive for various strategic reasons. The payoff can be very high in terms of generating employment for the domestic labor force and raising national income; sometimes it can even lift a significant proportion of nation's population out of poverty (Aghion, Cai et al. 2015). Various examples of this practice can be seen to have happened in the past. First we discuss the behavior of US Congress toward the international trade events. Then we examine the costs of protectionism for the economy as a whole and for specific players in the economy. Later on we will review the evidence in favor of the use of industrial policy as cited in the literature. Thereafter, we will expatiate the case of Ethiopia on the use of industrial policy and the results achieved in the process, before concluding with an argument for industrial policy.

US Congress' Behavior Shift

According to analysis conducted by (Nollen and Quinn 1994) on the voting patterns in the US Congress, two new ways of thinking – strategic trade and fair trade - emerged among the US congress members during 1980s when the US trade balance deteriorated significantly. The new ways were not centered on the traditional free trade versus protectionism. Rather they encapsulated other policy measures which could be laser-focused on certain industries and could be far more responsive than protectionism, which was usually an umbrella term used in the protection of domestic economy. Thus, with these two approaches, in pursuance of its trade balance, the US could be more active than traditional *lassies faire* model but did not necessarily have to be absolute protectionist. The fair trade policies, for example, were based only in the responsiveness to unfair trade practices by other countries.

Costs of Protectionism

In his expose on protectionism, (Dimulescu 2008) quantitatively illustrated how protectionism creates net loss for the economy by distorting incentives for the economic agents in a marketplace. For example, when tariffs are imposed, there is some gain in the government revenues but the overall impact on the economy is negative. Similarly, when the quota restriction is applied, there is net shifting of rent to

foreign producers, which in turn creates a net loss for the domestic economy. In case of export subsidy, the producers will continue to export until the domestic prices rise to catch up with the combination of foreign price and domestic subsidy. This causes government to lose, local consumers to lose and producers to gain. But the gains are outweighed by losses more than enough so as to create a net loss for the economy as a whole (Wang, Wang et al. 2009).

Literature on IP

(Baldwin and Krugman 1989) argued in favor of the use of industrial policy citing the evidence from aircraft industry of Europe. They explained how a well-planned industrial policy was able to make the European aircraft industry effectively competitive. Previously the European aircraft industry had been heavily dependent on its US counterpart. (Head 1994) also argued in favor of an appropriate industrial policy citing evidence from US steel rail industry in the previous decades. The US steel rail industry took off from a very meek beginning and went on to become one of the largest industries contributing to the national GDP. It also created employment for a significant portion of the labor force. Moreover, (Hansen 2015) illustrated the use of industrial policy in production of electricity from wind power. They explained how a targeted industrial policy enhanced the generation of electric power from the unconventional source and thereby reduced dependence on fossil fuels, benefiting almost all the stakeholders in the process.

Debate is far from over on the use and industrial policy to achieve the targeted levels of economic transformation. This debate has been pursued largely by (Hausmann and Rodrik 2003), (Rodrik and Hausmann 2006), (Lin and Chang 2009) and (Stiglitz, Lin et al. 2013). The arguments have been made for and against the government's laissez faire role in transforming the economy as a whole or on a sector level. Specific arguments related to industry selection and policy implementation also abound in the literature. For example, (Lin and Chang 2009) argues that the key does not merely lie for the governments in targeting the low value-added industries which the government wants to promote. Sometimes, targeting a very low value-added industry can risk enhancing the gap between the industries and countries in the long run. Similarly, (Lin and Chang 2009) also argue that in pursuance of a sound industrial policy, infant industries are to be protected from the very beginning. Additionally, they assert that sometimes even the manipulation of factor prices is also entailed in the specific industries.

Furthermore, (Lin 2011) has argued that a successful industrial strategy has to be focused on a sector with a small number of important industries. However, a strong transformation also requires addressing the specific problems to lower the cost of doing business (Lin and Chang 2009). Government's strategies must address the obstacles related to technology, supply chain and scale in the industry (Lin 2011) (Whitfield, Therkildsen et al. 2015).

Apart from IP being used in various countries in Latin America and Asia, it has been used particularly in the low-income countries of Africa to target certain industries. One of such cases was the study conducted on the implementation of industrial policy in Ethiopia (Uusitalo 2007). Ethiopian government created a high level focus on the leather industry and took steps to promote it. The government exploited the patterns in international arena in favor of its industrial policy for the leather industry and was able to attract Chinese investment in the industry. First the government worked on its own capacity to support the sector. It created relations with and among the businesses and laid substantial investments to upgrade the sector to the next-generation level. Consequently it enabled the sector to have more expedite supply chain networks, efficient management and better both inter- and intra-industry integration. Investments in the footwear products promptly sprang all across and the efforts paid well.

Conclusion

Externalities exist in every sector and industry of every economy; every government has substantial organized power, political mandate and financial and human resources to exploit the positive externalities and avoid the negative ones. An active government can create suitable policies, manipulate factor prices in favor of certain industries, host special economic zones for foreign traction and target specific industrial problems, address specific obstacles and protect infant industries from the beginning onwards. A well suited combination of these activities can significantly enhance the performance of an industry so that it competes with its foreign counterparts and is able to attract foreign investment therein. Free trade or protectionism might be too extreme an approach for the economy as a whole (reference citing consequences required). The secret of competition may lie in the industry-to-industry competition, which can be addressed with an appropriate industrial policy or a set of policies.

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Children's right to practice sport in Algeria through the recommendations of the Berlin Declaration (MINEPS V) Reality and challenges

(An analytical approach to the legislative and institutional dimension).

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Abstract:

In this study, we attempt to highlight the recommendations of the Berlin Declaration of "The International Conference of Ministers and Senior Officials Responsible for Physical Education and Sport" in the framework of the UNESCO (MINEPS 5) (UNESCO, 2013) on May 30, 2013. These recommendations were embodied in the work of experts divided around three main committees (the first Committee is about the access to sport as a basic right for all - the second Committee is about promoting investment in Physical Education and Sports Programs - the third Committee is for preserving the integrity of sport). The declaration specified in its first commission : the access to sport as a fundamental right for all. Algeria was one of the participating countries at the conference and agreed with its recommendations, and we measured the response levels by drafting the legislative texts, adapting the executive institutions and providing the accompanying mechanisms and instruments. We also analyzed the content of the legislative texts and made interviews with some active actors in the field of P.E, who have the power of decision and implementation, with a preliminary study on the ground. We ended up with the existence of contradictions between the programs and the mechanisms embodied, we concluded as well with the lack of a real awareness of P.E role in building children physically, psychologically, socially and culturally on one hand. . And its role in the preparation of children's behavior and values on the other hand and restricted on recreational role related to spare time.

Keywords: Berlin Declaration, Children and Sport, Legislative Text, Executive Body.

1. Introduction

Sport plays a significant role in promoting human rights and represents an expanding portion of humankind engaging in sporting activity. It stands for a strong will to overcome the limitations of human abilities, a desire for self-realization aimed at cultivating our fullest potential and a way of learning communication and harmonization through fair play, among others. It is a multidimensional cultural activity for all and a physical group and leisure activity, which enriches our lives

Sport brings about new opportunities for individuals, communities and for States. It expands global commitments in strengthening physical, mental and emotional health, social welfare and cohesion, promoting camaraderie, physical prowess, team cooperation, solidarity, adherence to standards and rules of the game, with an emphasis on participation, equality, shared humanity, harmony and generosity, and in raising awareness and understanding of human rights. Sport is important in promoting human rights worldwide through the interactions it generates between people from different backgrounds and cultures. Sport and the Olympic ideal can also be a means to advance the cause of peace, promote development and combat all forms of discrimination. Sport unites a large number of people around one issue irrespective of race, gender, religion or background. Discrimination could wither away through sport because, if appropriately used, sport teaches people cooperation, coordination and respect for others, providing people from different cultures with the opportunity to work together in a team spirit. Through its universal nature, sport can instil in people the values of respect, diversity, tolerance and fairness and can serve as a means to combat all forms of discrimination

Many of the responses received to the questionnaire rightly recognize the fundamental role of sport in educating children and young people, for whom physical activity and sport are used as methods to acquire social skills, positive attitudes and moral values. Sport, besides being a fundamental expression of the right to play, is an excellent tool for psychosocial recovery. It is a right enshrined in the Convention on the Rights of the Child. Educational programs supporting the practice of sport as a human right need to be given due prominence in curriculum planning. Through such programs, the spirit of friendship, mutual respect, solidarity and fair play can be promoted, learned and anchored into individuals and their communities. In primary education, sport has a profound effect on children, the development of their skills and the promotion of gender equality. Moreover, the development of values should be cross-cutting in educational programs and curricula, fostering a balanced mentality that promotes participation over winning, respect for opponents, punctuality and solidarity. These values will ultimately be reflected in the lifestyle of athletes, who will spread them to the rest of society.⁵

2. The conceptual framework

2.1. Physical education is a field of study and a profession that participates in the development of the person through the implementation of bodily practices and associated knowledge, in order to contribute to his education, health and its quality of life in all environments and for all life

2.2. Sport is to engage in the institutionalized process of competitions regardless of both the level at which they are located (whether local or international) and the practical level (beginner to champion)

In this study, we focused on primary schools. The age group of children is between (6 - 11 years). So that we can analyze the legislative texts of this phase. We establish primary schools separately from a material and human perspective. For the practice of children for physical education and sport.

The inputs of the study are the recommendations of the Berlin Declaration on the Rights of the Child in the practice of physical education and sport and the legislative texts in the Algerian law relating to the rights of the child in the field of physical education and sport, as well as the executive bodies supervising the organization and management of physical education and sport within educational institutions in the primary stage.

The outputs of the study are the implementation of the recommendations of the Berlin Declaration, the implementation of Algerian legal texts and the effectiveness of the executive instances in the Algerian school reality.

3. Literature review

It is impossible to accurately indicate the beginning of the physical education and its origin. But the history taught shows us as a landmark Ancient Greece. However, it must be remembered that physical education and sports, as physical exercise has long interested researchers. Across Europe, authors considered as precursors have contributed to the practice of the discipline, particularly in terms of methods. Nowadays, physical education continues to draw the attention of authors to diverse and varied topics, mostly related to life issues.

the physical education in France by referring to authors very well known in the world of education in general such as Montaigne, Rabelais, Rousseau, but also that of physical education particularly with Hébert, John Locke, Thomas Arnold, Amoros and so many others. Most developed ideologies, consider EPS as a way to prepare the body to cope with the vicissitude of life (wars, bad weather etc.).

3.1. Jean Jacques Rousseau (1712-1778), opening up to the functions of the physical education, advocates in his educational project a natural education (nature is the best guide, it must be favored and not opposed); but also a functional education (it will be adapted to the physical and mental development

⁵ - **United Nations. Human Rights Council.** Final report of the Human Rights Council Advisory Committee on the possibilities of using sport and the Olympic ideal to promote human rights for all and to strengthen universal respect for them . 17August 2015

of the individual). According to Jean Jacques Rousseau "the physical education and all the more important that precedes the intellectual education that the body is our first instrument of knowledge, it follows the same principles". It will be natural and spontaneous. The book also refers to education as an element of health regulation, "a healthy mind in a healthy body".

3.2. In England, Thomas Arnold more original, particularly seduced by Pestalozzi uses team games for the purpose of moral and social education; he thinks he finds in sports practice the means of obtaining the support of young people for the training he wants to give them. It transforms education by giving intellectual disciplines a place of choice for bodily education. He does not invent any method of physical training, but takes what already exists, that is to say, golf, cricket, football, rugby, etc.

3.3. In Germany, Friedrich Ludwig Jahn creates a nationalist and aggressive military gymnastics. In his work "Die Deutsche Turnkunst" (1816), quoted by Legrand and Ladegaillerie, he defined his goals: to restore the spirit-body harmony (influence of the philanthropist school), but which will be surpassed by the patriotic goal. His ideology is a national education system revolving around gymnastics. For him, "the young gymnast must know that his greatest and most sacred duty is to become a German and to always remain to work with all his strength for the people and the country and to be like his ancestors, liberators?". Jahn defines his method which includes gymnastic exercises classified according to their characteristics: walking, running, jumping, throwing, balance, wrestling, etc. and following the devices. The most heterogeneous exercises are grouped but with a concern for progression.

3.4. In Sweden Per Henrik Ling, creator of Swedish gymnastics, wants to be scientific, analytical, corrective, orthopedic. According to him, "only those movements that have their internal foundation in the nature of the human body are good. Gymnastics must be harmonious and respectful of nature, carried on every part of the body and not exclusively on a special part.

In this sense, he shows his influence on Rousseau: "to help the harmonious development of the body according to nature". Gymnastics must focus primarily on natural development and be accessible to all. Its purpose is to assure the man the easy and habitual preservation of an attitude favorable to the good development and the good organic functioning. Gymnastics must progress at the same time as the sciences on which it is based, namely anatomy and physiology.

In the twentieth century, everywhere in Europe, including physical exercise practitioners at school, the different currents are represented, although it generally has a predominant character. It is afterward that the attempts at unification and synthesis of the various known processes are integrated and complementary, thus constituting the multiple aspects of an educational action through physical exercises.

. In the work of Didier Delignières and Christine Garsault, the authors describe the confrontation of different conceptions (naturalistic conceptions, culturalist. conceptions), coming from methods of various origins, posing both the question of the legitimacy of the discipline to the school and its social utility. Faced with this situation, the authors aim "to develop a coherent argument, laying the foundations for a physical education that could exceed its current contradictions". It is therefore a question of working for a reconstruction of the physical education "around the recurring themes of citizen training, skills building, sports education.

physical education is a privileged way to lead the child to a civic life to more civility, more respect and commitment to its culture, but also to develop his motor skills or mental, guaranteeing a minimum of balance to serve his nation.

4. The children's rights to practice physical education and sport by international organizations

After the Second World War, the international community confirmed that childhood in the world is under threat and needs to be protected and we can allow the international community to reach it by Declaration of the Rights of the Child [Proclaimed by General Assembly Resolution 1386(XIV) of 20 November 1959. This was the basis of the basis of the Convention of the Rights of the Child adopted by the UN General Assembly 30 years later on 20 November 1989. The Convention on the Rights of the Child was entered into force on 02 September 1990. The child shall enjoy special protection, and shall be given opportunities and facilities, by law and by other means, to enable him to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity. In the enactment of laws for this purpose, the best interests of the child shall be the paramount consideration.⁶

Article 31

1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.
2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.⁷

4.1. International Charter of Physical Education and Sport

The International Charter for Physical Education, Physical Activity and Sport is a rights-based reference that orients and supports policy- and decision-making in sport. Adopted in 1978, the original Charter was perceived as innovative at the time - as it was the first rights-based document to state that “the practice of physical education and sport is a fundamental right for all”. Based on the universal spirit of the original Charter, and integrating the significant evolutions in the field of sport since 1978, the revised Charter introduces universal principles such as gender equality, non-discrimination and social inclusion in and through sport. It also highlights the benefits of physical activity, the sustainability of sport, the inclusion of persons with disabilities and the protection of children⁸. Underlining that early play experience with parents and carers, and participation in quality physical education are essential entry points for children to learn the skills, attitudes, values, knowledge, understanding and enjoyment necessary for lifelong participation in physical activity, sport and in society at large;

4.1.1. Article 1 – The practice of physical education, physical activity and sport is a fundamental right for all

1.7 Each education system must assign the requisite place and importance to physical education, physical activity and sport in order to establish a balance and strengthen links between physical activities and other components of education. It must also ensure that quality and inclusive physical education classes are included, preferentially on a daily basis, as a mandatory part of primary and secondary education and that sport and physical activity at school and in all other educational institutions play an integral role in the daily routine of children and youth.

4.1.2. Article 3 – All stakeholders must participate in creating a strategic vision, identifying policy options and priorities

3.2 All stakeholders, especially national and local authorities responsible for sport, education, youth, health, active recreation, development, urban planning, environment, transport, gender and disability matters, and intergovernmental organizations, the Olympic and Paralympic movements, sports

⁶ - **United Nations.** Declaration of the Rights of the Child. Proclaimed by General Assembly Resolution 1386(XIV) of 20 November 1959.

⁷ - **United Nations.** Declaration of the Rights of the Child. Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989.

⁸ - **UNESCO.** International Charter of Physical Education, Physical Activity and Sport.SHS/2015/PI/H/15REV.

organizations, non-governmental entities, the business community, the media, educators, researchers, sport professionals and volunteers, participants and their support personnel, referees, families, as well as spectators share the responsibility for developing and supporting physical education, physical activity and sport policy; and all mentioned stakeholders should be given opportunities to exercise this responsibility.

4.1.3. Article 7 – Teaching, coaching and administration of physical education, physical activity and sport must be performed by qualified personnel

7.1 All personnel who assume professional responsibility for physical education, physical activity and sport must have appropriate qualifications, training and access to continuous professional development.

7.2 All physical education, physical activity and sport personnel must be recruited and trained in sufficient numbers to ensure they attain and sustain the competence necessary to nurture the rounded development and safety of all persons in their charge. Personnel who have received such training should be given a professional recognition in keeping with the duties they perform.

4.1.4. Article 8 – Adequate and safe spaces, facilities and equipment are essential to quality physical education, physical activity and sport

8.1 Adequate and safe spaces, facilities, equipment, and dress-options must be provided and maintained to meet the needs of participants in physical education, physical activity and sport mindful of different needs associated with climate, culture, gender, age, and disability.

8.2 Public authorities, sports organizations, schools and other institutions that administer facilities at all levels should work together to design, provide and optimize the use of installations, facilities and equipment for physical education, physical activity and sport, taking into account the opportunities and conditions of the natural surroundings.⁹

4.2. The Olympic Charter

Modern Olympic was conceived by Pierre de Coubertin, on whose initiative the International Athletic Congress of Paris was held in June 1894. The International Olympic committee (IOC) constituted itself on 23 June 1894. The first Olympic Games (Games of the Olympiad) of modern times were celebrated in Athens, Greece, in 1896. In 1914, the Olympic flag presented by Pierre de Coubertin at the Paris Congress was adopted. It includes the five interlaced rings, which represent the union of the five continents and the meeting of athletes from throughout the world at the Olympic Games. The first Olympic Winter Games were celebrated in Chamonix, France, in 1924.

4.2.1. Fundamental Principles of Olympism Olympism is a philosophy of life, exalting and combining in a balanced whole the qualities of body, will and mind. Blending sport with culture and education, Olympism seeks to create a way of life based on the joy of effort, the educational value of good example, social responsibility and respect for universal fundamental ethical principles. The goal of Olympism is to place sport at the service of the harmonious development of humankind, with a view to promoting a peaceful society concerned with the preservation of human dignity. The practice of sport is a human right. Every individual must have the possibility of practicing sport, without discrimination of any kind and in the Olympic spirit, which requires mutual understanding with a spirit of friendship, solidarity and fair play.

4.2.2. The mission of the IOC is to promote Olympism throughout the world and to lead the Olympic Movement. The IOC's role is: to encourage and support the promotion of ethics and good governance in sport as well as education of youth through sport and to dedicate its efforts to ensuring that, in sport, the spirit of fair play prevails and violence is banned; to encourage and support

⁹ - UNESCO.(The General Conference of UNESCO)..International Charter of Physical Education, Physical Activity and Sport.SHS/2015/PI/H/14REV.

the development of sport for all; to encourage and support initiatives blending sport with culture and education.¹⁰

4.3. United Nations Children's Fund (UNICEF) (Physical education teachers) Along with families and community clubs, school based physical education has traditionally been a major avenue for children to participate in organized sport. In primary school, physical education is often delivered by classroom teachers who are not specialists. For many children, physical education is a source of fun, stimulation and pleasure, and these teachers are a major influence in their lives. In some countries, there is a fine distinction between learning through physical education and participating in competitive sports. Good pedagogic practices in physical education can also help prevent violence by promoting confidence, sensitivity to others and self-awareness in children.

Children love to play: through play, they learn social and physical skills, tolerance, discipline and respect for others. Millions of children worldwide take part in some form of organized sport each week. Millions more participate informally in street games, spontaneous play sessions and casual 'kick-about' with their friend As well as being a favorite childhood pursuit, sport contributes billions of dollars each year to the world. sport is recognized by governments as an important policy priority. It has been adopted by politicians as a major tool for the pursuit of a wide range of social, cultural and political objectives, including Health and well-being – reducing childhood obesity, cardiac disease • Social inclusion – promoting gender equity and religious and cultural tolerance; Education and personal and social development– learning about leadership and self-esteem and reducing teenage pregnancy; Crime reduction; Peace and social cohesion – reconstructing war-torn and damaged communities. The United Nations, including UNICEF, has long engaged with sporting events and celebrities to increase awareness and raise funds for its work, but it began to use sport more systematically in the early 2000s Sport is regarded by the international community as a powerful tool for achieving all the Millennium Development Strategies .monitoring. Non-discrimination and the inclusion of girls and children with disabilities are other essential components of UNICEF's work towards the fulfillment of children's rights.¹¹

4.4. United Nations Educational .Scientific and Cultural Organization UNESCO

The largest organization that contributed to the development of physical education and sport in general and support the right of children to play especially His contribution has been demonstrated by

4.4.1. International Conference of Ministers and Senior Officials Responsible for Physical Education and Sport (MINEPS) Created in 1976, the International Conference of Ministers and Senior Officials Responsible for Physical Education and Sport (MINEPS) is a forum that facilitates intellectual and technical exchange in the field of physical education and sport. MINEPS also serves as an institutional mechanism for a coherent international strategy in this domain.

MINEPS is the only global platform of its kind, engaging governments, intergovernmental organizations, the sport movement, academia and specialized . The outcomes and recommendations of MINEPS are continuously strengthening the educational, cultural and social dimensions of physical education and sport while guiding the implementation of effective policies and practices around the world.

Six MINEPS Conferences have been organized

- MINEPS 1 First International Conference in Paris 1976.¹²

¹⁰ - International Olympic Committee IOC. the Olympic Charter. Printing by DidWeDo S.à.r.l., Lausanne, Switzerland Printed in Switzerland. September 2015.

¹¹ - Nations Children's Fund (UNICEF).protecting children from violence in sport. The UNICEF Innocenti Research Centre in Florence, Italy .IRC stock number.59OU .July 2010.

¹² - UNESCO.MINEPS 1 First International Conference in Paris 5-10 April 1976.

- MINEPS 2 Second International Conference in Moscow 1988.¹³
- MINEPS3 third International Conference in Uruguay 1999.¹⁴
- MINEPS4 Fourth International Conference in Athens 2004.¹⁵
- MINEPS5 Fifth International Conference in Berlin 2013.¹⁶
- MINEPS6 Sixth International Conference in Kazan Russia 2017.¹⁷

4.4.2. Intergovernmental Committee for Physical Education and Sport (CIGEPS) The Intergovernmental Committee for Physical Education and Sport (CIGEPS) was established in 1978 to promote the role and value of sport and its inclusion in public policy. CIGEPS is comprised of expert representatives in the field of physical education and sport from 18 UNESCO Member States, each elected for a four year term. The Permanent Consultative Council (PCC), comprising key sport federations, UN agencies and NGOS, provides technical support and advice to the Committee.

Through CIGEPS, UNESCO has a unique ability to drive government action in the field of sport and physical education and to ensure the implementation of effective sport policies and programs around the world. Due to its intergovernmental nature, CIGEPS has the potential to bring Member States together and to engage governments in coordinated international efforts to optimize the tangible socio-economic benefits of sport and physical education programs and their potential to deliver a high return on investment. CIGEPS:

- engages government representatives and the sports movement to drive international efforts in the area of sport and physical education
- provides technical advice, commissions research and identifies good practices to develop policy recommendations
- reinforces accountability of governments through the monitoring and evaluation of the implementation of policies
- provides a platform for key decision-makers to exchange experiences.¹⁸

4.4.3. 5th International Conference of Ministers and Senior Officials Responsible for Physical Education and Sport (MINEPS V)

The conference was held on Tuesday, 28 May 2013 - to Thursday, 30 May 2013 Germany, Berlin .The following key themes have been proposed by UNESCO's Intergovernmental Committee for Physical Education and Sport (CIGEPS): Access to Sport as a Fundamental Right for All - Access of women and girls - Inclusion of persons with disabilities - Promoting Investment in Sport and Physical Education programs - Promoting quality physical education - sport mega events and their sustainability. - Preserving the Integrity of Sport - Commitment to the values of sport and the fight against match fixing, illegal betting, doping and corruption in sport.¹⁹

This conference was made of very important recommendations and was called the Declaration of Berlin

¹³ - UNESCO.MINEPS 2 Second International Conference in Moscow 21-25 November 1988.

¹⁴ - UNESCO.MINEPS3 third International Conference in Uruguay 30 November-3 December 1999.

¹⁵ - UNESCO.MINEPS4 Fourth International Conference in Athens 6-8 December 2004.

¹⁶ - UNESCO.MINEPS5 Fifth International Conference in Berlin 28-30 May 2013.

¹⁷ - UNESCO.MINEPS6 Sixth International Conference in Kazan Russia 14-15July 2017.

¹⁸ - UNESCO Official Website.

¹⁹ - UNESCO Official Website.

4.4.4. Declaration of Berlin The Ministers meeting at the 5th International Conference of Ministers and Senior Officials Responsible for Physical Education and Sport (MINEPS V), held in Berlin (28-30 May 2013), The statement said many aspects of physical education and sport. In this study, we focus on child recommendations of Specific Commitments and Recommendations Commission I Access to Sport as a Fundamental Right for All

1.1 Highlighting that physical education is an essential entry point for children to learn life skills, develop patterns of lifelong physical activity participation and healthy lifestyle behaviors

1.2 Noting that physical education in school and in all other educational institutions is the most effective means of providing all children and youth with the skills, attitudes, values, knowledge and understanding for lifelong participation in society;

We, the Ministers, are committed to:

1-14 Ensure physical education activities are provided in accordance with the UN Conventions on the Rights of the Child and on the Rights of Persons with Disabilities

1-15 Ensure that quality and inclusive physical education classes are included, preferentially on a daily basis, as a mandatory part of primary and secondary education and that sport and physical activity at school and in all other educational institutions play an integral role in the daily routine of children and youth;

1-16 Strengthen cooperation between governments, sport organizations, schools and all other educational institutions to improve the conditions for physical education and sport at school, including sports facilities and equipment, as well as qualified teachers and coaches;

1-17 Foster the important role of inclusive extracurricular school sport in early development and educating children and youth.

We, the Ministers, call upon all stakeholders to:

1-19 Utilize the volunteer potential of sport to strengthen the broad-based anchoring of sport in school and in all other educational institutions;

1-24 Develop training of teachers, instructors and coaches to deliver inclusive and adapted physical activity programs, including training and employment opportunities for persons with disabilities, as well as additional support for persons with specific needs.²⁰

5. The legislative and institutional framework of physical education and sport in Algeria

5.1. The historical course of the development of physical education and sport in Algeria

in 1970 to clarify the objectives and content of education. The first instructions emphasize the integration of EPS to the education system for all levels of education.

It is only after four years after the publication of this text, during the 1974/75 school year, that an operation with the intention of a gradual generalization of EPS in primary school is conducted in the framework of a joint commission involving the Ministry of Youth and Sports (MYS) and the Ministry of National Education (MNE)

The basic school started in 1980: The beginnings were considered then as a "revolution" of the Algerian educational system, but the programs are revised in a hurry, at least as regards the physical education; the teaching contents prepared will only be taken into account in part. And experience the EPS integration in primary school, begun in 1974, is virtually annihilated in 1980/81, at the dawn of the basic school: There will be no further equipping and even less in sports facilities. EPS programming for elementary school students will go from 2 sessions of 45 minutes to one per week very rarely applied

²⁰ - UNESCO. Declaration of Berlin . The Ministers meeting at the 5th International Conference of Ministers and Senior Officials Responsible for Physical Education and Sport (MINEPS V), held in Berlin (28-30 May 2013).

The "Code of PES", will have been almost a dream without tomorrow, since very little application. Virtually the same fate will be reserved for all the laws that will follow, many but not very operational: after the ordinance n ° 76-81 of the 23/10/1976 bearing with the PES Code, will come the law N ° 89-03 of 14/02/1989;²¹ relating to the organization and development of the National System of Physical and Sports Culture... And other laws will come again like the law 10-04 in 14/08 2004²² and the law 13-05 in 31/07/ 2013.²³ Which will be of little effect. In reality, PES in primary school

5.2. Law 13-05 and its compatibility with the recommendations of the Declaration of Berlin

This law came under the name of the organization of physical and sports activities and its development and was published on July 31, 2013 Two months after the meeting of the 5th International Conference of Ministers and Senior Officials Responsible for Physical Education and Sport (MINEPS V) and the Declaration of Berlin. The legal provisions relating to physical education and sports at the primary school are as follows :

5.2.1. Article 2. Physical and sport activities, which are fundamental elements of education, contribute to the physical and intellectual development of citizens and the preservation of their health. Physical and sport activities are a factor in promoting and developing youth and strengthening social cohesion.

Notice the Paragraph 1 of Article 1 of Declaration of Berlin corresponds in substance to Article 2 of the Algerian Code 13-05

5.2.2. Article 14. Physical education and sport is a teaching subject that aims to develop in the child, through movement and control of the body, his psychomotor mental and social.

the Paragraph 2 of Article 1 of Declaration of Berlin corresponds in substance to Article 14 of the Algerian Code 13-05

5.2.3. Article 15. The teaching of physical education is compulsory at all levels of national education and training and vocational education. It is sanctioned by evaluation tests. Its teaching is provided under the responsibility of the Minister responsible for National Education and the Minister for Vocational Education and Training. The programs, contents and methods of physical education and sports and the modalities of their implementation are defined in coordination by the ministers concerned and the minister in charge of sports.

Notice the Paragraph 15 of Article 1 of Declaration of Berlin corresponds in substance to Article 15 of the Algerian Code 13-05 it differs by the absence of reference to the time devoted to physical education at the primary stage but the Declaration of Berlin referred in the sentence (required daily) while Algerian law does not mention at all the available time.

5.2.4. Article 16. Adapted physical education and sport can be provided at the preschool level, in early childhood and kindergarten. It is aimed at the psychomotor development of the child. Programs, contents, and methods of Adapted physical education and sports and the methods of their implementation are defined by the ministers concerned in coordination with the minister in charge of sports.

Notice the Paragraph 14 of Article 1 of Declaration of Berlin corresponds in substance to Article 16 of the Algerian Code 13-05 It differs in terms of compulsory as Algerian law uses a term (that can be

²¹ - Official Journal of the Algerian Republic Democratic and Popular(OJAR). Law No. 89-03 of 14 February 1989 on the organization and development of national system of physical culture and sports .N 07. 15 February, 1989.

²² - Official Journal of the Algerian Republic Democratic and Popular(OJAR). Law No. 04-10 of 14 August 2004 relating to physical education and sports .N 52.18 August 2004.

²³ - Official Journal of the Algerian Republic Democratic and Popular(OJAR).Law No.13-05 of 14 to 23 July2013 on the organization and development of activities physical and sports N 39.

used) while the Convention on the Rights of the Child refers (to compulsory) article 31, paragraph 2, part B.²⁴

5.2.5. Article 21. The framework for the teaching of physical education in the educational institutions, professional training and education and special institutions for disabled people is provided by specialized personnel trained in institutions under the Ministries respectively in charge of education and sports and the ministries concerned. The staff responsible for physical education and sportspersons in reform institutions and protection and persons held in prisons receive specialized training.

Notice The Paragraph 16 and 24 of Article 1 of Declaration of Berlin corresponds in substance to Article 15 of the Algerian Code 13-05

5.2.6. Article 22.. School sport and university sport consist of the organization and animation of the practice of sports activities in national education institutions, higher education, and vocational training. The sports within the circles aroused are organized according to a system of competition in the Associations Sports School and university and professional training managed by their respective sports federations.

Notice the Paragraph 17 of Article 1 of Declaration of Berlin corresponds in substance to Article 22 of the Algerian Code 13-05

5.2.7. Article 154.. Residential areas, educational, educational and training establishments, specialized institutions for disabled persons and institutions responsible for rehabilitation and protection, as well as projects for structures to be built, must be equipped with sports facilities, sports equipment and playgrounds In accordance with the technical characteristics and meeting the safety standards. any economic and administrative unit can also build sports facilities under the same conditions.

Notice the Paragraph 19 of Article 1 of Declaration of Berlin corresponds in substance to Article 15 of the Algerian Code 13-05

6. National bodies responsible for physical education and sport in Algeria and the reality of their management

6.1. The Ministry of National Education (MNE) responsible for Physical education PE

In September 1979, the management of the Physical education (PE) passes from the Ministry of Youth and Sports (MYS) to the Ministry of National Education (MEN) by the decree N ° 78-195.

A brutal transfer of the staff responsible for teaching Physical education to the Ministry of National Education (MNE) has been carried out in an anarchic way, without any preliminary preparation, thus constituting a vacuum on all the planes, causing a stagnation, even a deterioration of the general situation Physical education (PE) whose effects are currently being felt.

The second shock that is a turning point for the future of Physical education to school and school sports is the complementary nature, optional and not compulsory teaching of the Physical education as confirmed by the Law of 15 89.03 February 1989 are in Article N°8 (The educational practice mass constitutes a complementary part to programs in education and training).

6.1.1. Absence of Physical education (PE) classes in Primary schools

Physical education in primary schools is nonexistent and physical education for students in primary school is 45 minutes a week and rarely achieved more this time divided between sport, cultural and social activity knowing that only one teacher for all Courses including physical education and neglect Inspectors the execution of control of physical education.

²⁴ - United Nations. Committee on the Rights of the Child. The right of the child to rest, leisure, play, recreational activities, cultural life and the arts (Article 31). General comment No. 17. 18 March 2013.

In terms of infrastructure: The national education sector (in 2014-2015) has 8,451,370 students or 21.39% of the total population. Nearly 700 000 officials.²⁵ 859 schools including 18459 primary schools, 5253 colleges, 2147 high schools ..²⁵

6.1.2. Numbers and indicators of contradiction (2016 statistics) Number of primary school pupils is 4081546 representing almost 50% of school pupils and number of primary schools 18459 representing almost 80% of school sports facilities. 95.48% of primary schools do not have a stadium; 99.48% of primary schools have no Gyms.

6.1.3. On the framing plan a primary school, teachers are supposed to encompass all the lessons, including. Physical education, but very few of them apply the guidelines; Primary school inspectors themselves complain of a lack of training that could help them to carry out pedagogical supervision of teachers. This problem exists, that of the poor infrastructure and didactic means too, but they are not the only explanation The reality seems actually much more complex, linked in part to the resistance of a conservative fringe of society, through the refusal of primary school teachers attracted to primary school by salary rather than by educational convictions. , or suffering from a lack of real training. Many teachers, for example, take refuge behind the excuse of wearing the veil (hijab), thus tending to criminalize religious traditions that, on the contrary, glorify education through physical activities: "Teach your children swimming, throwing and training. 'riding' (recommendation attributed to the Caliph Omar Ibn khttab).

6.1.4. Numbers and indicators of contradiction (2016 statistics) Number of pupils 4081546 Girls 47,69 % N° of Primary school teachers 168230 out of a total of 419020 employees, which represents 40% of the teaching staff in the education sector Women in Primary school (71,29 %)²⁶ The veiled (hijab) are the majority .No one of them conducted formation in physical education. On this basis, Article n 21 of Law 13-05 is not applied

6.1.5. On the financial plan The funding of the PE is based on a single central source, the Ministry of National Education (MNE) and another local education directorate ED

6.1.6. Numbers and indicators of contradiction (2016 statistics)An annual budget of more than 789 billion dinars Equivalent to 800 million dollars; Primary school children do not benefit from the employment of teachers specializing in physical education and therefore do not cost a salary mass to the Ministry of Education for the benefit of physical education. As a result, primary schools do not benefit from construction or sports infrastructure equipment and, in addition, the Ministry of Education do not grant the budget for physical education at the primary schools ,On this basis, Article n 154 of Law 13-05 is not applied

6.2. Ministry of Youth and Sports (MYS) responsible for school sport

! Organized as part of the voluntary system, school sport is driven to the base by the Sports and Cultural Associations Educational institutions. Colleges and high schools are endowed with a Cultural and Sporting Sports Association, affiliated to the city League of School Sport, itself affiliated to the Algerian Federation of School Sport (AFSS). As for the primary schools that activate sports entertainment, they are covered in most cases by the colleges to which they are attached to our educational system. The intention exists to endow them all with specific Cultural and Sports School Associations. But when and how? This remains to be determined !

²⁵ - Ministry of National Education (MNE) Official Website.

²⁶ - Office National des Statistiques (ONS) .L'Algérie en quelques chiffres. Résulta 2013-2015.N 46 .Edition 2015.

6.2.1. On the framing plan the Algerian Federation of School Sport (AFSS) it depends on teachers in primary schools in the selection and training of teams participating in local, national and international competitions. In the absence of sports facilities and teachers specialized in physical education and in the absence of coordination with the Ministry of National Education and especially lack of competitions except the annual festival in which some children are collected from some city through the country

6.2.2. Numbers and indicators of contradiction (2016 statistics) According to the technical report of the Federation, the number of students enrolled in primary school is 3722083, after the abolition of Algiers report because of the existence of considerable differences between the Algiers School Sports Association and the Bureau executive of the National Federation. Thus, 359463 students and 1387 primary schools were excluded from the participation taking into consideration that most institutions that have sports facilities and physical possibilities exist in Algiers

The report indicates that the percentage of primary school participants at Algerian Federation of School Sport (AFSS) is 29.46% and that the percentage of children participating in the different sports disciplines is 2.77% of the total number of pupils in primary schools.²⁷ It's a very low number. It can be said that this reality is contrary to Article 17 of Article of the Berlin Declaration and Article 22 of Law 13-05 of the Algerian Law.

6.2.3. On the financial plan The School Sport Funding is based on a single central source, the Ministry of Youth and Sport (MYS) and another local Youth Directorate and Sports YDS

6.2.4. Numbers and indicators of contradiction (2016 statistics) The budget of the Algerian Federation of School Sport according to the financial report (2016) is 350 000 US dollars and is a very low budget to cover the expenses of all phases of education and therefore the children's share will be low compared to young people, which results in the exclusion of children from participating in competitive sports.²⁸

7. Outcomes

Lack of programs- Lack of supervision -Lack of sport facilities - Lack of participation - Lack of funding all that driving to deprivation of the right to practice PES The reason for the lack of consultation between state institutions namely The Parliament has two chambers * APN / * SENAT / Ministry of Youth and Sports * MYS / Ministry of National Education * MNE / Ministry of Education Higher Education and Scientific Research * MEHESR / and a discontinuity in the political discourse that has often led to breaks in the application of the various texts governing PES and school sport

8. Neglect children's physical education and sports PES practice Leads to health, social and moral disasters

The absence of physical education and sports in primary schools leads to many health, psychological and social problems.

8.1. Physical diseases

Obesity Frequencies of overweight and obesity are increasing among children around the world, which has led the World Health Organization (WHO) to speak of a true epidemic. The situation of Algeria is unknown because of the lack of statistics Unofficial figures speak of 47% From 7 to 13 years old (2015).

8.2. Psychiatric illness

²⁷ - Algerian Federation of School Sport (AFSS) Official Website.

²⁸ - Fédération Algérienne du Sport Scolaire (FASS). Bilan Financier (2016).

Autism. Although the concept of autism has existed in the world since its discovery by L. Kanner (1943), it remains unknown and still vague in the everyday language of Algerians, and is only really addressed in the media in recent years. Given the scale of the phenomenon that is becoming a real problem of health and society. The category of autistic lives almost in the shadow of anonymity. Strange paradox, even during the commemoration of the national and international days of the disabled, they are the eternal forgotten of society. It is only under the pressure of some specialists and associations of parents of children with autism that began to talk about it Unofficial statistics speak of 4000 case 3 to 9 years old (2016)

8.3. Social diseases

Violence at school The UN World Report on Violence against Children identified violence in schools and other education settings as a global phenomenon School-related violent acts or threats comprise psychological, physical and sexual violence. They occur on school premises but also on the way to school, at home or in cyberspace. They are enforced by unequal power dynamics and are often the result of gender norms and stereotypes.²⁹

Unofficial statistics speak of 40000 incident (2017)

9. Conclusion

We can say that the rights of the child in the field of physical education and sports in Algeria are not in a good way and that we are obliged to take the responsibility as researchers to inform the government in general and the head of physical education that Algeria must commit to follow the recommendations of the Berlin Declaration as a platform for guidance and creation of executive bodies and implementing decrees to implement the recommendations. of the Berlin Declaration and embody the mandatory and imperative concept of primary physical education and provide government support and involve civil society and the family in protecting the right of children to play sport and assume their responsibilities. Responsibilities in the face of the need to protect children from the deprivation of the right to play, of recreation, with a deep understanding that children are the future of humanity aspiring to peace.

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Governance for a Resilient Baltic Sea Ecosystem

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Abstract: The Baltic Sea has one of the most established governance regimes, evolving with the Helsinki Convention in 1972 to protect the ecosystem. This agreement has changed and now includes signatories of all the Baltic Sea Coastal States, eight of which are EU members and Russia, the only non-EU state. Despite this robust governance regime, the Baltic Sea is subject to numerous anthropogenic stressors, including nutrient enrichment from surrounding farms and from wastewater treatment plants. This has compromised the ecosystem integrity, resulting in a Baltic Sea plagued by eutrophication which threatens the provision of ecosystem services. This paper investigates how human actions can be governed to ensure a resilient Baltic Sea Ecosystem. It examines eutrophication governance of the Baltic Sea through the lens of resiliency. It looks at the seven pillars of building resiliency as found in the literature: maintaining diversity and redundancy, managing connectivity, managing slow variables and feedbacks, fostering complex adaptive systems thinking, encouraging learning, broadening participation and the promotion of polycentric governance systems. Ultimately, this paper aims to guide policymakers on actions to restore the Baltic Sea ecosystem resiliency to ensure continued provision of ecosystem services.

Keywords: Baltic Sea, environmental governance, resiliency, eutrophication, policy, nutrient enrichment

1. Introduction

The Baltic Sea is a large transboundary water system in northern Europe and is shared by nine coastal countries: Germany, Poland, Denmark, Sweden, Finland, Russia, Latvia, Lithuania and Estonia (Figure 1). Its catchment area also encompasses five more countries: Norway, Belarus, Ukraine, Slovak Republic and the Czech Republic. Its coast is home to 85 million inhabitants, who exert much anthropogenic stress on the ecosystem of the Baltic Sea. This coupled with the its shallow nature, large drainage basin and changing meteorological conditions, makes its ecosystem particularly vulnerable to pressures such a nutrient enrichment from agriculture and wastewater treatment plants, hydrologic modifications and aquatic invasive species. Moreover, nutrient enrichment leads to eutrophication which is regarded as the most serious threat to the resiliency of the Baltic Sea ecosystem.

However, the initial efforts at governing the Baltic Sea focused heavily on diplomacy rather than pollution control with the signing of the Convention on the Protection of the Marine Environment of the Baltic Sea Area (also known as the Helsinki Convention) in 1974,

and establishing the Helsinki Commission (HELCOM) as the oversight body. This governance arrangement has evolved into a complex multilevel governance arrangement with many levels of actors including macroregional (European Union), national, regional, municipal, community and private. Despite this, environmental problems such as eutrophication abound and threaten the resiliency of the ecosystem. These changes will continue and will be exacerbated with the all encompassing stressor of climate change. How then can the capacity of the governance system be built to deal with unexpected change? This is a question of resiliency, moving beyond looking at the governing of the ecosystem

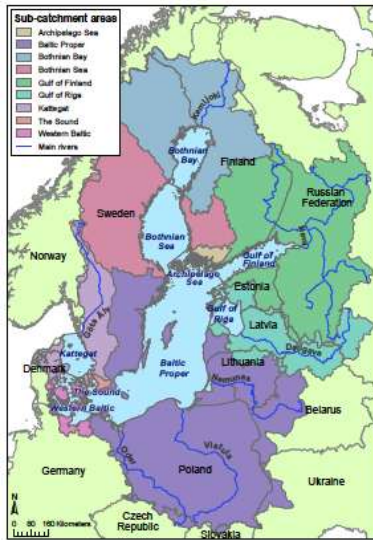


Figure 1. Figure showing the Baltic Sea catchment area and sub-basins [1]

to recognizing that it is the actions of actors that affect the ecosystem and the interaction of actors and nature that needs to be governed. As such, this paper aims to investigate how the interacting systems of actors and the Baltic Sea environment can be governed to ensure resiliency to eutrophication, so that there is continued provision of ecosystem services.

This paper examines eutrophication governance of the Baltic Sea through the lens of resiliency. It assesses the seven pillars of building resiliency as found in the literature [2]: maintaining diversity and redundancy, managing connectivity, managing slow variables and feedbacks, fostering complex adaptive systems thinking, encouraging learning, broadening participation and the promotion of polycentric governance systems. Ultimately, this paper aims to guide policymakers on actions to restore the Baltic Sea ecosystem resiliency.

2. Baltic Sea Eutrophication Governance

2.1 Eutrophication of the Baltic Sea

Eutrophication is one of the most serious environmental problems plaguing the Baltic Sea. The problem is not new as the Baltic Sea has been designated a eutrophic marine environment since the beginning of the 20th century [3]. The entire Baltic Sea is considered affected by eutrophication, with the sole exception of the open Bothnian Bay [4]. This is driven by

anthropogenic inputs of the nutrients nitrogen and phosphorus from the large catchment area of more than 1 700 000 square km [5]. The population density varies from less than 1 person per square km in the northern and northeastern parts to more than 100 persons per square km in the south and southwestern parts [5]. The land use structure follows the same pattern, a high proportion of farmlands in the eastern, western and southern parts and mainly forests, wetlands and barren mountains in the north [5]. Land based sources of excess nitrogen and phosphorus are the main causes of eutrophication of the Baltic Sea, with approximately 75% of the nitrogen load and at least 95% of phosphorus load enter the Baltic Sea via rivers or waterborne discharges [5]. The remaining 5% of nitrogen load originates from atmospheric depositions [5].

2.2 Eutrophication governance

Governance moves beyond government to include non-state actors and institutions (Hooghe and Marks, 2001) steering activities for eutrophication abatement efforts. Management operationalizes the vision and implements the decisions made by governance actors. Formal Baltic Sea governance efforts evolved into a multi-level governance arrangement with HELCOM. HELCOM moved beyond diplomacy to pollution abatement efforts in the 1990s when it shifted focus to more real-world measures. One example of this was the introduction of pollution 'hot spots' of inadequate wastewater treatment introduced in 1992, which were mostly delisted under HELCOM's Joint Comprehensive Environmental Action Programme [8]. Moving forward, in 2007 the contracting parties (the Coastal states and the EU) signed the Baltic Sea Action Plan (BSAP), which sets out a programme for the achievement of the good ecological status of the Baltic Sea by 2021. Eutrophication is one of the four focus areas, along with biodiversity, hazardous substances and maritime traffic. Under the BSAP, HELCOM set a goal of a Baltic Sea unaffected by eutrophication as evidenced by concentrations of nutrients close to natural levels, clean water, natural level of algal blooms, natural distribution and occurrence of plants and animals and natural oxygen levels [6]. In order to achieve this, the contracting parties agreed to country-wise nutrient reduction requirements set by HELCOM in order to diminish nutrient inputs in each sub-region of the Baltic Sea to the maximum allowable levels [6]. Implementation of these measures is left to each contracting party.

In addition to HELCOM, there are other actors in the Baltic Sea eutrophication governance, some introduced through EU measures. All of the coastal countries with the exception of Russia, are also signatories to several EU directives that have implications for nutrient inputs to the Baltic Sea. These include the Marine Strategy Directive (MSD), the Water Framework Directive (WFD), the Urban Waste Water Treatment Directive (UWWTD), the Nitrates Directive (ND) and the National Emissions Ceilings Directive (NECD). The MSFD aims to achieve good environmental status of the marine environment by 2020 through an integrated cross sectoral approach. These other directives stipulate standards for water quality of surface and ground water, for wastewater treatment, for agriculture and for airborne

emissions of nitrogen oxides and ammonia. The EU has also unveiled a macro-regional strategy for the Baltic Sea, the European Union Strategy for the Baltic Sea Region (EUSBSR) in 2009 with three key objectives to save the sea, connect the region and increase prosperity [9]. For implementation, the Action plan contains thirteen policy areas (PA) and four horizontal actions (HA), under which a number of flagship projects have been funded.

Other actors in Baltic Sea governance include municipalities and non-governmental organizations. Organizations such as the Union of Baltic Cities (UBC) serves as a common forum for cities to address Baltic Sea matters, such as sharing of agricultural best practices to reduce nutrient input into the Baltic Sea. A lot of these organizations have applied for and achieved observer status to HELCOM, which gains them the right to attend HELCOM meetings but not to take part in the decision making process. A comprehensive list of these organizations can be found on HELCOM's website.

3. Methodology

3.1 Theoretical Framework - Social Ecological Systems, Ecosystem Services and resiliency

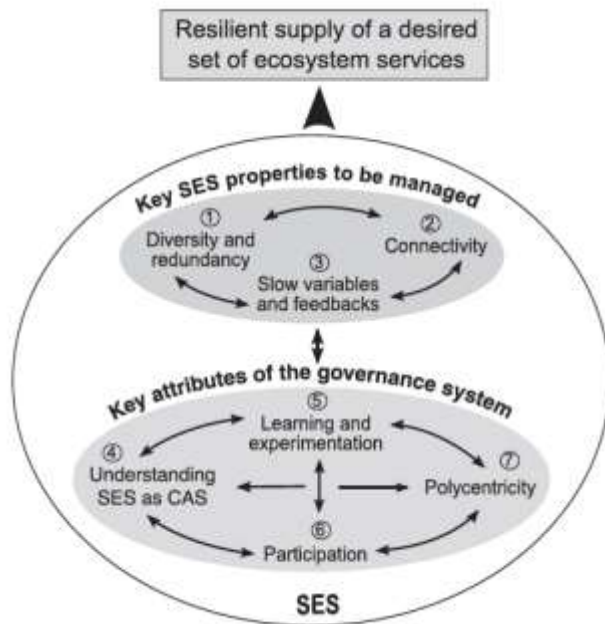
Whilst the literature speaks to water governance, it is really the governance of human actions that impact water resources. The concept of social-ecological system (SES) was introduced to capture the process linking humans, the environment, and the feedback system between them; SES places equal emphasis on the resource to be managed and the social institutions impacting and impacted by the resource [10]. SES are complex adaptive systems (CAS), or self organizing systems that can change and reorganize in response to a stressor, such as nutrient enrichment. Under the lens of eutrophication, as an example, agricultural practices result in nutrient leaching into the Baltic Sea impacting its ecosystem, resulting in the growth of algae and affecting the recreational value of the Sea and the ability of fish to survive in the Sea. The recreational value of the Sea and the ability of fish to survive and thus be available for fishing, are called ecosystem services (ES). ES are the benefits people derive from an ecosystem and they include provisioning services such as food and water, regulating services that affect climate such as floods, diseases, wastes and water quality and cultural services that provide recreational, aesthetic and spiritual benefits and supporting services such as soil formation, photosynthesis and nutrient cycling [11]. A resilient Baltic Sea ecosystem unaffected by eutrophication will be providing ecosystem services such as food (fish), recreation (boating, habitat for cottages, swimming), aesthetics value and commercial value of shipping unaffected by eutrophication.

Whilst engineering has conceptualized resiliency as the reestablishment of a disturbed system back to a preferred and restored steady state, ecological resiliency refers to a concept of multiple steady states and a bouncing forward under disturbance to a new steady state. Under the latter lens, the resilience of a natural system such as the Baltic Sea is defined as "a measure of the ability of the system to absorb a change of state variables, driving variables and parameters and still persist" [12, p17]. Seen through this lens, resiliency embraces variability,

redundancy, and learning and focuses on policy that allows the system to embrace change, rather than controlling it [13].

3.2 Principles for enhancing resiliency

This paper uses principles for enhancing resiliency developed by the Stockholm Environmental Institute (SEI), developed by a literature review and enhanced through key informant interviews with experts and by experts. These principles are as follows: (P1) maintain diversity and redundancy, (P2) manage connectivity, (P3) manage slow variables and feedbacks, (P4) foster an understanding of SES as complex adaptive systems (CAS), (P5) encourage learning and experimentation, (P6) broaden participation, and (P7) promote polycentric governance systems [2] (Figure 2).



(a)

Figure 2. This is a figure showing the seven principles for enhancing resiliency of a SES system, grouped into those that relate to generic social-ecological system (SES) properties to be managed and those that relate to key properties of the SES governance [2]

3.2.1 (P1) Maintain diversity and redundancy

In a Social-Ecological System (SES) such as the Baltic Sea ecosystem, elements of the system can exhibit diversity such as the population, cultural groups, livelihoods, landscape, and governance institutions. These elements provide different options for responding to changes such as nutrient enrichment and dealing with uncertainty and surprise. Whilst diversity includes variety (how many elements), it also encompasses balance (how many of each element), and disparity (how each element differs from the other)[14]. Ecosystem services such as recreational value and aesthetics are produced by many SES elements, each with

different reaction to stressors due to physical characteristics, different timings, or different spatial scales; this variety allows some system elements to persist through disturbances, continuing to provide ecosystem services [2]. A related principle, redundancy refers to the replication of each of these elements or pathways in the system [15]. It allows some system elements to compensate for the loss of others [2].

3.2.2 (P2) Manage connectivity

Connectivity refers to the nature of connections between individual elements of the social-ecological system. It is defined by the way and degree with which resources, ecosystem elements and actors interact across patches, habitats or social domains the SES [2]. The structure (presence or absence of links between components) or strength (intensity) of connections between nodes (system elements such as landscapes, actors, patches) determines the effect of connectivity on resilience [2]. Structure in the eutrophication governance network can refer to the communication channels between HELCOM actors and EUSBSR actors whilst strength would refer to the frequency of interactions such as meetings and phone calls amongst these actors to discuss eutrophication of the Baltic Sea issues.

3.2.3 (P3) Manage slow variables and feedbacks

The presence of algae in the Baltic Sea is linked to slowly changing variables such as phosphorus content of the bottom sediments, which can be connected to the amount of phosphates applied to fields in the watershed. The underlying structure of the SES is determined by slow variables, but the functioning of the SES arises from connections and feedbacks between fast variables that respond to conditions created by slow variables [2]. Feedbacks are the two-way connections that loops variables that can either reinforce (positive feedback) or dampen (negative feedback) the effects of stressors on the system [2]. An example of positive feedback in eutrophication governance is the introduction of non-governmental actors into the decision making process, who then introduce their networks into the governance, leading to more communication and flexible decision making structures. An example of dampening feedback in eutrophication governance is monitoring information that reveals that too much phosphorus is entering the Sea, which leads to adjustment of fertilizer applied to the fields, which leads to reduced runoff into the fields.

3.2.4 (P4) Foster an understanding of SES as complex adaptive systems (CAS)

Eutrophication can be described as a wicked problem, where knowledge is incomplete and actor values can be conflicting. A complex adaptive systems (CAS) approach means that key actors such as scientists, managers and decision makers understand that several connections can be occurring simultaneously and at different scales [2]. For eutrophication governance, in order to build resilience and continue providing ecosystem services, it means that the unpredictability and uncertainty of the SES is acknowledged and that a number of different viewpoints are considered in the governance process. This means building management systems that accommodate uncertainty through learning and experimentation, rather than

trying to eliminate it. Resilience is enhanced through this principle through integrated approaches that acknowledge the importance of slow variables, lags and feedbacks in the SES system.

3.2.5 (P5) Encourage learning and experimentation

Learning refers to “the process of modifying existing or acquiring new knowledge, behaviors, skills, values or preferences” [2, p494]. For eutrophication of the Baltic Sea, knowledge is always incomplete or changing. The phosphorus loading of the Sea changes as does the amount of fertilizers that runoff from crops or the loading of phosphorus in wastewater from sewage treatment plants. Constantly monitoring and incorporating this new knowledge into simulation models means that there is a greater chance to represent reality, leading to solutions that can be implemented easily. When different types of knowledge are appreciated and incorporated into the decision making process, it leads to more buy in of the information, a greater system flexibility leading to more experimentation and risk taking. Learning can occur at multiple levels, leading to different ways of enhancing resilience. Single loop learning involves asking the question, are we doing the right things (changes can be made through changes in skills, practices) while double loop learning involves asking the question, are we doing the right things (e.g. considering the impact of nutrient enrichment measures) and finally, triple loop learning involves asking the question, how do we know the right thing to do is this (questions of values and norms are considered) [2].

3.2.6 P6) Broaden participation

Participation by different stakeholders can involve a range of actions from sharing information to being part of the decision making process. Participation refers to the active engagement of relevant actors in the governance process [16]. The participation of a diverse group of stakeholders in eutrophication governance can lead to more acceptance of new regulations, to more monitoring actions at different levels of stakeholders, aid in understanding of the feedback systems that lead to eutrophication. It can also improve the ability to detect and interpret instances of shocks to the system that are e.g. associated with heavy precipitation events. Participation leads to increased collaboration, accountability, and the improved ability to incorporate knowledge into the decision making process [2]. Knowledge of actors such as farmers can be helpful in defining loading limits and implementation measures for nutrient abatement that are realistic and hence, stand a greater chance of being effective.

3.2.7 (P7) Promote polycentric governance systems

Polycentric governance refers to a governing system that has multiple centers of power (polycentric) rather than one decision making authority (monocentric) and is better able to cope with change and uncertainty [17]. Under a polycentric governance system, issues at different geographic scopes can be managed at different scales, leading to greater overlap and redundancy that increases resilience of the system [17]. This is different from multi-level

governance which involves different stakeholders at all levels whereas polycentric governance implies the presence of a network of different governance structures that facilitates choice alternatives. Polycentric governance is characterized by dialogue and steering by groups with differing sources of legitimacy, and may be practiced through different organizational types e.g. government department, river basin units, nongovernmental organization etc. [2]. In such systems, each governance unit has autonomy within a demarcated geographic location, and can link with others horizontally on common issues and be nested within broader governance units vertically [2]. Such broader levels of governance can step up when other levels fail.

3.3 Data Sources

This study relies on document analysis of key documents including reports of key Baltic Sea Organizations such HELCOM, the EU and academic literature.

4. Results and Discussion

This section analyzes the seven principles for building the resiliency of social-ecological systems by focusing in on the Baltic Sea eutrophication governance. Each of the seven principles will be discussed as follows: maintaining diversity and redundancy, managing connectivity, managing slow variables and feedbacks, fostering complex adaptive systems thinking, encouraging learning, broadening participation and the promotion of polycentric governance systems [2] (see figure 1).

4.1. *Maintaining diversity and redundancy*

Since the initial signing of the Convention for the Protection of the Baltic Sea Marine Environment in 1974 (Helsinki Convention), which included only coastal countries, the governance of the Baltic Sea eutrophication has extended to include non-governmental actors. HELCOM has a formal system of registering observers, organizations that can contribute to matters dealt with by HELCOM. However, not all interested parties can be granted observer status. In addition to contributing to HELCOM's mandate, the organization must have a formal structure and must have membership in a wide number of Baltic Coastal States or can be a country that is invited by HELCOM to be an observer [18]. Observers are grouped into two categories; governments and intergovernmental organizations and international non-governmental organizations.

The observers which fall under the governments and intergovernmental organizations are as follows[18]: Government of Belarus, Government of Ukraine, Intergovernmental Agreement on the Conservation of Small Cetaceans of the Baltic North Sea (ASCOBANS), Baltic 21-An agenda for the Baltic Sea Region, Baltic Pilotage Authorities Commission (BPAC), Baltic Sea Parliamentary Conference (BSPC), Baltic Sea Commission (BSC), Boon Agreement, The Great Lakes Commission, Intergovernmental Oceanographic Commission (IOC) of UNESCO, International Atomic Energy Agency (IAEA), International Council for the Exploration of the Sea (ICES), International Maritime Organization (IMO), Oslo and Paris Commissions (OSPAR), United Nations Environment Programme (UNEP), UNEP/African Eurasian

Waterbird Agreement (AEWA), United Nations Economic Commission for Europe (UNECE), Whole Health Organization Regional Office for Europe and the World Meteorological Organization. By including national governments that are not coastal countries, a diversity of views is being entertained by HELCOM and this can lead to different ways of looking at the same issue and innovative problem solving by tapping on different strengths. As noted here, diverse organizations even from outside the region such as the Great Lakes Commission signals the intention to learn from other regions of the world, which is good for building resiliency. However, there is a notable absence of the Food and Agricultural Association (FAO), a specialized agency of the United Nations that aims to achieve food security by supporting countries through capacity building, information sharing, policy transfer, strengthening political will and supporting the transition to sustainable agriculture. Since all the Baltic Sea countries are members of FAO, this organization should be an ally in nutrient reduction measures by agriculture.

The observers that fall under the category of international non-governmental organizations include[18]: Baltic Farmers' Forum on Environment (BFFE), Baltic Operational Oceanographic System – BOOS, Baltic Ports Organisation (BPO), Baltic Sea Advisory Council (BSAC), Baltic Sea Forum (BSF), Baltic Sea States Subregional Co-operation (BSSSC), BirdLife International, BONUS Baltic Organizations' Network for Funding Science (BONUS EEIG), CEFIC, Coalition Clean Baltic (CCB), Conference of Peripheral Maritime Regions of Europe - Baltic Sea Commission (CPMR), European Anglers Alliance (EAA), European Boating Association (EBA), European Chlor-Alkali Industry (EURO CHLOR), European Community Shipowners' Association (ECSA), Cruise Lines International Association Europe (CLIA Europe, former European Cruise Council (ECC)), European Dredging Association (EuDA), European Network of Freshwater Research Organizations (EurAqua), Fertilizers Europe, European Sea Ports Organisation (ESPO), The Coastal and Marine Union (EUCC), EUREAU (European Federation of National Associations of Water and Wastewater Services), Federation of European Aquaculture Producers (FEAP), Federation of European Private Port Operators (Feport), Global Water Partnership Central and Eastern Europe, Interferry, INTERTANKO, International Association of Oil and Gas Producers (OGP), International Chamber of Shipping (ICS), International Dialogue on Underwater Munitions (IDUM), John Nurminen Foundation (JNF), Local Authorities International Environmental Organisation (KIMO International), Low Impact Fishers of Europe (LIFE), Marine Stewardship Council (MSC), Nordic Hunters' Alliance (NHA), Oceana, PlasticsEurope, Sea Alarm Foundation, Union of the Baltic Cities (UBC), World Wide Fund for Nature (WWF). This list represents a variety of organizational forms such as NGOs, community groups, international organizations, representing a multitude of interests that directly and indirectly impact nutrient enrichment of the Baltic Sea. Representation includes membership of farmers, oceanographers, shipping, fishers, wastewater operators, all of whom have the potential to provide redundancy as they can overlap in function when it comes to protecting the Baltic Sea from nutrient enrichment, and provide a diversity of responses because of their different sizes, cultures,

funding mechanisms and internal structures which can respond differently to social, economic and political challenges. However, it is noted that Russia is a missing actor in most of these organizations, limiting a key player in Baltic Sea nutrient enrichment. Inclusion of Russia in key organizations has the potential to make them more effective at representing the entire Baltic Sea Region, increasing diversity further.

4.2 Managing Connectivity

One of the first steps in managing connectivity is the mapping of the relevant parts and their interactions. This was done in a study evaluating 23 catchment factors that determine total phosphorus and total nitrogen loading to the Baltic Sea using standard correlation and clustering which found that the number of pigs and the human population per Wastewater Treatment Plant per square km were positively related to phosphorus and nitrogen loading [19]. The number of inhabitations connected to the wastewater treatment plant is better correlated to nutrient loads rather than general population density, indicating that correct operating of the plant is important for nutrient reductions [19]. This study also found that the area under cultivation and the number of cattle influences nitrogen rather than phosphorus load and that the area of forests positively impacts load reductions of both nutrients. Trees are important for nutrient immobilization and across Europe, recognizing the impact of forest fertilization on nutrient loading, this practice has been reduced considerably since the 1980s [19]. Measures such as a decline in forest drainage schemes and buffer strips along streams and lakes and modified clear cutting methods have been successful in reducing nutrient losses from commercial forests [20].

Connectivity of social actors in the Baltic Sea system can improve resilience through improved governance opportunities. All but one (Russia) of the Baltic Sea coastal countries are EU members, making them signatories to multiple legislations that have direct repercussions for Baltic Sea policy and management. The EU strategy for the Baltic Sea region (EUSBSR) is an attempt to integrate and enhance cooperation of EU member states in the Baltic Sea region (Germany, Denmark, Sweden, Finland, Estonia, Poland, Latvia, Lithuania) through collaboration on thirteen policy areas (PA) and four horizontal actions (HA). These are captured under three main headings of saving the sea, connecting the region and increasing prosperity. The process of developing the EUSBSR included consultations with the public, which increased information sharing and had the potential to build trust and legitimacy of the strategy. Contributions were received from one hundred sources including member states, regions, non-governmental and international organizations, the Stockholm conference and four round tables at Kaunas, Gdansk, Copenhagen and Helsinki, a Youth Conference in Hamburg and almost one hundred organizations and individuals who responded to an online consultation [20]. These consultations revealed key themes emerging from stakeholders including; recognition of the need for the strategy, recognition of the need for an integrated approach to overcome obstacles, the important role of the Commission in developing and oversight of the strategy, including coordination of the many partners, the need for actions to

be followed by concrete impact on the ground, no new institutions and no declarations without assigned actions [20]. The policy area, PA Nutri aims at reducing nutrient inputs to the Baltic Sea to acceptable levels. One achievement of PA Nutri was the organization of a stakeholder seminar 'Reducing nutrient inputs to the Baltic Sea – how to strengthen project partnership in the region, on April 14 2016; this forum provided a good forum for cooperation and interviewed stakeholders confirmed that more cooperation has been developed on water projects [21].

Despite this progress, there has been a number of challenges related to the large number of institutions and organizations in the region. One of the key challenges relates to the functional division of labour amongst the numerous organizations (such as CBSS, UBC, BSSSC, the Nordic Council etc.), a function that the EU cannot accomplish although it is an observer to many of these organizations [22]. The EUSBSR benefits from the institutional density but it is also one of its major challenges. This problem can be traced to unclear agendas and directives of some of the collaborations, a natural consequence of the intergovernmental nature of the institutions where issues are added to be addressed, eroding the mandate of the organization [22]. In order to increase the efficiency of the strategy, there is a recommendation to narrow its scope to channel political energy on specific tasks [22]. Another notable challenge is the absence of Russia from the strategy, as it is the only littoral country that is not a member of the EU.

4.3 Managing Slow Variables and Feedback

There are many different ways in which the Baltic Sea ecosystem can be configured, many ways in which the variables can be connected and interact with one another to reduce nutrient enrichment and hence, enhance ecosystem services. One way of reducing anthropogenic nutrient enrichment from landscape involves the implementation of solutions based on Ecohydrology (scientific basis of hydrology/biota interactions in the catchment, using a systemic framework on how to use ecosystem processes in integrated water resources management), solutions such as closing the water and nutrient cycles and enhancing retention of nutrients on the land [23]. Under this approach, load reductions should be made in river catchments through the enhancement of mosaic catchments, especially where diffuse pollution load is highest. Phosphorus downstream in rivers is transported in particulate form, and the seasonality of phosphorus export increases down the river continuum [24]. Diversified plant community mosaics have the highest potential for nutrient assimilation and as such, the rehabilitation of forest and rush mosaics in river valleys based on native species should be implemented [25]. The annual phosphorus retention in meadows and rushes vegetation of the lowland river floodplain is over 10kg/ha/yr., a figure that has the potential to reduce the phosphorus load on the Baltic Sea by over 10% and can be improved by biomass sequential cropping [25].

The construction of reservoirs is another strategy that can reduce nutrient and micropollutant loads from river catchments for reservoirs act as sinks for contaminants due to the decreased flow (sedimentation further enhanced with flocculants) [26] [27]. A 45% of suspended particulate matter, 28% of total phosphorus and a 34% reduction of total nitrogen was achieved in water outflow from the Sulje W Reservoir in central Poland [26]. These results show that reservoirs are effective for the retention of nutrients and suspended particulate matter, with the processes in reservoirs having the potential to improve the river ecosystem below the reservoir and reduce the impact of nutrients on the coastal area [27]. There are potential downsides to reservoirs including hydrologic modifications and the eutrophication of reservoirs, which is a major ecological problem of surface waters [28]. There are always costs for large environmental improvements but there are low cost alternatives including wetland restoration, reductions in fertilizer use, improved manure management, improved wastewater treatment and phosphate reductions in detergents [29].

Another key area of importance in managing slow variables and feedbacks to improve resiliency of the Baltic Sea to nutrient enrichment is the internal nutrient of the Baltic Sea. HELCOM has reported decreased nutrient inputs to the Baltic Sea since the 1980s, but this has not resulted in corresponding decline in the eutrophied state of the Baltic Sea [4]. Since the 2003-2007 assessment periods, signs of declining nutrient levels were observed in the Kattegat, Bornholm Basin, Eastern Gotland Basin, Northern Baltic Proper and the Gulf of Riga, but no signs of decline in chlorophyll trends [4]. There are increasing nutrient levels observed in Western Gotland Basin, Eastern Gotland Basin, and the Gulf of Finland and the Bothnian Sea [4]. The abatement of eutrophication of the Baltic Sea is slowed down by the long residence time in the Baltic Sea, as well as feedback mechanism that release phosphorus from oxygen depleted sediments and also due to the prevalence of blooms of nitrogen fixing cyanobacteria in the main sub basins of the Baltic Sea [4]. Characteristics of the Baltic Sea restrict the mixing of the water, making the problem worse.

4.4 Fostering Complex Adaptive Systems Thinking

The complex adaptive systems (CAS) thinking approach implies the acceptance of uncertainty and unpredictability and the acceptance of multiple perspectives, accepting several connections at the same time at different levels. By inviting observers to its meetings, HELCOM is inviting a diversity of perspectives to inform its mandate. However, the exclusion of Russia from many EU strategies and directives such as the EUSBSR introduces greater uncertainty and barriers to responding to changes in the environment promptly. HELCOM also conducts research for scientific legitimacy of its recommendations but there is no means of evaluating the implementation by its members, other than self-reporting. This limits the ability to evaluate and modify the programs for more efficiency and effectiveness. Also, by not incorporating a flexible loading reduction target in its Baltic Sea Action Plan (BSAP), HELCOM is not accepting uncertainty and change as a natural part of the wicked problem of eutrophication. HELCOM should utilize scenario planning with its members to explore and

evaluate alternative development and nutrient reduction pathways and assess the consequences of each action. It should also examine critical thresholds of nutrient loadings that lead to eutrophication, considering system boundaries and thresholds for more effective nutrient reduction measures. Participatory science should be used to develop understanding of the interacting drivers of eutrophication.

4.5 Encouraging Learning

HELCOM is recognized by stakeholders in the region as the scientific leader on Baltic Sea matters. The BSAP is based on results from engineering models, based on scientific inputs. However, much is still to be done to improve knowledge of the system for improved nutrient management measures. There are still a lot of unknowns about internal loading of nutrients in the Baltic Sea, which contributes to the debate of whether nutrient reductions should be inland or in the sea, and this has received much attention in the media in Finland [30]. There is general agreement by HELCOM and most of the literature that both external nitrogen and phosphorus should be reduced to reduce algal blooms but some scientists have also suggested that nitrogen loads should not be limited in order to cut down summertime eutrophication [31]. These scientists believe that due to the uncertainties related to the nitrogen cycle and the cost effectiveness of nitrogen reduction efforts, nutrient reduction measures should focus on phosphorus [31]. They argue that the lower nitrogen concentrations may increase the risk of cyanobacterial blooms, that laboratory experiments do not provide adequate information to guide decision makers and in the long term, phosphorus is limiting primary production [31].

HELCOM has used the NEST model to develop loading targets for the BSAP. According to HELCOM, the total annual cost of implementation of the BSAP is EUR 3 billion [6]. However, it has been criticized for lack of incorporation of cost of implementation with the loading targets [32]. More research is needed to incorporate costing or economic measures into ecosystem models, whilst incorporating a long time perspective and uncertainty [32]. This would also help with implementation measures, as economically less well off countries would have better incentives for implementation measures, as the BSAP and Helsinki Convention are non-binding agreements. The large differences in loading reductions required by member countries leads to significant differences in nutrient reduction costs. Countries such as Russia and Poland with the largest nitrogen and phosphorus reduction targets respectively, face large costs and not corresponding benefits. Further research incorporating socio-economic analysis should also include research on nutrient trading schemes.

4.6 Broadening Participation

Participation through active engagement of eutrophication stakeholders helps to build trust and relationships needed to improve the legitimacy of knowledge and authority during decision making processes. Incorporating members of the public and public organizations into its meetings as formal observers is one step in the engagement of the public in Baltic Sea matters. However, the process of selecting these observers ensures that only organizations that “can contribute to matters dealt with by HELCOM, that it has a membership in a wide number

of the Baltic Coastal States and an organised internal structure” can be granted observer status [18]. This process excludes key stakeholders who do not have presence in all the Baltic Sea states, such as local farmers associations. Whilst the Baltic Farmers Forum on the Environment is listed as an international non-governmental organization observer, clicking on the link to its website shows that it is a federation of Swedish farmers, and not representing farmers in the entire Baltic Sea region. Further, whilst members of the public can be invited as observers, they have no permanent seat at the table and hence, no direct voice in the decision making process. Involving groups such as farmers into the decision making process means adding perspectives from the field that can lead to greater understanding of the complex interactions in the ecosystem and also lead to greater acceptance of measures recommended by HELCOM.

4.7 The Promotion of Polycentric Governance Systems

Polycentric governance systems in eutrophication governance imply the presence of a network of different governance structures that facilitate choice alternatives for nutrient reduction measures. It can be argued that the EUSBSR Nutri group and the HELCOM Agri sub groups are steering groups with different levels of legitimacy and as such, represent elements of a polycentric governance system. The EUSBSR Nutri group’s legitimacy is rooted in the EUSBSR, which is a macro-regional strategy of the EU and hence represent a binding commitment. On the other hand, the HELCOM Agri group, which is presented as a temporary group on HELCOM’s organizational chart to deal with sustainable agricultural practices, is rooted in voluntary implementation of measures and trust. Another example of polycentric governance is the steering by the John Nurminen Foundation, a nongovernmental organization that together with the government of Finland funded and implemented a project in collaboration with St. Petersburg. This project upgraded key Wastewater treatment plants, resulting in the reduction of 1700 tonnes (70%) from 2004, signifying a reduction of almost 30% of phosphorus load into the Gulf of Finland [33]. This represents a polycentric governance system, as it harnessed existing governance structures to facilitate financing alternatives. It harnessed the relationship established by the Finnish Ministry of Environment with the St. Petersburg water utility since 1991, helping in the improvement of sewerage treatment and basic infrastructure of wastewater treatment. The John Nurminen Foundation signed an agreement for the improvement of phosphorus efficiency at the central, southwestern and northern water treatment plants of St. Petersburg. Utilizing its strength in coordination and planning the John Nurminen Foundation led the technical planning of the investment and the coordination of the Finnish and Russian planning work. The Finnish Ministry of the Environment, the Swedish International Development Co-operation Agency (SIDA) and the John Nurminen Foundation participated in the financing of the project, the latter to the tune of 2.5 million euros [33].

The EUSBSR aims to mobilise all EU funding and policies and coordinate actions of the EU, EU countries, regions, pan-Baltic organizations, financing institutions and non-governmental bodies for a well connected, environmentally sustainable and a prosperous

region. Its governance structure holds the promise of polycentric governance, as there are multiple centres of authority. However, in practice, it is a two tiered governance arrangement with the European Commission as the overall coordinator and the coordination of priority areas the remit of different member states. This governance system places the Commission in a vulnerable position and implies that some countries are more central to the implementation of the strategy than others. This results in a situation where countries that are most in need of successful implementation are the ones least involved in the steering of the strategy [22]. This problem could have been less important if there were an overall entity in charge of the strategy. The Commission is unable to offer solutions to align policies and funding at various levels of governance (EU, national, Sub-national), and promoting accountability in implementation [22]. In a commission whose priorities include security and migration policies, its role in governance of the strategy to monitor implementation and assure future direction is challenging [22]. This can also be solved through the appointment of an entity in charge of the overall strategy.

5. Conclusions

This paper examined the governance for a resilient Baltic Sea ecosystem to nutrient enrichment, so that ecosystem services such as recreation, aesthetics and fishing can be preserved. It investigated how the interacting systems of actors and the Baltic Sea environment is governed to ensure resiliency to eutrophication, so that there is continued provision of ecosystem services. It examined Baltic Sea eutrophication governance thorough the seven pillars of building resiliency as found in the literature: maintaining diversity and redundancy, managing connectivity, managing slow variables and feedbacks, fostering complex adaptive systems thinking, encouraging learning, broadening participation and the promotion of polycentric governance systems. Whilst diversity is encouraged through the invitation of observers to HELCOM's processes, there is not inclusion of key groups such as farmers to ensure that traditional sources of knowledge are incorporated into the governance process. Greater diversity of knowledge needs to be incorporated into the governance system by giving the public a permanent seat on the organizational chart of HELCOM. Whilst the EUSBSR aims to connect the region, this connectivity and promise of polycentric governance system needs to be implemented through stronger leadership, or the presence of an overall coordinator other than the European Commission. As such, the governance system of the Baltic Sea eutrophication governance needs to change from a multilevel governance system to a polycentric governance system to better cope with the uncertainty and hence, to build resiliency to nutrient enrichment.

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The Existence of Extra-Judicial Committees Beyond the Judicial Branch in the Saudi Arabian System: Is Ending the Committee Approach Consistent with Judicial Independence?

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ABSTRACT

The independence of the judiciary is a core concept in various international documents concerning justice and human rights, and the mission of considering and resolving the issues involved in various disputes is solely a task for the judiciary as an independent state authority. The judiciary, and the judicial bodies that consider different cases, must have a degree of independence from other state authorities; similarly, the individual judges who decide cases should have the same degree of independence. Even though there are clear provisions in Saudi Arabian law that protect the independence of the components of the judicial branch, there are many *extra-judicial committees* that do not fall under the judicial authority and therefore do not have this protection. Due to their location under the executive authority and outside of the judiciary, these committees lack the independence provided by law for the judiciary authority and judges. Moreover, the existence of such bodies is completely contrary to the right of the judiciary branch to exercise its competence as an authority over all judicial issues and violations. This article highlights the provisions that protect the judicial branch's independence, which are in line with the various international documents standards, and the fact that these committees and their members do not have such protections. The article tries to explain the importance of ending the committee approach, and why ending this approach is consistent with judicial independence.

Keywords: Judicial Independence, Extra-Judicial Committees

I. Introduction

Judicial independence makes a system work effectively and increases the opportunity for litigants to receive fairness and justice. Without independence, judges cannot properly consider and resolve different disputes, due to interference and influence that may adversely affect judicial representatives and institutions.

This concept is a well-settled constitutional principle in many countries, so the state must ensure the independence of judges as members of a separate and distinct authority.³⁰ Many countries have constitutions and laws that are solidly confirmed on the independence of the judiciary.³¹ But in some other countries, the actual practices go in the opposite direction to the legislative acts which protect

³⁰ Mohammed K. Obeid, *The Independence of the Judiciary -Comparative Study*, at 16-17 (Dar Alfikr Alarabi, Cairo, Egypt, 2012).

³¹ Mohamed N. Shehata, *The Independence of the Judiciary from the International, Arabic, and Islamic Points of View*, at 11 (Dar Alnahda Alarabia, Cairo, Egypt, 1987).

judicial independence, through methods such as improper influence on judicial decisions, the establishment of extra-judicial bodies that are not under the umbrella of the judiciary, and other such practices. Developing countries in general, and Arabian Middle Eastern countries in particular, are a good example of this phenomenon.³²

The Saudi judicial system technically has this independence. The judicial authority is divided between the two bodies. First, the Judiciary ordinary courts, which have general jurisdiction over civil, commercial, and criminal disputes, are organized under the Judiciary Law of 2007. Second, there is the Board of Grievances, an administrative judicial body which is organized by the Board of Grievance Law of 2007.³³ Beyond these two main bodies, there are many *extra-judicial committees* that are directly under executive authority.³⁴ In addition to very specific types of civil and criminal disputes, these bodies also exercise jurisdiction over many financial and economic matters. These bodies were created for historical reasons,³⁵ and the regulator has repeatedly tried to reduce the reliance on this approach.³⁶

It is difficult for bodies which do not belong to the judicial branch, such as the *extra-judicial committees*, to effectively exercise a judicial function as bodies that are outside of the judiciary and under the executive authority, simply because they do not have the independence provided by law for the judiciary.

³² *Id.* at 280; *see also*, Obeid, *supra* note 1, at 805.

³³ For more information *see* Abdullah F. Ansary, *A Brief Overview of the Saudi Arabian Legal System*, GlobaLex (Aug. 2015), http://www.nyulawglobal.org/globalex/Saudi_Arabia1.html.

³⁴ In the Kingdom, there are dozens of *extra-judicial committees* which essentially operate as components of the executive authority to consider commercial, criminal and civil cases. Such bodies have no official designation, and are commonly referred to as quasi-judicial committees, quasi-judicial administrative committees, judicial committees, and administrative committees with judicial jurisdiction. These bodies carry out judicial functions, although not all the decisions that emerge from these committees are appealable before a judicial body. The Board of Grievances, as an administrative judicial body, has appellate jurisdiction over many of these bodies' decisions. With regard to some other committees, the Board of Grievances lacks this power, and these committees' decisions are unappealable before any judicial branch components. All these committees have two levels of litigation. The remainder of this paper will refer to these bodies as *extra-judicial committees*, since they are established outside the judicial branch's body.

³⁵ *Extra-judicial committees* abound in the Saudi system, largely due to the country's economic and social evolution in recent decades. In fact, due to issuing many different kinds of laws to keep pace with this evolution, the regulator created many committees outside the judicial branch to consider the disputes which arise from applying these laws, possibly because, in the past, the courts lacked the capacity to accommodate all of these new different issues. Importantly, the courts hesitated, at that time, to apply laws that issued from the regulator due to possible Shari'ah violations. Also, the courts have hesitated to consider some cases, specifically, because of the possibility of violation of Shari'ah rules, such as some banking issues and insurance issues. *See*, Ayoub M. Aljarbou, *The Role of Traditionalists and Modernists on the Development of the Saudi Legal System*, 21 Arab Law Quarterly (ISSUE no. 3) 191, 202-03 (2007); *see also*, Omar F. Al Khouli, *Shadow Judiciary: The Hidden Courts*, at 8-9 (Saudi Center for Legal Studies and Researches, Jeddah, Saudi Arabia, 1st ed. 2010); *see also*, Ahmed A. Alghadyan, *The Judiciary in Saudi Arabia*, 13 Arab Law Quarterly (ISSUE no. 3) 235, 246-47 (1998); *see also*, Ahmed S. Makhoulouf, *The Mediator in Explaining the New Judicial Organization in Saudi Arabia*, at 169 (Institute of Public Administration, Saudi Arabia, 2013).

³⁶ In this article, the "regulator" refers to the Council of Ministries, which is headed by the King and holds the regulatory and executive powers in the Kingdom.

Furthermore, the existence of such bodies is completely contrary to the right of the judiciary branch to exercise its competence over all judicial issues and violations, an ability that is guaranteed by the Basic Law, which is the highest law in the country. Specifically, the Basic Law gives the Judiciary courts the right to consider all disputes and crimes, aside from the jurisdiction of the Board of Grievances as another body in the judicial structure.³⁷ Although the Saudi system is generally in line with the various international documents that supporting the independence of the judiciary, this situation is also contrary to the third principle of the Basic Principles on the Independence of the Judiciary, which states that the judicial branch has “exclusive” jurisdiction over “all issues of a judicial nature.”³⁸

II. Judicial Independence in the Saudi System and its Compatibility with International Standards

The different laws in the Saudi legal system provide clear provisions which protect the independence of the courts and judges as members of these judicial bodies, including the Basic Law of Governance, the current Judiciary Law, and the Law of Board of Grievances, which was issued in 2007.

The various provisions in Saudi laws reflect the approach of the different international documents that contain the rules which ensure the independence of the judiciary, in order to strengthen the administration of justice. Article 46 of the Basic Law of Governance approved this meaning by stressing the independence of the judiciary authority. Taking the same step, the new Judiciary Law begins in its first Article by stressing the independence of the judges, and further confirming that “No one may interfere with the Judiciary.”³⁹ As well, the first Article of the Board of Grievances Law confirms that the Board “is an independent administrative judicial body.”⁴⁰

These provisions in Saudi laws are also in line with the contents of different international documents. One of these documents is the Universal Declaration of Human Rights, which confirms, in Article 10, the importance of a fair hearing before an independent and impartial court to determine the nature of “his rights and obligations and of any criminal charge against him.”⁴¹ Additionally, the Arab Charter on Human Rights of 2004 is important as well. The text of this instrument emphasizes independence of the judiciary branch and judges. The Charter stressed the importance of judicial independence. Indeed, the Charter highlights, in Article 12, that the member states must insure the independence of this branch and protect the judges as members of this authority from any interference, pressure, or threats.⁴²

³⁷ The Basic Law of Governance, Royal Order No. A/90 of 1412 [1992], arts. 49 & 53 (Saudi Arabia).

³⁸ Basic Principles on the Independence of the Judiciary, Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, 26 Aug. to 6 Sept. 1985, Milan, U.N. Doc. A/CONF.121/22/Rev.1 at 59 (1985).

³⁹ The New Law of Judiciary, Royal Decree No. M/78 of 1428 [2007], art. 1 (Saudi Arabia).

⁴⁰ The New Law of Board of Grievances, Royal Decree No. M/78 of 1428 [2007], art. 1 (Saudi Arabia).

⁴¹ Universal Declaration of Human Rights, G.A. Res. 217 (III) A, U.N. Doc. A/RES/217(III) (Dec. 10, 1948).

⁴² Arab Charter on Human Rights, League of Arab States, adopted by the League Council Resolution No. 270, May 23, 2004, entered into force Mar. 15, 2008, *available at* <http://www.lasportal.org/ar/legalnetwork/Pages/arabcharter.aspx>.

Moreover, the Kingdom's legal provisions regarding independence are consistent with the first principle of the Basic Principles on the Independence of the Judiciary, a significant United Nations document which pertains specifically to judicial independence. It stressed the importance of respecting the country's institutions, such as the independence of the judiciary and the obligation of the state to ensure independence of their judiciary in both its constitution and its other laws.⁴³

In addition, the Saudi Judiciary Law's provisions give the Supreme Judicial Council many supervisory powers over the judicial authority.⁴⁴ Importantly, it has the authority to organize the courts and judicial affairs to guarantee the independence of the judiciary and its members.⁴⁵ Similarly, the Board of Grievances Law gives the Administrative Judicial Council,⁴⁶ which is equal with the Supreme Judicial Council in terms of its authority, both supervisory and administrative powers over the Boards' courts and judges to protect their independence.⁴⁷

Next, as for the members of the judiciary authority, Saudi laws also provide independence for judges in different provisions. On the top of these laws, the Basic Law of Governance stressed that "There shall be no power over judges in their judicial function other than the power of Islamic Shari'ah."⁴⁸ The Judiciary Law echoed this same idea, when it states that judges are independent from any authorities except Shari'ah and any other laws then in force.⁴⁹ Moreover, the Board of Grievances approved this meaning in its first Article, which provides that the Board's judges have all the guarantees provided in the Law of the Judiciary.⁵⁰

The Judiciary Law allows the Supreme Judicial Council to attend to judges' personnel affairs, such as appointment, promotion, discipline, and removal, in order to protect their independence and prevent external interventions in their affairs. Moreover, the Law sets the salaries of judges of all ranks, in accordance with special salary scale of judges, in order to protect their financial rights. These rights come in harmony with what is stated in the 1985 Basic Principles, which stressed that "The term of office of judges, their independence, security, adequate remuneration, conditions of service, pensions and the age of retirement shall be adequately secured by law."⁵¹

⁴³ Basic Principles on the Independence of the Judiciary, *supra* note 9, art. 1.

⁴⁴ The Supreme Judicial Council is the highest authority in the Saudi judiciary system.

⁴⁵ The New Law of Judiciary, *supra* note 10, art. 6.

⁴⁶ Administrative Judicial Council is the highest authority in the Board of Grievances.

⁴⁷ The New Law of Board of Grievances, *supra* note 11, art. 5.

⁴⁸ The Basic Law of Governance, *supra* note 8, art. 46.

⁴⁹ The New Law of Judiciary, *supra* note 10, art. 1.

⁵⁰ The New Law of Board of Grievances, *supra* note 11, art. 1.

⁵¹ Basic Principles on the Independence of the Judiciary, *supra* note 9, art. 11.

Importantly, in the same vein of the Basic Principles,⁵² the Judiciary Law protects judges from removal “except in the cases set forth in this Law.”⁵³ Also, the Law prevents the transfer of judges from their positions “except with their consent” or due to promotion, and according to the Law.⁵⁴ In other matters, the Law protects the independence of judges by imposing certain restrictions that may affect their independence. Specifically, the Law states that, during their judicial service, judges cannot engage in commerce or hold any position that is inconsistent with the dignity and independence of the judiciary.⁵⁵

In Article 47, the Law also sets the standards for judicial promotions, like absolute seniority, and if candidates are equal in seniority, priority goes to the most competent candidate based on proficiency reports. This provision is fully compatible with the one of Basic Principles, which requires all judicial promotions to be based on “objective factors” that account for the judge’s “ability, integrity, and experience.”⁵⁶

In order to provide for the independence of the judiciary, the Law sets out provisions regarding the inspection of the judges’ work, as well as the investigation of complaints. A special department for judicial inspection under the Supreme Judicial Council executes both these functions.⁵⁷ As well, the Law addressed the disciplining of judges, and highlights many aspects related to disciplining judges and overseeing their work. All these procedures are in line with the Basic Principles, which stressed that “All disciplinary, suspension or removal proceedings shall be determined in accordance with established standards of judicial conduct.”⁵⁸

The Saudi legal provisions that guarantee the independence of judiciary branch, its components, and judges are consistent with many different countries legal systems. As well, they mirror provisions in certain international documents which protect judicial independence, on top of them the Basic Principles of 1985. In any case, these safeguards and legislative protections do not apply to the various *extra-judicial committees*, and their members, since they do not belong to the judiciary branch.

III. The Extra-Judicial Committees in Comparison with the Concept of Judicial Independence

The existing committee-based approach to decide rights and obligations, and take part in the judiciary jurisdiction, is a violation of the judicial independence concept in the dispute resolution system in the Kingdom. This situation is against the Basic Principles of 1985 which states that the judiciary

⁵² *Id.* art. 18.

⁵³ The New Law of Judiciary, *supra* note 10, art. 2.

⁵⁴ *Id.* art. 3.

⁵⁵ *Id.* art. 51.

⁵⁶ Basic Principles on the Independence of the Judiciary, *supra* note 9, art. 13.

⁵⁷ The New Law of Judiciary, *supra* note 10, art. 55.

⁵⁸ Basic Principles on the Independence of the Judiciary, *supra* note 9, art. 19.

should have the jurisdiction over all judicial issues and it has the power to decide whether an issue submitted for its decision is within its competence.⁵⁹ Therefore, bodies “that do not use the duly established procedures of the legal process shall not be created to displace the jurisdiction belonging to the ordinary courts or judicial tribunals.”⁶⁰ Indeed, this provision may not be applicable to the current Saudi system, because of the presence of the *extra-judicial committees*. This situation also is not compliant with the Basic Law of Governance, which stressed that “the courts shall have jurisdiction to adjudicate all disputes and crimes.”⁶¹ Although the Basic Law excluded anything from this general jurisdiction that falls within the jurisdiction of the Board of Grievances as a judicial body, the Basic Law did not mention anything whatsoever regarding the legality of various committees over different cases.⁶² This rule is also confirmed in the Judiciary Law, which stressed that courts must have the ability “to decide all cases.”⁶³

In highlighting the compatibility of the Kingdom’s laws with the Basic Principles of 1985, it is important to mention the incompatibility of these existing *extra-judicial committees* with the third and fifth provisions of the Basic Principles, as mentioned above, which confirmed the right of judiciary to decide all natural judicial issues and the right to resort to ordinary courts. Which means, per these provisions, the state should not establish any bodies that do not use “established procedures” to take part of the ordinary courts’ jurisdiction.

Indeed, this approach of creating these *extra-judicial committees*, regardless of the regulator’s motives, and granting them judicial powers to consider a specific dispute or breach, disrupts a part of the general jurisdiction of the judiciary and violates its mandate to consider all kinds of disputes. Moreover, the Universal Declaration on the Independence of Justice (“Montreal Declaration”) states in Article 2.05 that the judiciary should be the only forum for any issues of “a judicial nature,”⁶⁴ and *ad hoc* tribunals should not exist in the legal system,⁶⁵ since these bodies take part of the regular courts’ jurisdiction.

The committees and their methodology are similar to specialized courts. Both arise outside the judicial authority and neither enjoy the independence and guarantees of the judiciary branch. Importantly, they both deprive the judiciary of its ability to exercise jurisdiction over these cases. The committees are also similar to *ad hoc* courts and exceptional courts, since they contain members who are not judges. None of these entities abide by the legal rules and procedures prescribed by the various laws and legislations.

⁵⁹ Basic Principles on the Independence of the Judiciary, *supra* note 9, art. 3.

⁶⁰ *Id.* art. 5.

⁶¹ The Basic Law of Governance, *supra* note 8, art. 49.

⁶² *Id.*

⁶³ The New Law of Judiciary, *supra* note 10, art. 25.

⁶⁴ Montreal Declaration, Universal Declaration on the Independence of Justice, adopted at the 1st World Conference on the Independence of Justice, June 10, 1983, Montreal, Canada, *available at* <http://www.jiwp.org/#!montreal-declaration/c1bue>; *see also*, Shimon Shetreet & Jules Deschênes, *Judicial Independence: The Contemporary Debate*, at 447-461 (Martinus Nijhoff, Boston; Dordrecht, 1985).

⁶⁵ *Id.* art. 2.06, cl. a.

The creation of these entities, regardless of their names and the reasons for their establishment, violates the competency of the judiciary as an authority that should decide all cases through its entities and judges. This approach seriously violates important justice principles, namely the rule of law, and denies individuals access to an independent judge, which also violates the principle of the natural judge.⁶⁶ This approach is also contrary to the provisions in the Saudi documents. As mentioned above, both the Basic Law of Governance and Judiciary Law give the courts the power to decide all disputes and crimes.⁶⁷ In fact, even though the Sixth Part of the Basic Law discusses many different judicial affairs in a number of articles, such as the judiciary, the Board of Grievances, courts and the judges, it never mentions *extra-judicial committees*.

At the same time, the non-recognition of these bodies as judicial courts, since they are not described as judicial entities, deprives them of all the guarantees and independence prescribed by law for the judiciary branch. These *extra-judicial committees* are not independent judicial bodies; they are only bodies under the executive authority and their different Ministries and government institutions.⁶⁸ Even if the *extra-judicial committees'* subordination to certain executive agencies is only a formality, such a pattern is clearly outside the judicial umbrella. Indeed, this explains the regulator's attempts to cancel the committee approach and willingness to unify the consideration of cases under the judiciary.

As well in this regard, neither the previous Judiciary Law of 1975 nor the new Judiciary Law of 2007 contained any mention of *extra-judicial committees* as judicial entities having specific jurisdiction. As a matter of fact, the Implementation Mechanism of the 2007 Judiciary Law and Board of Grievances Law seeks to abolish the *extra-judicial committees* and essentially transfer their jurisdiction to the different courts in the judicial system, according to the new Judiciary Law.⁶⁹

In the past, the regulator has tried to terminate the approach of *extra-judicial committees* and give their jurisdiction over to specialized courts under the Judiciary body. One of the most important initiatives was the Council of Ministers Decision No. 167 of 1981 which would have converted the most important committees into independent courts that functioned under the ordinary judiciary system by establishing specialized courts.⁷⁰ But the most important step was the new Judiciary Law of 2007 and its Implementation Mechanism. Although these efforts did not fully achieve their objectives, these attempts reflect the legislator's serious desire to abandon the existing committee-based approach and abolish the

⁶⁶ Obeid, *supra* note 1, at 808; *see also*, Mohammed W. Abu Younis, The Independence of the Judiciary, at 264-65 (Monchaat Al Maaref, Alexandria, Egypt, 2013).

⁶⁷ The Basic Law of Governance, *supra* note 8, art. 49; *see also*, The New Law of Judiciary, *supra* note 10, art. 25; *see also*, Abdullah S. Aldoh, Special and Exceptional Courts and its Impact on the Rights of the Accused, at 167 (Al-Qanun Wa Al-Iqtisad Bookstore, Riyadh, Saudi Arabia, 1st ed. 2012).

⁶⁸ Riyadh Economic Forum, *Evolution of the Judicial System, Elements of Force, and Areas of Development and Motivation and its Impact on the National Economy*, Riyadh Economic Forum-Seventh Session, at 51 (2015), <http://www.riyadhef.com/cycles/seventh-period/?action=studies>.

⁶⁹ The Implementation Mechanism was issued in conjunction with the new Judiciary Law and the Board of Grievances Law of 2007 and contains detailed provisions for the implementation of these laws. The Implementation Mechanism of the Judiciary Law and the Board of Grievances Law, Royal Decree No. M/78 of 1428 [2007] (Saudi Arabia).

⁷⁰ Abdel Moneim A. Jeerah, The judiciary in Saudi Arabia, at 273 (Institute of Public Administration, Saudi Arabia, 1988).

different *extra-judicial committees*. This desire is very encouraging, because such bodies arguably distort judicial independence.

To carry out this plan, the new Judiciary Law, through its the Implementation Mechanism, tries to transfer the jurisdiction of various disputes to the ordinary courts along a specific timetable, after modifying and issuing the Law of Procedure, the Law of Criminal Procedure, and the Law of Procedure before the Board of Grievances.⁷¹ However, the Implementation Mechanism excluded three committees from cancellation and transfer: the Committee of Banking Disputes, Customs Committee and the Committee for the Resolution of Securities Disputes. The Implementation Mechanism ordered the Supreme Judicial Council to conduct a comprehensive study regarding to these three bodies, then make its own recommendations to the regulator.⁷² All these things speak to, as mentioned, the strong desire to finish this committee approach and make course corrections in the judicial field.

More recently, a 2017 High Order directed any ministries which contain *extra-judicial committees* to perform comprehensive studies of these bodies; the studies must also make suggestions about these bodies. Then, a special commission within the Bureau of Experts at the Council of Ministers will examine this data and make appropriate recommendations for the future of these committees based on its findings.⁷³

The efforts to address or cancel these bodies and the position of the Basic Law, beside the Judiciary Law and the Board of Grievances, demonstrates the position of the legislator, who issues these laws, that these bodies are not a permanent part of the judiciary branch. Instead, the *extra-judicial committees* are designed to be only a temporary means to resolve specific kinds of disputes until these matters are later transferred to the judiciary.

The continued existence of these non-judicial bodies is highly disruptive to the principle of judicial independence, since they take away part of the ordinary courts' jurisdiction while depriving individuals of their right to resort to an independent court. Moreover, since these bodies' members are not judges,⁷⁴ this deprivation violates the principle of the natural judge.⁷⁵ All the provisions stipulated by the different laws, beginning with the Basic Law through the new Judiciary Law and the new Board of Grievances Law, in relation to the independence of judges as members of the judiciary, do not apply in any manner to the members of the various *extra-judicial committees*. At the same level, these members do not receive any of the guarantees or immunities that the various laws confer upon judges.⁷⁶

⁷¹ The Implementation Mechanism, *supra* note 40, § 1, 9th.

⁷² *Id.* § 3, cl. 2.

⁷³ High Order No. 20866 of 1438 [2017] (About Quasi-Judicial Committees) (Saudi Arabia).

⁷⁴ Riyadh Economic Forum-Seventh Session, *supra* note 39, at 12.

⁷⁵ International Commission of Jurists (ICJ), International Principles on the Independence and Accountability of Judges, Lawyers and Prosecutors – A Practitioners Guide No. 1, at 7-8 (ICJ, Geneva, Switzerland, 2nd ed. 2007).

⁷⁶ Shaker A. Alshehry, The Supreme Administrative Court in the Saudi Board of Grievances, at 73 (Al-Qanun Wa Al-Iqtisad Bookstore, Riyadh, Saudi Arabia, 1st ed. 2011).

In contrast to the protections judges enjoy, committee members have no protection from removal from their positions. In fact, and unlike judges, there is no specific disciplinary procedure for committee members, and their works are not subject to judicial inspection.⁷⁷ Additionally, the members of *extra-judicial committees* have no procedural immunities in case of arrest or criminal investigation, as is provided in the Judiciary Law for judges.

IV. How Ending the Committees Approach is Consistent with Judicial Independence

Although the Implementation Mechanism of the new Judiciary Law attempted to transfer the jurisdiction of *extra-judicial committees* to the different courts in the judicial system, actual execution of the new Implementation Mechanism has been so slow, and thus it seems that these extra-judicial bodies may well continue into the foreseeable future.⁷⁸ It seems clear that these bodies, as currently constituted, do not belong on the judicial map. This approach has been criticized as one of the shortcomings or legal problems in the Kingdom's judicial system.⁷⁹

Indeed, many of these committees still continue to exercise their jurisdictions and there are several signs that the committee approach may still be alive; in point of fact, this approach has expanded through the addition of new bodies that establish after issuing of 2007 Judiciary Law, Board of Grievances Law, and their Implementation Mechanism, such as the Committee for Settlement of Finance Violations and Disputes,⁸⁰ and an appellate committee for The Committee of Insurance Disputes.⁸¹ Moreover, the issuance of the recent Royal Order to reform the Banking Committee very strongly indicates that it may not be cancelled or merged with another court under the Judiciary.⁸²

The form of the *extra-judicial committees* seems to be permanently embedded on the Kingdom's judicial map, because the number of the committees may continue growing steadily. Indeed, the latest statements indicate these bodies now number more than one hundred.⁸³ The best solution for these entities in general may be to activate the provisions of the Implementation Mechanism of the 2007 Judiciary Law, to address problems at their roots. The creation of new committees only increases the

⁷⁷ Riyadh Economic Forum, *Environment of Justice and the Requirements of Economic Development*, Riyadh Economic Forum-Third Session, at 15 (2007), <http://www.riyadhef.com/cycles/third-period/?action=studies>.

⁷⁸ Majed M. Garoub, *Quasi-Judicial Committees*, OKAZ NEWSPAPER, Jul. 30, 2013, <http://www.okaz.com.sa/article/592827>.

⁷⁹ Al Khouli, *supra* note 6, at 8-9; *see also*, Riyadh Economic Forum-Seventh Session, *supra* note 39, at 51, *see also*, Aldoh, *supra* note 38, at 168.

⁸⁰ The Finance Companies Control Law, Royal Decree No. M/51 of 1433 [2012], pmbl. (Saudi Arabia).

⁸¹ The Cooperative Insurance Companies Control Law, Royal Decree No. M/32 of 1424 [2003] arts. 20 & 22, as amended by Royal Decree No. M/30 of 1434 [2013] (Saudi Arabia).

⁸² The Regulation of the Committee of Banking Disputes, Royal Order No. 37441 of 1433 [2012] (Saudi Arabia); *see also*, The Formation of the First Circle of the Committee of Banking Disputes and the First Circle of the Committee of Appeal for Banking Disputes and Violations, Royal Order No. A/24 of 1437 [2015] (Saudi Arabia).

⁸³ Adnan Alshabrawi, *Al Khouli: No Controls for the Work of Quasi-Judicial Committees*, OKAZ NEWSPAPER, Nov. 28, 2013, <http://www.okaz.com.sa/article/625036>; *see also*, Adnan Alshabrawi, *Uncertainty About Transfer of 104 Judicial Committees*, OKAZ NEWSPAPER, Oct. 07, 2016, <http://okaz.com.sa/article/1500857>; *see also*, Fahd Alele, *Quasi-Judicial Committees, a New Challenge*, ALEQTISADIAH NEWSPAPER, June 6, 2016, http://www.aleqt.com/2016/06/06/article_1060328.html.

present difficulties and results in more procedural complexities, and more bureaucratic layers, to treat the obvious flaws in the *extra-judicial committees*' approach, which violate judicial independence.

One of the most vexing problems in this area is the three excluded committees mentioned above, as these bodies will remain in place even if the Implementation Mechanism succeeds in transferring the other committees' jurisdictions.⁸⁴ Indeed, since these three bodies consider issues related to economic and financial activities, there are two possible solutions which may address this problem. One option, since the Supreme Judicial Council already has the authority to establish new specialized courts with the king's consent, is to convert these committees into a specialized economic or financial court as one of the Judiciary ordinary courts and under the Supreme Judicial Council.⁸⁵ Another possibility is to directly transform these committees into a complete judicial entity as a new financial or economic court as a new component of the judicial branch beside the Judiciary Courts (ordinary courts) and the Board of Grievances. This new court should have its own special law to organize its affairs, such as the Judiciary Law or Board of Grievances Law, and a special judicial council to oversee its affairs, such as the Supreme Judicial Council of ordinary courts or the Administrative Judicial Council of Board of Grievances. This new body can absorb these committees through circuits or panels within this new proposed court. Either pathway would effectively transform these bodies into independent entities within the judicial branch, so they would not be dependent, in any manner, on government institutions or ministries. This new court can contain other committees which currently decide cases that have an economic or financial nature, such as the Committee for Financial Disputes and Violations and the Committee for the Resolution of Insurance Disputes and Violations.

Practically, establishing a new judicial body, as a new independent and separate component of the judiciary branch beside the Judiciary ordinary courts and the Board of Grievances' courts, seems to be the most effective solution. There is precedent for this move, since the regulator already took a similar step back in 1982, with the establishment of the Board of Grievances as an independent judicial body beside the Judiciary ordinary courts.⁸⁶ Furthermore, such a move would also address the lack of independence linked to these *extra-judicial committees*, which this is the most important aim for this issue.

In fact, the collection of the committees which consider issues that have financial and economic nature, which includes the three excluded committees, and other similar committees that have not been canceled, under a new financial or economic court, will be an important step towards achieving legal stability, and supporting and stimulating economic activities and investment. This step is important to pave the way to diversify the country's income sources, which the Kingdom seeks to achieve through its 2030 Vision.⁸⁷ The development of an economic sector is affected by the presence of an independent

⁸⁴ The Implementation Mechanism, *supra* note 40, § 1, 9th.

⁸⁵ The New Law of Judiciary, *supra* note 10, art 9.

⁸⁶ The Previous Law of Board of Grievances, Royal Decree No. M/51 of 1402 [1982] (Saudi Arabia).

⁸⁷ Vision 2030 is an ambitious plan to diversify the Saudi economy, mostly by reducing its dependence on petroleum exports. Vision 2030 also tries to develop public service sectors and infrastructure. For more information, see Introduction, Saudi Vision 2030, <http://vision2030.gov.sa/en/node/132> (last visited Feb. 13, 2018); see also, Matt Clinch & Hadley Gamble, *Saudi Arabia Unveils 15-year*

judicial power. Indeed, according to one scholar, there is broad agreement on the fact that a strong judiciary is “a vital factor in the Rule of Law and more broadly in economic development.” Thus, when the courts and judges work independently and effectively, the country’s economic market develops commensurately, prompting the same scholar to argue that “the degree of judicial independence is correlated with economic growth.” The theory is that an independent and effective judicial system creates confidence in the country’s legal system and supports the rule of law, thus enhancing consumer confidence and attracting foreign investors.⁸⁸

Throughout their existence, *extra-judicial committees* may have impeded the Kingdom’s judicial environment, largely due to the lack of uniformity in their structures and procedures. One study indicates that this issue negatively impacts the Kingdom’s economy.⁸⁹ The same study mentioned that the link between the *extra-judicial committees* and the executive authority affects the conviction and trust of the litigants about the impartiality of these committees, especially in cases where the executive bodies are a party to the case. Such lack of confidence may affect foreign investment and economic development, particularly if investors know that in the event of a dispute with the supervising authority, the disputes are determined by committees under that supervisory authority.⁹⁰

V. CONCLUSION

The independence of the judicial authority impacts many fields in the country. Besides being a key element to protect the individual’s rights and freedoms, it plays an important role to support economic evolution, while achieving the interest of the community in general. Importantly, the independence of the Judiciary is a requirement to achieving the fairness and the rule of law. All these factors make this concept one of the topics which concern the international community, since it highlights the importance of protecting this principle in a number of international documents. Indeed, the Saudi regulator has consistently sought consolidation of the independence of the judiciary as one of the substrates essential to strengthen justice and protect the impartiality of the judicial system

This reflects the keenness of the regulator on the application of the provisions of Islamic Shari’ah, which urges the administration of justice and equality between people. Because Saudi Arabia is an Islamic country and its constitution must be the Holy *Qur’an* and the Sunnah “traditions” of His Messenger Prophet Muhammed (Peace Be Upon Him),⁹¹ support for the independence of the judiciary and their members is something necessary that stems from the principles of Shari’ah to achieve justice and fairness. However, this protection reflects, as well, Saudi law’s compatibility with different international documents and countries laws, which contain assurances of the independence of the judiciary. These facts should lead to the reconsideration of the heavy reliance on the committee approach in the Saudi system, which seems contrary to complete judicial dominion over all disputes. If

Plan to Transform its Economy, CNBC, Apr. 25, 2016, <https://www.cnbc.com/2016/04/25/saudi-arabias-government-officially-unveils-long-term-economic-plan.html>.

⁸⁸ Kenneth W. Dam, *The Law-Growth Nexus: The Rule of Law and Economic Development*, at 93 (Brookings Institution Press, Washington, D.C., 2006); see also, Riyadh Economic Forum-Third Session, *supra* note 48, at 72.

⁸⁹ Riyadh Economic Forum-Seventh Session, *supra* note 39, at 13.

⁹⁰ *Id.*

⁹¹ The Basic Law of Governance, *supra* note 8, art. 1.

any of these committees remain, their number should be few, their jurisdiction should be extremely limited, and their decisions should be appealable to a body that belongs to the judicial branch.

In sum, ending the reliance on the committee approach and transferring these cases to an independent body and independent judges would achieve more judicial protection and justice for litigants, while promoting increased confidence in the integrity and effectiveness of the judicial system.

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Indigenous Filipino Faith: a Religious Exploration

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Abstract

In re-valuating and de-stigmatizing indigenous culture, this paper will discuss the Filipino concept, perception and encounter of God. In elucidating these, ways and challenges of inculturating Christian faith will be in light. The Filipino Faith meant by this paper is the Christian faith which is majorly embraced by Filipinos. Indigenous aspects mean the parts of faith which were not brought by Christian faith but were integrated thereto. They are originally characteristics of Filipino indigenous faith but are assimilated to Christian practices in the Philippines⁹².

Keywords: Filipino faith, indigenous, inculturation, religious education

Introduction

De Mesa related, “An elderly person stood up and inquired whether the inculturation I was speaking about meant utilizing the very cultural elements which the early Catholic foreign missionaries had instructed them to abandon because they were considered superstitious.”⁹³ The concern was indeed to determine which part of the Filipino culture must be dropped and which can be integrated. Superstitions are easily dismissed as not true since they are incoherent with the Christian faith. From birth to death, Filipinos have their share of superstitions of do’s and don’ts. A sample of a superstition is putting garlic and salt in windows and doors of the house where a pregnant woman is residing. This will keep *aswang* ⁹⁴away from the house. Another example is that children are carried and crossed over the casket before its burial so that the dead will not appear to those children. These superstitions exist still side by side with the Christian faith of the Filipinos. This paper is not going to affirm or debunk the idea of superstitions. However, de Mesa’s experience and the sample superstitions bring out the challenge of inculturating Christianity to Filipino culture.

According to de Mesa, “today, the Filipino culture wears a stigma.”⁹⁵ Colonialism brought negative effects to Filipino mentality. Filipinos tend to compare their culture to foreign culture and dismiss their own as inferior.⁹⁶ This is the stigma de Mesa is mentioning. Filipinos put their own culture below. For hundreds of years, they were belittled by colonizers. They were insulted as inferiors and that was deeply engraved to their minds. When the colonizers were gone, Filipinos still hurt themselves by belittling their own culture.⁹⁷ Filipinos seem to be their own harshest critic of culture. De-stigmatizing and revaluing culture are necessary in the healing of culture but they are not means of restoring the

⁹² Fides del Castillo, “Gospel Culture Relationship of Traditional Filipino Religion and Catholicism” *International Journal of Religion and Spirituality in Society*, (2015) Vol. 6, 2.

⁹³ Jose De Mesa, *Why Theology is Never Far From Home* (Manila: De La Salle University Press, Inc., 2003), 62.

⁹⁴ Aswang is a Filipino folklore which pertains to shapeshifting monster that usually possessed powers.

⁹⁵ Ibid, 60.

⁹⁶ Ibid, 61.

⁹⁷ Ibid, 61.

original culture. They are ways of redefining and recreating the Filipino identity in the present times.⁹⁸ In inculturating the Gospel, it is appropriate to heal the Filipino indigenous culture.⁹⁹

Deities and gods

Filipinos have different ways of addressing God. Titles given to supernatural entities enlighten the idea of how Filipinos perceive God. One of the titles used to address the Higher Being is *Bathala*¹⁰⁰.

Bathala is always associated with *diwata* and *anito*.¹⁰¹ These concepts of Filipino deities reveal how Filipinos think of spirits. In philosophy, spirit means non-corporeal beings. Spiritual beings do not possess bodies. However, Filipinos have different perception of *espiritu* or spiritual beings. *Espiritu* are perceived as invisible entities which are not out there but are continually interacting with the visible and corporeal world.¹⁰² Filipinos even perceive *espiritu* as having corporeal bodies which reside in certain objects and places. *Espiritu* are not totally incorporeal but they are only invisible. Samples of *espiritu* are *anito* and *diwata*. “To the *anito* belongs the souls of dead *ninuno* (ancestors).”¹⁰³ *Diwata* is “a Tagalog term for goddess.”¹⁰⁴ *Anito* and *diwata* are invisible entities and are residing in natural places such as forests, rivers, and mountains.¹⁰⁵ They are invisible corporeal beings that must be respected.

In understanding Filipino concept of *espiritu*, God is perceived by Filipinos as *espiritu*. God is an invisible entity not living outside human space but is actually living together with human beings. Filipinos easily adapted to the Christian idea of God as a transcendent yet immanent being¹⁰⁶. He is beyond human beings but is existing with them. However, the problem with the idea of *espiritu* is its idea of residency in certain places. Christian God as *espiritu* can be perceived as living in the architectural Church. If taken to extremities, this perception of God brings out the flaw in the thinking that God is not omnipresent. God is not envisioned in places aside from the church. He does not reside in café, streets, malls, motels, bars and hunted houses. This can also be fatal in terms of faith. Nevertheless, as *espiritu*¹⁰⁷ is given due respect, honor and fear, God is also given proper due worship, honor and respect. This is evident in how Filipinos address God.

The notions of God's Lordship is immediately expressed in the words *Panginoon* (Tag.), *Ginoo* (Vis.), *Apo* (Iloc.; Ivt.), *Poon* (Tag.), *Hari* (Tag.). It is implicit in *Maykapal*

⁹⁸ Ibid, 65.

⁹⁹ Ibid, 65.

¹⁰⁰ Filipino term for God.

¹⁰¹ Florentino Hornedo, *The Favor of the Gods: Essays in Filipino Religious Thought and Behaviour* (Manila: University of Sto. Tomas Pub., 2001), 182.

¹⁰² Ibid.

¹⁰³ Ibid.

¹⁰⁴ Leonardo Mercado, “Indigenous Malay Elements in Filipino Christianity” *Lecture Series on Spirituality* (Quezon City: Center for Spirituality, 2003), 154.

¹⁰⁵ Corazon Sanchez, “Christians in Dialogue with Indigenous Spiritualities” *The Essence of Spirituality and the Relationship of Christian Spirituality with the Spirituality of Other Great Asian Religions* (Quezon City: Order of Carmelites Center for Spirituality, 2003.), 89.

¹⁰⁶ Fides del Castillo, *Gospel Culture Relationship of Traditional Filipino Religion and Catholicism*.

¹⁰⁷ Filipino term for the spirits.

(Tag.), *Lumikha* (Tag.), *Namarsua* (Iloc.), *Maylalang* (tag., etc.), and *Mangamaug* (Ivt.).¹⁰⁸

These titles of God were integrated to the Christian worship. God is respected, honoured and worshipped as Lord, King, Creator and Almighty in these titles. However, noteworthy is the non-usage of a common indigenous title for God. Christians do not address God as *Bathala*.

Bathala is never used in Christian worship. Because it is not used in addressing God, the term bears pagan connotations for Christians. One possible reason is its association with *anito* and *diwata*¹⁰⁹ which are not part of the Christian tradition. However, God is still perceived as *Bathala* by Filipinos.

Filipinos are fond of saying “*Bahala na*” in situations when things are out of their control. Although *bahala na* shows fatalist mentality¹¹⁰ of the Filipinos, this shows Filipinos recognition of God in their lives. *Bahala na* comes from the Filipino linguistic change of “*Bathala na*.”¹¹¹ Filipinos let the Higher Being take in charge when things seem out of control for them. In dire situations, Filipinos seek God’s help. Filipinos still perceive God as *Bathala* although they do not address Him as such.

Bathala is the highest *espiritu* among the Filipino deities.¹¹² For a better understanding of *Bathala*, its possible origin must be understood. The rootword that can be derived from *Bathala* is “*Namamathala*” or “*Namamahala*” which means the one governing. *Bathala*, because it¹¹³ is *espiritu*, resides in the world. It is the one governing everything. When Filipinos say “*Bahala na*,” they unconsciously recognize the Higher Being as the governor of everything. If this is unconsciously engrained to the Filipino minds then, inculturating Christian faith has the challenge of using and appropriating *Bathala* or the governor of all things in worship in coherence to the Christian God. *Bathala* can therefore be used for Christian worship if properly assumed. This *Bathala* is not so much transcendent but more of immanent. *Bathala* is here. This indigenous term reflects how Filipinos relate with God.

Indigenous Stories

Myths by definition are not true accounts of what happened in the past. Nevertheless, just because they are not true does not mean they have no value at all. Myths are the ways ancestors tried to explain reality. Holding not enough science, knowledge and technology, they turned to create stories of explaining how things come to exist. “What these stories tell might not actually have happened. Nevertheless, they form part of a body of knowledge which allowed our prehistoric ancestors to rationalize their understanding of events and imbue their tradition with authority and historical depth.”¹¹⁴

¹⁰⁸ Hornedo, *The Favor of the Gods: Essays in Filipino Religious Thought and Behaviour*, 166.

¹⁰⁹ Ibid, 182.

¹¹⁰ De Mesa, *Why Theology is Never Far From Home*, 61.

¹¹¹ < <http://www.anythingpsych.com/2013/12/the-psychology-behind-bahala-na/> >

¹¹² Hornedo, *The Favor of the Gods: Essays in Filipino Religious Thought and Behaviour*, 182.

¹¹³ Compared to other religions which put gender to the Supreme Being, *Bathala* has no gender.

¹¹⁴ F. Landa Jocano, *Filipino Prehistory* (Quezon City: Punlad Research House Inc., 1998), 102.

Myths are product of the genius and creative minds of Filipino ancestors. They are proofs that Filipinos before the coming of Spaniards were able “to observe, reason, interpret, and give meanings to natural realities and social events in their environment.”¹¹⁵ They are not ignorant of the happenings around them. Their myths serve to provide historical background of their creative minds and explanation to their rituals and social practices.

This revaluation of myths brings out the task to look at the value of indigenous culture which can easily dismissed as unnecessary in faith formation. To inculcate faith, it is necessary to look at the different aspects of indigenous culture. Unless this indigenous culture is understood, Christian faith will only exist side by side therewith but not inculturated therein.

Myths are not simply stories. Many are suggestive of rituals that certain communities must perform. Stories of deity blessing the community are prominent in indigenous communities. Divine graciousness brings out to the Filipinos the acknowledgement of dominion and gratitude.¹¹⁶

It (the relation of humans to the spirits) consists of explicit show of honor in the form of gifts, praise, and festification. Gift-giving is a general tradition that is often exaggerated.¹¹⁷

Myths lead Filipinos to show his gratitude to invisible entities. Indigenous people offer the products of their labor to *espiritu*. In asking favors, they do repeated rituals. When curse happens to them, they appease by offering something. A sample of which is placing food offerings in a *punso* (anthill) because they fear the power of the invisible entity living there. *Diwata* and *anito* are given due respect so as to receive blessings from them.

Challenges:

After understanding the concepts of myths and *espiritu*, challenges and possible ways of inculturating faith are put into light. When early Filipinos received the Christian faith from the Western missionaries, they interpreted it the way they had understood it in their culture. They only tried to make sense of a foreign culture.

One evident integrated indigenous culture and Christian faith is the concepts of *diwata* and *anito*, and saints.¹¹⁸ Filipinos festively celebrate to remember the feasts of the patron of their places. They remember the goodness and blessings they received from the intercession of the patron. However, saints are not primarily canonized by the Church because of the power of their intercession or prayer. They are canonized because they lived exemplary lives thus making them models of holiness. However, Filipinos focused on the power of the saint instead of their lives. They are perceived by Filipinos as *anito* and *diwata* who must be pleased and be given favour. “If there are spirits of particular places, or definite life

¹¹⁵ Ibid.

¹¹⁶ Hornedo, *The Favor of the Gods: Essays in Filipino Religious Thought and Behaviour*, 152.

¹¹⁷ Ibid, 185.

¹¹⁸ De Mesa, *Why Theology is Never Far From Home*, 80.

phases or specific needs, there are also saints with their respective specialties.”¹¹⁹ Power of the saints interests the Filipinos more than their lives.¹²⁰

However, a positive inculturation also happened. Myths are stories created by Filipino ancestors to explain events inexplicable during their time. Myths also include on how they must relate with God. These myths are replaced by the Gospel. Filipino ancestries received the faith although shallow during that time because of the story of the Bible and with it are ways on how to worship and respect God. The celebration of the Holy Eucharist is a concrete example. The celebration is easily understood and practiced because of the existence of the narrative of Jesus’ institution of the Eucharist. Filipinos tend to recreate myths and so as the Gospel as rituals. *Panunuluyan* is performed every Christmas to commemorate the story of Jesus’ birth. During the Holy Week, Filipinos re-enact the passion, death and resurrection of Jesus by doing street plays of Jesus’ suffering and also *Salubong* which is the meeting of sorrowful Mary and resurrected Jesus. Filipinos received faith not through set of propositions about faith but through stories of Jesus.

Truth, Beauty and Goodness

In the Catholic Church, faith is expressed through Creed. Creed are composed of propositions of faith. It contains the truth of the Christian faith. Faith is a truth that must be affirmed in one’s life. Creed asserts God’s transcendence. He is the truth that must uncovered. He is a mystery.

On the other hand, Filipinos do not put their faith in terms of creed. Their way of approaching God is not through truth but through goodness and beauty.¹²¹ Filipinos unravel God in His immanence more than transcendence. “For our indigenous people, the sacred and the profane are inseparable. They have prayers and rituals in fishing, hunting, planting, harvesting. We also see this non-separation from EDSA 1 and EDSA 2.”¹²²

God is not compartmentalize to the intellect alone. God penetrates every activity of human beings. Filipinos perceive God’s goodness because He is gracious. *Espiritu* are believed to be affecting their lives thus they perform “many rituals of appeasement or offering to bring back good health or good life.”¹²³ God is perceived to be truly immanent that He penetrates the lives of Filipinos in every aspect.

Aside from goodness, Filipinos encounter God in beauty or *ganda* in Tagalog. Filipinos commonly use *ganda* not only to beautiful things but also in ethical and good.¹²⁴ When Filipinos greet each other, they use the word ‘*maganda*’ to describe. For example, in greeting “Good morning” or “Good day”, they say “*Magandang umaga!*” or “*Magandang araw!*” each other. These greetings literally mean “Beautiful morning” and “Beautiful day.” What is perceived to be good is described to be beautiful by Filipinos. “‘Good news,’ the gospel, is often translated as *Magandang Balita* which means

¹¹⁹ Ibid.

¹²⁰ It is good to conduct a survey on this aspect. How many Filipinos living in a certain parish know the life of their patron? In celebrating their feast, do they recognize the power or the exemplary life of the saint?

¹²¹ Mercado, “Indigenous Malay Elements in Filipino Christianity” *Lecture Series on Spirituality*, 157.

¹²² Ibid.

¹²³ Sanchez, “Christians in Dialogue with Indigenous Spiritualities” *The Essence of Spirituality and the Relationship of Christian Spirituality with the Spirituality of Other Great Asian Religions*, 89.

¹²⁴ Jose De Mesa & L. Wostyn, *Doing Christology: The Re-appropriation of a Tradition* (Quezon City: Claretians Publications, 1990), 174.

Mabuting Balita.”¹²⁵ *Magandang Balita* literally means the Beautiful News. For Filipinos, “the model of beauty is more appealing. The most important transcendental for Filipinos is not truth but beauty.”¹²⁶ God is perceived to be beautiful by Filipinos. In their consciousness and in contact with nature, they see the beauty of everything and the beauty of the Supreme Being.

Conclusion

In approaching God, truth is not the only way. God does not only the truth of Himself but also His goodness and beauty. The Westerns have approached God through truth.¹²⁷ Filipinos who were under the Western minds for hundreds of years were taught to discover God through knowledge. Goodness and beauty are put behind and truth is highlighted. This is very much evident in Catholic schools who are centred in discovering God in truth.¹²⁸

“In the channel of goodness, God reveals Himself through the poor, the sick and the abandoned because to help them, is to touch God Himself.”¹²⁹ This is a reason behind the *Bayanihan*-orientation of the Filipinos.¹³⁰ God is also discovered through beauty in the marvels of creation. Goodness and beauty reveal the immanence of God. Because the Divine is immanent, Filipinos practice *punas* or wiping the statues in Churches.¹³¹ God’s immanence can be touched for the Filipinos.

The typical Filipino has the immanent model while the religious and the clergy are more bent to the model of the holy as transcendent... One or the other said that when they were children and outside the convent, they practice *punas-punas*. But when they got “formed” (or mal-formed), they no longer believed or practice *punas-punas*.¹³²

Challenge of inculturating faith is evident in how the Western perception of the divine is different from Filipinos’. Indoctrination is good but Filipinos have different way of encountering God. Filipinos experience and feel God more than cognitively understand Him.¹³³

Inculturation is a difficult but necessary task. God placed man in a certain culture in order to bring him to the fullness of life in Jesus. Inculturation is revealed in the Parable of the Yeast.

He (Jesus) spoke to them another parable. “The kingdom of heaven is like yeast that a woman took and mixed with three measures of wheat flour until the whole batch was leavened.”¹³⁴

¹²⁵ Ibid.

¹²⁶ Mercado, “Indigenous Malay Elements in Filipino Christianity” *Lecture Series on Spirituality*, 163.

¹²⁷ Ibid, 158.

¹²⁸ Ibid, 159.

¹²⁹ Ibid, 162.

¹³⁰ Catechism for Filipino Catholics 41.

¹³¹ Mercado, “Indigenous Malay Elements in Filipino Christianity” *Lecture Series on Spirituality*, 158.

¹³² Ibid, 161.

¹³³ De Mesa, *Why Theology is Never Far From Home*, 85.

¹³⁴ Matthew 13:33 of New American Bible Revised Edition.

The Gospel of Jesus is for everyone. God's kingdom works just like the yeast. It permeates to every aspect of human life. Gospel must not remain outside the culture of the Filipinos nor must it exist side by side with it. Gospel has the role to purify the culture and promote and exalt what is good therein. Filipino culture, perception and experience have a lot more to contribute to the teachings of the Church. God reveals Himself not only in nature but also in the culture of the people. Lastly, only in Christ, who is the fulfilment of revelation, can culture and experience find its fulfilment and true meaning.

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< <http://www.anythingpsych.com/2013/12/the-psychology-behind-bahala-na/>>

**The Approach to Increase Customer's Purchasing Intention -
A Perspective of Service Quality**

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Abstract

Researchers of service quality often suggested that customers' perception of purchasing importance would likely affect their satisfaction. In the past, service quality of customers has been described in the literature to capture its multidimensionality. However, the aim of this study attempted to explore how customer importance and customer satisfaction in fresh supermarket chain of Taichung were related. This study was comprised of four parts of questionnaires concerning customer information, customer importance and customer satisfaction. 430 customer of fresh supermarket chain participate in this study. Finally, the results of this study would lead to better understanding of customers' service quality in fresh supermarket chain, as well as the result can be useful to the operators of fresh supermarket chain to establish better marketing strategy.

Keywords: Service quality; customer satisfaction; marketing strategy; Importance-Performance Analysis (IPA)

INTRODUCTION

In recent years, Taiwan economy and culture is in a state of constant change. Under these circumstances, retail industry of Taiwan extends to various types of operation, such as department store, hypermarket, supermarket chain and convenient store. With the increasing competition of retail industry, innovation requirements for management strategy have become more critical. The management strategy of Taiwan supermarket chain stems from abroad. Therefore management techniques and enterprise culture differ from Taiwan. The field of management strategy of supermarket chain has undergone many fluctuations and shifts over year. The researchers noted that operator provides an excellent service quality that such approaches can lead to mastery of the competition and existence [1]. In other words, the cause of the competition of enterprise was service quality to decide. As the literature review of service quality has shown, excellent service quality was to attract customer successfully, and further, it was an instrument for customer to come again next time.

The purpose of the study includes three points: (1) to investigate the degree of customer importance and customer satisfaction in supermarket chain service quality; (2) to analyze the difference between customer importance and customer satisfaction of the study; (3) to integrate all results of the research, to a new approach to assist operator in formulating multiple management strategies. In the final, this research was to suggest improvement essentials of adequate resources and inadequate resource, then to promote customer satisfaction and increase customer loyalty.

The selected company for this research is one of the fresh supermarket chains located in Taichung County. The first store of this fresh supermarket chain was originated at Nantou in 1988. At the end of 2012, the number of supermarket in Taiwan is 42. Even then the fresh supermarket chain utilizes their advantage of own marketing channel, food security certificate (CAS, ISO9002, HACCP), the center food treatment plant, GLP laboratory, pesticide laboratory and cold-chain cars to make their business growing. On the whole, the fresh supermarket is hoped to keep these advantage will contribute to understand the relationship with customers. Furthermore, it will take care of customers' health at the present and in the future.

LITERATURE REVIEW

The State of Supermarket Chain

Supermarket was derived from American's great depression in 1930. During the period of economic regression, the living level of people was low, and therefore the primary concerning was price. The principal characteristics were (1) utilized low cost and discount strategy to gain the most benefit (2) initiated self-service concept (3) displayed amount of products. There are four stages of Taiwan supermarket's development as following: (1) Pioneering Stage (1963-1971), (2) Development Stage (1972-1989), (3) Maturity Stage (1990-1999) and (4) Integration Stage (2000-present). The primary product are the imported the high-level food and fresh food, and then to make market segmentation. Overall, supermarket has been formed a new trend with the strategic alliance from different business fields.

Service Quality

Owing to the service quality development, the enterprise, organization and customer had been respected. Under the present conditions, how to promote the service quality has been an important issue for enterprise. Early theorization of service quality can be defined the service quality as the result to conform to the standard [2]. Service quality is a measure of how well the service level delivered matches customer expectations. Delivering quality service means conforming to customer expectations [3]. Service quality was to assess the effect of the long-time and the whole process in service, and that was to obtain the degree of difference between customer perceptions and expectation. Moreover, consumer perceptions of service quality result from comparing expectations prior to receiving the service and actual experiences with the service. During the past decades, service quality had been applied to variety industry, such as service industry, medical industry, low industry, trade industry, but it still the most suited in service industry.

Customer Satisfaction

The concept of satisfaction has been widely analyzed in marketing literature [4]. Early theorization of customer satisfaction was proposed that customer satisfaction was the result between customer perception and reality [5]. Some researchers mentioned that customer satisfaction was customer assembled the purchasing and utilizing experience in the past to evaluate the product or service [6]. Therefore, satisfaction was a purchasing behavior after customer feel satisfaction or disappointment. Satisfaction evaluated to service, product, process in purchasing, and it would affect by service quality, price, product quality or personal factor. Therefore, customer satisfaction was an important factor to evaluate service quality performance [7].

Importance Performance Analysis (IPA)

Some researchers proposed that the IPA focus on importance and performance to appraise, so it was a comparative method to put the specialty item in relative position [8]. In the other word, IPA examines not only the performance of an item, but also the importance of that item as a determining factor in satisfaction to the respondents [9]. Furthermore, the four quadrants in importance-performance analysis and could be characterized as:

- Concentrate here- high importance, low performance;
- Keep up with the good work- high importance, high performance;
- Low priority- Low importance, low performance;
- Possible overkill- low importance, high performance [10].

A number of studies have examined the result of customer importance and satisfaction. The result of IPA was to provide the effectively suggestion, and then to modify the problem of management.

METHODOLOGY

The instrument of this study was questionnaire. The questionnaire consisted four sections and use six-point Likert Scale. The four sections include personal information, the degree of the service quality's importance, satisfaction and the degree of the customer loyalty [11].

The participants were selected 440 customers from customers by supermarket chain in Taichung. The pilot participants were selected from 100 customers. Afterward, the pilot study measured the reliability and validity before formal questionnaire. In spite of the pilot study, this study provided 440 questionnaires. The questionnaire was distributed from December 2016 to January 2017.

ANALYSIS AND RESULT

A. The Analysis of Sample Date

This research used purposive sampling of customers by 22 supermarket chains in Taichung. This research altogether sent out 440 questionnaires, the recycling was 440 questionnaires, the rejection filled in answers the way mistake and invalid questionnaire, altogether the effective questionnaires was 430, and the valid response rate was 97.6%, as shown in Table 1.

Table 1 Sample Data

Demographic Variables	Number	Percentage	Demographic Variables	Number	Percentage
Gender			Education Level		
Male	143	33.1%	Elementary	6	1.3%
Female	286	64.9%	Junior high	12	2.9%
Marital			Senior high	155	34.9%
Singles	183	39.8%	Junior college	66	16.1%
Married without children	89	16.8%	College	173	42.4%
Married with children	178	39.2%	Master's degree	40	10%
Other	8	0%	Doctor's degree	3	0%
Age			The Average of Monthly Income		
Under 19 years old	21	3.1%	Below 10,000 dollars	39	10.8%
20-24 years old	40	9.3%	10,001-20,000	143	34.9%
25-29 years old	82	15.4%	20,001-30,000	118	28.4%
30-34 years old	73	18.1%	30,001-40,000	30	17.7%
35-39 years old	47	11.3%	40,001-50,000	8	4.3%
40-44 years old	63	12.4%	Above 50,000 dollars	14	3.4%
45-49 years old	31	7.8%	The most often used transportation		
Above 50 years old	10	1.7%	Walk	1	0.3%
Occupation			Bicycle	31	3.1%
Student	46	11.2%	Motorcycle	198	47.8%
Government employees	29	8%	Car	113	27.8%
Employment of service industry	154	25.4%	Others	8	0%
Business	66	16.1%	The supermarkets they shop the most		
Self-employment	48	11.7%	(Multiple Choice)		
Others	113	27.8%	Taiwan Fresh Supermarket	221	78.1%
			Formosa	124	47.3%
			Wellcome	11	2.7%
			Matasari	17	4.1%
			Others	30	1.8%
			Total	279	100.0%

Factor and Reliability Analysis

Before the factor analysis, this study used Kaiser-Mayer-Olkin (KMO) and Bartlett's test of sphericity to determine whether the questionnaire was suitable for factor analysis. The KMO measure of sampling adequacy on the 41 questions of satisfaction was 0.962, the Bartlett's test of sphericity was 11393.426 and the P-value was less than significant level. They all showed the coefficient was appropriate for factor analysis.

This study used principle component analysis and eigen-value larger than 1 to obtain six factors. It presented detailed eigen-value which explained variation percentage and accumulate variation percentage. The accumulate variation percentage was 63.694%. In order to name and identify factors. This study obtains six factor aspects from varimax rotation. After factor analysis, it obtained six main factor aspects. This study focused on these six aspects were named and distinguished into "Service-Oriented Type", "Sale-Strategy Type", "Internal & External-Environment Type", "Shopping-Mechanism Type", "Demand-Understanding Type" and "Service-Convenience Type".

After factor analysis, this study adopted Cronbach's Alpha to determine whether the result was stable or consistent under various situations. As the result shows except "Service-Convenience Type", other aspects all reach high reliability. The result of data analysis, the questionnaire of this study has high consistency, so the scale used to measure the service quality of supermarket chain has reached certain credibility.

The Variance Analysis of the Importance and Satisfaction of Service Quality

In order to understand the difference from customers of fresh supermarket chain between expectation and actual perception, this study used paired t-test to analyze whether presented significant difference between that. The result of analysis presented the P-value of Q8、Q17、Q18、Q21、Q29、Q30、Q31、Q41 did not reach significant level. Above questions did not had any impact between expectation and actual perception. The P-value of other questions were all smaller 0.5 significant level that means there is difference between expectations and actual perception. Therefore, the service quality of fresh supermarket chain still has to improve.

Moreover, mean of paired variance larger than 0.5 indicates "importance". On the other hand, mean of paired variance smaller than 0.5 indicates "satisfaction". "Q26" was 0.815, "Q19" was 0.651 and "Q14" was 0.546. The three questions mentioned above were top three most important. Otherwise, "Q9" was 0.361, "Q1" was 0.280 and "Q20" was 0.127. Above three questions were the top three most satisfaction.

The result showed the difference value was smaller than 0 to compare expectation and actual perception that which means the importance is larger than satisfaction. Otherwise, the difference value was larger than 0 that means satisfaction is larger than importance. Moreover, in the questionnaire, about (1) expectation tended to high-importance (Examination value >5) there were total 37 questions. The expectation value of "Q12" was up to 5.39. Sequentially, the expectation value of "Q20" was 5.38, "Q35" was 5.33 and "Q30" was 5.31. Furthermore, (2) actual perception tended to high-satisfaction (Examination value >4.5), there were total 37 questions, and tended to low-satisfaction (Examination value <4.5) there were total 4 questions. The actual perception value of "Q26" was 4.41, "Q21" was

4.42, “Q30” was 4.46 and “Q29” was 4.47. Finally, (3) as to expectation and actual perception there was no questions tended to be unsatisfactory (Examination value<2.5)

One-Way ANOVA for Demographic and Customer Satisfaction

1. The Analysis of Single T-Test between Gender and Satisfaction of Customer

The result of single t-test analysis represented that the P-value all were not smaller than 0.05 between gender variances and six aspects, so all aspects have no significant in the result of analysis. It represented the satisfaction was not different because of gender.

2. The Analysis of One-Way ANOVA between Marriage, Occupation and The Most Often used Transportation and Satisfaction of Customer

From the result of One-Way ANOVA analysis represented there was no significance between marriages, occupation and the most often used transportation and six aspects of satisfaction. In the post-test, it also did not show significance. According to the result of analysis, it represented the satisfaction was not different because of martial statues, occupation and transportation.

3. The Analysis of One-Way ANOVA between Age, Education Level, the Average of Monthly Income and Satisfaction of Customer

The result of One-Way ANOVA analysis between age and satisfaction of customer represented that the P-value of Sale-Strategy Type and Demand-Understanding Type was smaller than 0.05 which showed significance. The other aspects had no significance. According to the result of analysis, it represented the satisfaction were not different because of age. From the result of One-Way ANOVA analysis between education level and satisfaction of customer represented that the P-value of Internal & External Environment Type and Demand-Understanding Type were smaller than 0.05 and has significance. The other aspects had no significance. According to the result of analysis, it represented the satisfaction was not be different because of education. From The result of One-Way ANOVA analysis between the average of monthly income and satisfaction of customer represented that the P-value of Shopping-Mechanism Type was smaller than 0.05 and has significance. The other aspects have no significant. According to the result of analysis, it represented the satisfaction were not different because of the average of monthly income.

Importance-Performance Analysis (IPA)

(A) First Quadrant (Keep Up The Good Work): In the first quadrant of the question items on behalf of the importance and satisfaction has high level by customer, so it shows the operator of fresh supermarket chains provided the service items were to achieve customer expectation, and they must keep them and provide better service for customer.

(B) Second Quadrant (Possible Overkill): In the second quadrant of the question items on behalf of the customer satisfied with the service and reach expectation level of customer. The question items in this quadrant have become an advantage in marketing competition, but it is not the most important in service items for customers. Therefore, recommended to reduce much resource in here, the operator can continue to maintain the quality of service and put resources into other service items of need to improvement.

(C) Third Quadrant (Low Priority): The question items in third quadrant on behalf of customers do not very respect on these question items, and the satisfaction is low. If the operator of fresh supermarket

chain is willing to improve in these service items, it would be able to make the service more perfect, also enhance the whole satisfaction of customer.

(D) Fourth Quadrant (Concentrate Here): The question items in fourth quadrant on behalf of customer respect on these question items very much, but the satisfaction is low. Therefore, the operator must improve these service items immediately, and try to understand the problem in order to enhance the whole satisfaction and make customer visit again.

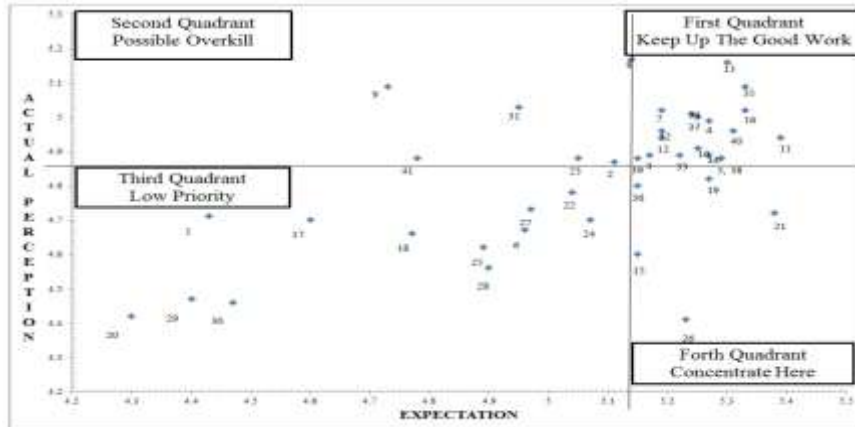


Figure 1 Importance-Performance Analysis of the Research

CONCLUSION AND RECOMMENDATION

A. The Analysis of Sample Data

24-hour service supermarket chain, they do not have been increased only focus on product, but pay more attention to the needs of the customer and provides better services. The analysis of sample data showed, the majority of customers were female, aged between 30 to 34 years old and married with children. It represents the needs of female group, and they focus on internal and external environment, product furnishings, quality and price. Therefore, the researcher suggests that operator can provide promotion activity and varies of products for the female customers who are married with children. In the customer professional analysis, it showed the majority responded as “others”, but the participants were mostly housewives, followed by service and business. The results, present these three groups of customer demand higher than others. As to the education level of the customers, the majority are at college level, followed by senior high school level. The average monthly income is the maximum of 10,001 to 30,000 dollars. According to the result of analysis, the majority of customer was from middle-class, so it is suggested that operator can occasional offer discounts activities and slightly reduced the commodity prices to attract more customers. The most often used transportation was motorcycle, followed by car and walking. The result of analysis represents the customer group was mostly from neighborhood.

The result of One-Way ANOVA for demographic and actual perception of service quality

The results of the analysis represented the variance of gender, marriage, occupation and transportation no significance. Nevertheless, the variance of age, education level, and the average of monthly income were significant. In One-Way ANOVA analysis shows that the Sale-Strategy Type, Internal & External Environment Type, Demand-Understanding Type and Shopping-Mechanism Type individually influenced the different groups. Consequently, this research suggests that the operator of the fresh

supermarket chain should strengthen the four aspects of service quality, and then try to attract more customers.

The conclusion of importance-performance analysis

Through importance-performance analysis result, this research drew the IPA picture between importance and satisfaction of the service quality of the fresh supermarket chain. This research suggests that the operator of fresh supermarket chain should to improve this service items in third and fourth quadrant, it would makes these service more perfect and enhance the whole satisfaction of customer.

Research Recommendation

Based on the conclusions of this study, this research provides the recommendations for operator of fresh supermarket chain as following: (1) Developing marketing strategies for different customer groups: The result of the analysis shows that the customers of fresh supermarket chain mainly are housewives, married with children and the average of monthly income is middle and low income groups. In the process of distributing questionnaire, more participants response that the price of product was much expensive than others, so this research recommends that the operator can provide various promotion activities, such as discount strategy or providing seasonal fruit or seasonal product to attract various customers; (2) Strengthening Service Personnel Training: Good service attitude can make up for other deficiencies of service, so each staff of department need to have good service attitude, not only the cashiers. Therefore, this research suggests to strengthen service personnel training to make up the service item completely. In training course, it can distinguish into two parts, service education and initial training.

MANAGERIAL IMPLICATION

In order to provide comprehensive service quality and make customer satisfy, understanding the needs of customers and master the customer preferences have become operators' priority to improve customer satisfaction and loyalty. However, the operator pursues that be able to meet the needs of customer, improve customer satisfaction and can also achieve the purposes of high revenue.

During the study interview and questionnaire analysis, the results provide several recommendations for operators. The recommendations are as follows: (1) Professional Services and Innovation: Although the main business direction is different from other supermarket chains, for the psychological level of the customer that "service" has become increasingly important. The operator not only maintains the excellent quality of the original product, but improves service performance and satisfies customers to enhance their loyalty; (2) Developing marketing strategies for different customer groups: In the process distributing of questionnaires, one of the issues reflected from customers was the price. Nevertheless, the provision of product had been selected carefully and the physical channel is also different from other supermarket chains, so the price must be maintained at a certain cost. The prices have been adjusted and monthly provide promotion activity in recent years, but the customers still responded the problem of the price when distributing questionnaire.

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**The Role of Brand Relationship Quality and
Social Presence in Brand-elicited Negative Emotion**

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ABSTRACT The purpose of this study is to examine the relational factors that influence existing customers' affective responses when a negative brand incident (NBI) occurs. Two studies were conducted. Although the findings show that the perceived severity of the NBI increases the strength of brand embarrassment, the level of customer-brand relationship quality (BRQ) moderates this effect. Customers who have high BRQ feel less embarrassed than those with low BRQ if they perceive the NBI is of high severity. Social presence drives this relationship. The findings also show that low BRQ customers feel less embarrassed in the presence of a social group and are not affected by the perceived severity of the NBI. The results of this study extend the cognitive appraisal framework of negative emotions by examining the role of BRQ for existing customers towards an NBI, and provide new directions for brand managers with respect to how they manage customers' negative emotions when an NBI occurs.

Keywords: Customer-brand relationships, Brands, Self-conscious emotions

INTRODUCTION

Because of fierce market competition and the growth of technology, it is difficult for brand managers and marketers to control a brand's image or customers' perceptions of a brand. For example, to reduce production costs, managers at Volkswagen produced false emission figures to pass the vehicles' emissions test; however, this unethical behaviour damaged the brand's image. Similarly, in the Guo MeiMei incident in China, Hermès (a renowned luxury handbag company) was singled out as a 'tool for bribery' and identified as a brand used by wealthy Chinese to display their wealth. Consequently, negative associations were linked to Hermès and its elegant brand image was damaged. Indeed, today, many of the existing customers of these two companies feel embarrassed to be seen carrying a less prestigious brand's products.

Consumers use brands to construct a sense of identity (Arnould & Thompson, 2005). Consequently, when a brand fails to meet an individual's needs (e.g., by providing poor quality services) or has an image, values or morals that are inconsistent with those of its consumers (Hogg, Banister, & Stephenson, 2009; Lee, Motion, & Conroy, 2009), negative effects may result, as the brand can no longer construct or maintain the individual's self-identity. This may also result in anti-consumption behaviours and brand avoidance (Johnson, Matear, & Thomson, 2011). To grow a company's business, solid bonding between customers and brand is momentous, however, previous embarrassment studies (Grant & Walsh, 2009; Romani, Grappi, & Dalli, 2012) did not quantitatively measure the relationships between each cause and effect of embarrassment if a negative brand incident occurs, particularly in relation to existing customers with different customer-brand relationship levels. Therefore, to narrow the knowledge gap, this study is focused on the factors that influence customers' feelings of brand embarrassment.

LITERATURE REVIEW

Brand Embarrassment and its influential factors

According to Lazarus (1991), emotion is a mental state of readiness that forms in response to an appraisal of the environment and an individual's own thoughts. Different emotions trigger different appraisal tendencies, including various changes in cognition, physiology and action (Lerner & Keltner, 2000). Consumers may experience different types of negative emotions such as anger, offence, regret and disappointment when a brand fails to satisfy their needs.

The embarrassed individual experiences feelings of awkwardness and discomfort as the result of an encounter with a brand, a feeling of brand embarrassment occurs. The negative emotions may arise in anticipation of, during or shortly after the encounter (Walsh, Albrecht, Hofacker, Grant, & Takahashi, 2016).

Several studies examined how the unfavourable branding and market targeting adopted by a company caused customers or potential customers feel embarrassed (Grant & Walsh, 2009; Levy, 1959; Salzer-Mörling & Strannegård, 2004). Previous studies have focused on external factors as a source of embarrassment, such as how others perceive an individual and brand associations. Emotions associated with consumption are formed in response to a specific consumer appraisal, so it is legitimate to apply a self-other distinction to consumer emotions (Bagozzi, Gopinath, & Nyer, 1999). A primary appraisal in cognitive appraisal theory refers to how a situation is relevant to an individual (Lazarus, 1991). Johnson et al. (2011) indicated that when a brand has relevance to the goal of identity construction, the brand's self-relationship tends to be strong and to have a significant effect on a person's emotional wellbeing. A negative customer-brand relationship reflects the way consumers feel about themselves when in the relationship with the brand (Alvarez & Fournier, 2016). Therefore, it is expected that when a negative brand incident occurs, an individual's internal factors (e.g., customer-brand relationships, social presence and perceived severity) may influence the strength of embarrassment.

Customer-Brand Relationships

Relationships both affect and are affected by the contexts in which they are embedded (Berscheid, 1994). Psychological, sociocultural and relational factors shape the significance of a relationship for the individual involved (Holbrook, 1993; Mick & Buhl, 1992). Meaningful relationships can change an individual's self-concept through expansions into new domains or reinforce an individual's self-concept through mechanisms of self-worth and self-esteem (Aron & Aron, 1996). Park, Eisingerich, and Park (2013) proposed that a brand's hedonic, functional and/or symbolic benefits can help customers to achieve their self-related goals, and thereby bring a brand closer to the self. Individuals purchase a product from a brand because it helps them to express who they are (i.e., their actual self) or who they want to be (i.e., their ideal self). If a brand enhances an individual's self-esteem, the individual is more likely to maintain a relationship with that brand. Conversely, if a brand fails to enhance an individual's self-esteem, the individual may decide not to maintain the customer-brand relationship.

Negative brand events damage consumers' trust, a lack of trust damages established customer-brand relationships and leads to customers' rage and disappointment (Castaldo et al., 2010; Gargiulo and Ertug, 2006). Customers will be more likely to take offence if they find themselves the victims of a service failure episode. Further, such customers may feel betrayed if they believe that a firm has intentionally violated what is normative in their relationship (Elangovan & Shapiro, 1998; Ward & Ostrom, 2006). Thus, when existing customers experience negative brand incidents or negative associations, they may feel that they are the victims of the brand or that the brand has violated its commitment to them. Conceptually, this will deteriorate the customer-brand relationship.

However, it is argued that customers with extensive brand experience are less likely to consider any given piece of information as diagnostic (or reflective) of the brand's core competence. Because of

their extensive prior knowledge about the brand, new information will not be used to update their prior judgements and is more likely to be discounted (Dawar & Pillutla, 2000). Customers evaluate their past and current experiences with the brand and appraise the brand's information cognitively. When a self gets closer to a brand, an attachment between them is formed. A threat to the brand elicited the same responses as a threat to the self (Lisjak, Lee and Gardner, 2012). To preserve the integrity of the self, highly committed customers tend to question the validity of the information source or generate counter-arguments that neutralise the effect of negative brand publicity (Swaminathan, Page, & Gürhan-Canli, 2007).

Under an exchange-based relationship concept (Aggarwal, 2004), customers maintain relationship with a brand when it brings fair rewards to them and satisfies their needs. It is expected that a brand will take constructive or corrective actions to respond its negative incident in return of rebuilding existing customers' confident and trust with a brand. Therefore, it is proposed that the responses of customers who have a strong, high-quality brand relationship (e.g., high levels of trust and a long-term commitment) may different from the customers who have a low-quality brand relationship as they will trust in their previous or current experiences with the company, and will feel confident that the brand will help them to protect their self-worth and self-esteem in return of the brand loyalty; thus, brand embarrassment may not be easily evoked. Accordingly, it is hypothesised that:

H1—When a negative brand incident occurs, consumers with a high-quality brand relationship will experience less brand embarrassment than consumers with a low-quality brand relationship.

Social Presence

Although social presence increases embarrassment, if customers have a high-quality brand relationship (they are satisfied with and committed to the brand), they tend to question the validity of the information source or generate counter-arguments to minimise the effects of negative brand news (Swaminathan et al., 2007). They may question the brand's staff about the causes of the negative incident, and explain the reasons for the incident to their social group in person to protect their self-worth and self-esteem. Through presenting an explanation to the people in their social group, customers can control the group's impression of them and the brand, and avoid negative social image, which reduces the negative feeling induced by the brand. Conversely, if customers have a low-quality brand relationship (they are less committed to and interdependent with the brand), they are unlikely to invest effort to argue against any negative incident or associations, as they do not plan to have a long-term brand attachment. Thus, it is expected that customers with a high-quality brand relationship will experience less negative emotions in the social presence condition, yet more negative emotions in the social absence condition. This means that the quality of the brand relationship moderates the relationship between social presence and brand embarrassment, and the strength of brand embarrassment varies under different social setting. Based on these previous findings, the below hypotheses are proposed:

H2a: In a social presence condition, customers with a high-quality brand relationship will feel less embarrassed, compared with customers with a low-quality brand relationship.

H2b: In a social absence condition, customers with a high-quality brand relationship will feel more embarrassed than in a social presence condition.

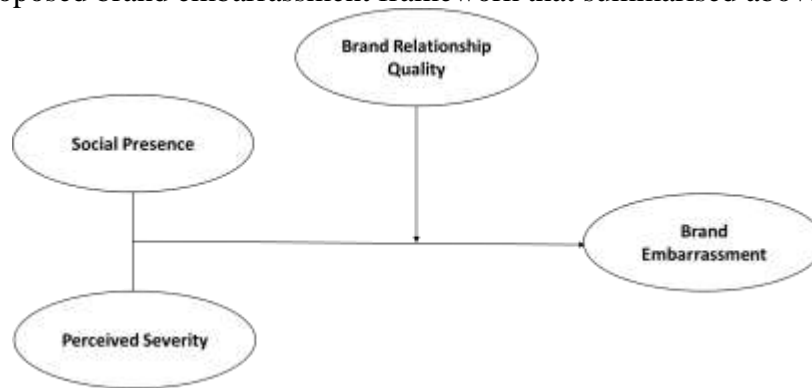
Perceived Severity

The severity of an incident refers to the perceived amount of damage caused by the incident (Coombs & Holladay, 2011) and the degree to which the incident breached an individual's established expectations (Fediuk, Coombs, & Botero, 2010). When individuals make a decision, the severity of the incident also relates to the negative impact they suffer (Tennen & Affleck, 1990). Brand misdeeds

abound in the marketplace. Customers elicit stronger emotion of contempt and weaker emotion of pity for values-related negative brand publicity than performance-related negative brand publicity (Liu, Lischka, and Kenning, 2016). If the brand transgression is related to strongly committed customers themselves, and the negative brand actions are of an unethical issue, they will not forgive the brand (Trump, 2014). It reveals that the more severe of the negative brand incident perceived by the customers, the greater the strength of the negative emotions they would evoke. It is expected that if existing customers who perceive the negative brand incident is of high severity which damage their self-esteem, they will feel embarrassed. Accordingly, it is hypothesised that:

H3—Perceived severity of a negative brand incident will be positively related to the strength of brand embarrassment

Below is the proposed brand embarrassment framework that summarised above hypotheses.



OVERVIEW OF STUDY

A structured and self-administrated questionnaire was distributed. According to Wang et al. (2011), individuals aged between 20 and 40 years have the greatest spending power in the consumer market. Thus, such individuals should have more brand knowledge and form connections with brands that fit their identities. The participants comprised two hundred and seventy-four participants (most aged 25-44; 47% male and 53% female) recruited from Prolific Academic.

This research consisted of 2 studies. Consent questions were asked at the beginning of the study so that individuals could refuse to participate in the questionnaire. Participant responses remained anonymous.

Study 1

This study aimed to test what individuals perceive and feel about a brand embarrassment scenario. Prior to the study, researchers explained the term ‘brand embarrassment’ to the participants as this term might be new and unfamiliar to them.

To ensure that these scenarios elicited feelings of brand embarrassment, a pre-test was conducted in which 60 students and staff members (both male and female) at a university were asked to rate the severity of these scenarios on a scale of 1 to 5 (for instance, 5 indicated, ‘I would be very embarrassed if I were the person wearing the brand’s products in this situation’ and 1 indicated, ‘I would not be embarrassed if I were the person wearing the brand’s products in this situation’. Participants were also asked to indicate how they would feel in these situations (e.g., uncomfortable, joyful or angry on a scale of 1 to 5, where 1 represented ‘not at all’ and 5 represented ‘very much’). All of the participants in the pre-test understood the content and over 80% agreed that this scenario would elicit feelings of brand embarrassment.

In main study, participants were asked to imagine that they were a Manager of a company who were possessing a Brand X car and many people were discussing Brand X for its involvement in a recent scandal (shown as below). Then, participants in both conditions evaluated the brand and expressed how they felt to the situation on a 5-point scale (Dahl, Manchanda, & Argo, 2001): negative/positive, embarrassed, joyful, and angry (where 1=not at all and 5=very much). At the end of the study, debriefing was conducted. The scenarios stated:

Low Severity of Brand Embarrassment

You are a Senior Manager of a company. You purchased a private car from the reputable Brand X. You love and trust Brand X a great deal and will commit to the brand. However, this morning, a scandal broke out about false reporting of Brand X products. A news report stated that the quality of the product is not as high as is stated in the sales brochures. For example, the car wheels are assembled from used wheels and materials, and the leather of the seats is not authentic. The Brand X scandal has attracted widespread public attention. Your subordinates are also now talking about the Brand X scandal.

High Severity of Brand Embarrassment

You are a Senior Manager of a company. You purchased a private car from the reputable Brand X for daily use. You are not satisfied with the quality of the product and will not commit to the brand. This morning, a scandal broke out about false reporting of Brand X products. A news report stated that the quality of the product is not as high as is stated in the sales brochures. For example, the car wheels are assembled from used wheels and materials, and the leather of the seats is not authentic. The Brand X scandal has attracted widespread public attention. You know that no subordinates are in the office at the moment, and no one will be back to the office today.

Study 2

This study aimed to test how the customer–brand relationship affects the strength of brand embarrassment. Participants were asked to complete a survey and their demographic profile (age, gender, education and income). All measures for the questionnaire were adopted from existing scales in the established research. Likert scale of brand relationship quality was adopted from Kim, Lee, and Lee (2005). These 5-point scales include a four-item measure for self-connective attachment, six-item measure for satisfaction, three-item measure for behavioural commitment, three-item measure for trust, and three-item measure for emotional intimacy (where 1 = strongly disagree and 5 = strongly agree). Brand Embarrassment was measured using Grant and Walsh (2009)'s items and 5-point scale (where 1 = strongly disagree and 5 = strongly agree). The items included: 'I do not want my friends and acquaintances to see that I buy products from Brand X, as it makes me feel embarrassed' and 'I feel embarrassed when I believe that others think the worst of me because I use and wear Brand X'.

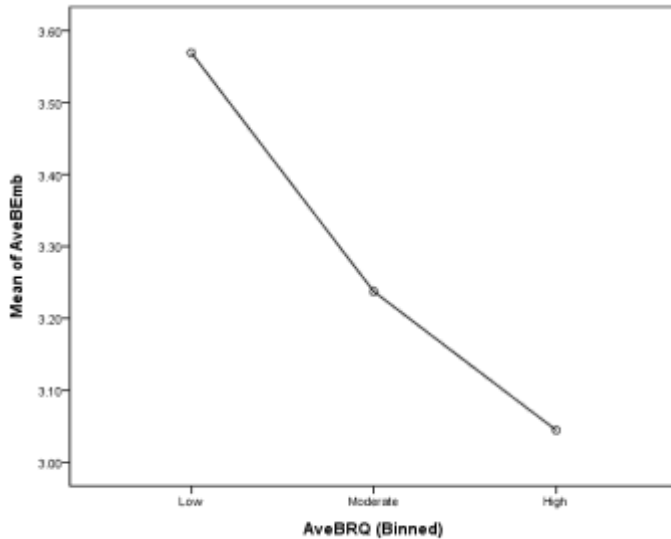
Perceived severity was measured using a one-item scale developed by Philippe, Keren, and Zeelenberg (2013). The item read: 'I perceive the incident that evoked the brand embarrassment to be severe' and was measured using 5-point scale (where 1 = no severity at all and 5 = substantial severity). Personal information such as gender, age, education, personal income was asked at the end of the survey. Each participant received compensation in the local currency equivalent to US\$0.7.

RESULTS AND DISCUSSION

The statistical software package SPSS was used to analyse the data. For the brand embarrassment manipulation, the results showed that participants felt embarrassed after the NBI. According to participants, the NBI evoked moderate feelings of brand embarrassment ($m = 3.30$) and the

scenario was realistic. Preliminary analyses were conducted to ensure there were no violations of the assumptions of normality, linearity, multicollinearity and homoscedasticity.

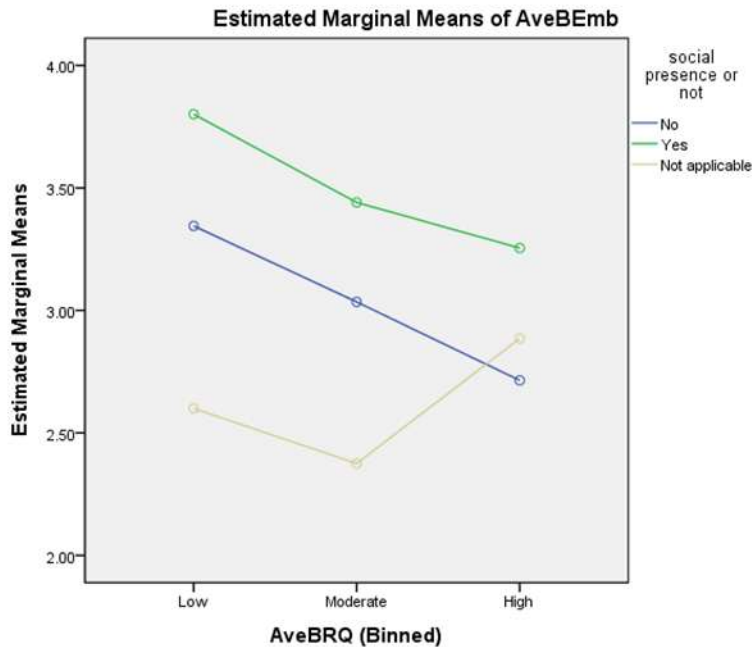
To examine the effect of varying BRQ on brand embarrassment, a continuous variable was divided into groups by visual binning (i.e., the BRQ was divided into three groups: low, moderate and high). To compare means between high BRQ participants and low BRQ participants, one-way analysis of variance (ANOVA) was conducted. Binned BRQ was an independent variable, and brand embarrassment was a dependent variable. There was a significant difference in brand embarrassment ($F(2, 271) = 6.78, p = .00$) for different levels of BRQ ($M_{\text{lowBRQ}} = 3.57, M_{\text{highBRQ}} = 3.04$). This shows that high BRQ participants felt less embarrassed than low BRQ participants. Hypothesis 1 was supported. Figure 1 shows that customers who have a high brand relationship quality feel less embarrassed than those with low brand relationship quality.



Note. AveBEemb=Brand Embarrassment; AveBRQ=Brand Relationship Quality

Fig. 1. The strength of brand embarrassment for different levels of brand relationship quality

To test hypothesis 2, a between-subjects one-way ANOVA was conducted. A file was split into two groups: social presence and social absence. Binned BRQ was an independent variable, while brand embarrassment was a dependent variable. In the social presence condition, there was a significant difference in the brand embarrassment of low BRQ participants ($F(2, 156) = 5.55, p = .01$) and high BRQ participants ($M_{\text{lowBRQ}} = 3.80, M_{\text{highBRQ}} = 3.25$). However, there was no significant difference in the brand embarrassment of low BRQ participants ($F(2, 90) = 2.92, p = .06$) and high BRQ participants ($M_{\text{lowBRQ}} = 3.34, M_{\text{highBRQ}} = 2.71$). This shows that high BRQ participants feel less embarrassed than low BRQ participants in the social presence condition. Hypothesis 2a was supported but hypothesis 2b was not supported. Figure 2 shows that customers who have a high brand relationship quality feel less embarrassed than those with low brand relationship quality in the social presence condition.



Note. AveBEmb=Brand Embarrassment; AveBRQ=Brand Relationship Quality

Fig. 2. The strength of brand embarrassment under different social settings

To test hypothesis 3, a regression analysis was conducted. BRQ and perceived severity served as independent variables and brand embarrassment served as a dependent variable. The results revealed no significant main effect of BRQ on brand embarrassment ($t(273) = -1.42, p = .16$) but a significant effect of perceived severity on brand embarrassment ($t(273) = 2.53, p = .01$). Hypothesis 3 was supported.

The results of this study reveal that strong customer-brand relationship is a significant in reducing a negative brand incident's severity and the strength of brand embarrassment. Positive past experiences contribute as an agent for the strength of connection between self and the brand.

GENERAL DISCUSSION

All our proposed hypotheses were supported by the data from the two empirical studies. The results suggest that when customers with high BRQ perceived an NBI as severe, they felt less embarrassed than customers with low BRQ (H1 was supported). This research also investigated how social presence influenced brand embarrassment when participants had different levels of BRQ. Results showed that when high BRQ customers perceived an NBI as severe under the social presence condition, they felt less embarrassed. However, there was no significant effect for low BRQ consumers (H2a was supported). Moreover, we found that customers felt more embarrassed when they perceived an NBI as more severe (H3 was supported).

This research makes important theoretical contributions to several streams of research. Previous studies have focused on the factors leading to embarrassment prior to or during the purchase or consumption of a convenient product. Little attention has been paid to customers' post-purchase emotions, especially when they are still in possession of the brand's product such as cars, clothes, bags and facial treatment packages. Building and maintaining a good relationship with customers is important for business success. Factors that could reduce negative emotions towards a brand when customers are facing an NBI are vital for maintaining or improving this relationship. Our research extends the

understanding of consumer embarrassment by demonstrating the role of BRQ in predicting consumer affective responses towards an NBI. We have shown that if an NBI occurs, in the context of perceived severity and social presence, consumers with different levels of BRQ will feel different levels of brand embarrassment.

The findings of this research also contribute to the literature on Lazarus's (1991) cognitive appraisal theory. First, we have shown that BRQ would affect the evaluation process of consumers who possess a brand's product when appraising an NBI. Second, we have demonstrated that in the case of an NBI, consumers who have high BRQ feel less embarrassed (less negative emotion is elicited) than consumers with low BRQ. This finding suggests that in the primary appraisal and secondary appraisal of an NBI, customers no longer evaluate solely using a cognitive mindset and causal reasoning. The relationship between the perceived severity of the NBI and negative emotion is not always positive—the BRQ must also be considered.

This paper has several limitations that await further investigation. One limitation is that all studies were based on one NBI in the automobile industry. Future research could be conducted using different scenarios and in different industries to increase the generalisability. Moreover, most of the participants were people from Europe, who may not be universally representative. Cultural differences between westerners and easterners may lead to different affective responses towards an NBI. For example, Chinese people may have less awareness regarding unethical business practices and may perceive the NBI as less severe. They may feel more embarrassed in front of other people as easterners tend to be more conscious of 'saving face' (Kitayama, Markus, Matsumoto, & Norasakkunkit, 1997; Singelis & Sharkey, 1995). Chinese people also value *guanxi*. People with strong BRQ may experience other emotions such as anger to regulate their feelings of embarrassment.

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TEACHING MUSIC EDUCATION (NOTATIONS) THROUGH GAMES IN LOWER SECONDARY SCHOOLS

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Abstract

This study aims to examine how Music Education can be taught through Games with Microsoft Excel being incorporated in the teaching and learning process. Teaching Music, especially the notations with note values have always been the core and foundation of A Music lesson. As Music Education becomes more prominent in the Education system in this country, there is a growing interest in the teaching and learning process of the Music education in classrooms especially in the basic elements of Music. The activities involved, using games, are mainly student centered which are in line with the 21st Century Learning. Instruments used were that of the pre and post tests and the improved grades that were produced besides interviews with the students. It was found that there were differences in the post tests after the teaching and learning process was conducted using games methods with Microsoft Excel incorporated in the process. There were different recommendations and suggestions from teachers teaching this level of mediocre to weak students in Secondary Schools. Games can be modified and improvised in many ways from time to time in the future to suit the students' interest when learning the Music Education.

Key Words: Secondary Schools, Games , notations, note values, 21st Century Learning, Microsoft Excel

Introduction

Everyone enjoys Music as it is a universal interest. It cannot be denied that by listening to it, singing or even playing music, one has to know somewhat or a little knowledge on the theory of Music. My main concern in the teaching and learning process of Music Education is that students need to know the fundamental elements because it is through these elements, students can acquire any musical skills in an advanced level. Learning music notations in the theory of music is the core business in Music Education and it is the main key to other skills involving theory, practical for singing, writing, listening and also reading music. I personally feel and noticed that the weakness in these skills is due to the fact that the teaching of musical notations and its values is not being used in the proper manner to enhance the musical skills and interest. The main factor that leads to this is the lack of knowledge in the very fundamental theory of music involving musical notations and the values to these notations. Music teachers should think out of the box and also those who have the interest in this subject to encourage higher order thinking skills during their teaching and learning process in case they would like to get themselves involved in such a process. In other words, this is to see how far students can think critically, logically, reflectively, metacognitively and also creatively in the Music Education classrooms.

Objectives

This study intends to:

- i) Investigate the perceptions of students towards learning theory of music (types of notes and the values) through games in the lower secondary schools,
- ii) Investigate the students' performance in learning theory of music (types of notes and the values) through games in the lower secondary schools, and
- iii) Investigate the relation between perceptions and the performance / achievement of students in the learning of the theory of music skills in the lower secondary schools.

Research Questions

This study will seek to answer the following research questions related to the perception and the performance of the students' learning skills in the lower secondary schools:-

- (i) Are there differences in perceptions and the performance of the students learning theory of music (types of notes and the values) through games?

- (ii) To what extent has games in the teaching and learning process contributed to improve Music Education teaching?
- (iii) How have students performed after games implementation in the teaching and learning process of Music Education among lower secondary school students?

Theoretical Framework

One way to encourage music knowledge and skills among students and emphasize the importance of it is by getting the students actively involve during the teaching and learning process with each other and get students to work with other students in the class collaboratively. The theoretical framework of this study simply involves the Pre-test which is the input, followed by the treatment which is the teaching and learning process using Games (card games) with Microsoft Excel being used as a tool as well and the output which is the Post-Test. The output sees the effectiveness of the teaching and learning process method using Games in a class that is not randomly chosen.

Methodology

This research is a qualitative research whereby results are based on findings and data analysis.

Participants / Samples

Participants / Samples were from the mediocre to weaker group of students in Form 1 (3 years of age – 36 of them, co-ed). They were not chosen randomly but due to their weakness in this subject, they were experimented on. They were given a pre-test on the types and values of notes in music education. Then, the teaching and learning process (at least 2 to 3 lessons – because it is not through only 1 lesson, an achievement is expected) was conducted using games (in each lesson) with Microsoft Excel used as a tool to see the effectiveness. After that, a post-test (same questions – but modified a little (for understanding purpose) / worksheets) was conducted to see if the students performed better than the pre-test.

The instruments employed in this study were:

- (i) Observations and Interviews – Interview data were collected from the random selected weak students to explain and support why music education is not an interesting skill to learn. One-on-one in-person interviews took place. Interviews were approximately 15-20 minutes in length. These students interviewed were based on their performances in class and their achievement as well as their interest in the subject. It is because of the low interest that these students have in learning music education that prompted the researcher to select these weak students. Simple questions were asked at random (refer to Appendix 4)
- (ii) Pre and Post Test – (Appendix 2)
Samples (who are weak students from Form 1) are asked to do the pre and post-test. The pre-test is given before teaching and learning process is done (Without games) and the post test is done after the teaching and learning process is done (with games).
- (iii) Data Analysis – Comparisons were made for each student for the pre and post test. A comparative study was made for the pre and post tests, whereby data was analyzed between the vast differences and those with less differences (and also with the ones without any changes).

The Process and Procedures

Level 1 : Firstly, I will teach and drill them the types of notes and its values by using the Chart (refer to Appendix 1). The chart is used as reference. I will then take out this chart and test the students without showing them (orally – question and answer).

Level 2 : Pre-test (refer to Appendix 2)

Level 3 : Based on the results of the Pre-Test, the teaching and learning process is conducted with Games. For this, 2 or 3 games will be conducted during the teaching and learning process as a treatment to enhance and improve the students' knowledge on notations and values. In other words, before the post test is given, different games will be given for each teaching and learning session for 2 or 3 lessons. This is because, treatment can be done not only through 1 lesson using games but through 2 or 3 lessons with the games inculcated in the lesson in order to achieve the objectives of the lesson.

Level 4 : Post test (Appendix 2) – same set of questions to see if students remembered what was taught. The questions can be modified if necessary.

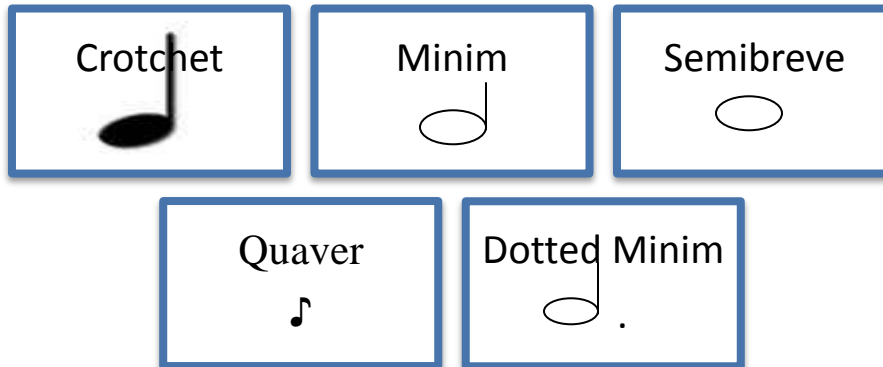
Level 5 : Interviews

Procedure of Games:

GAME A (for the 1st lesson after Pre-Test)

What is needed:

- Cards numbered 1 to 20. 3 extra cards with the word “END” to show that the game has stopped whereby game stops, count the marks and declare the winner. Some numbers can be repeated with the rationale to drill students in case they pick the same number, they will be able to remember the answer and they can answer with confidence at the 2nd or 3rd time. This can be a way to drill them with the easy and difficult questions.
- 5 cards for each student (Answer card – same colour)



- A set of question paper for each player (with questions 1 to 20) – Appendix 2
- Time keeper
- Game master (Teacher or student) who has the answers for each question.
- Score sheet / score board (with names of each player with their marks – kept by the game master) – this is in the form of Microsoft Excel. At the end of the game, each student can sum up their own marks or this can be done by the teacher. –Appendix 3

Cards are numbered 1 to 20 and shuffled and put in the middle (some numbers can be repeated – if necessary). Each player (student) takes turn to pick / open a deck of cards (1 each for each time). If card no. 5 is opened, then question no. 5 is read.

Player takes the answer card and faces down without showing the others.

Master then instructs all to open up and show their respective cards. Master also opens to show the answer and explains – guided by the teacher if he / she is a student (if needed)

Whoever gets the answer right will get 1 mark in the score sheet / score board in the form of Microsoft Excel (refer to Appendix 3).

Game continues till the “END” card is picked.

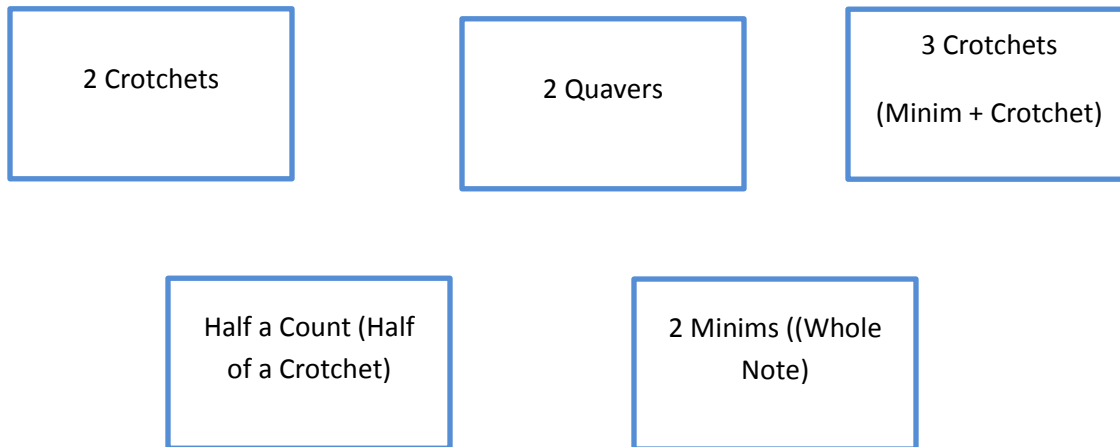
*This game can be played again if the “END” card comes out earlier than expected provided that the same questions can be used and the numbered card are not re-shuffled.

GAME B (for the 2nd lesson after the Pre-Test)

- Students are all divided into groups of 6
- Each group will have 2 sets of the 5 notation cards (as shown above) and 1 Treble card + 1 Bass card (as shown below just as an additional card) together with the Pairing cards (equation to the Notation cards)



Pairing Cards (Equations to the Notation Cards)



- All cards (24 pcs) will be shuffled and put upside down on the table
- Students take turns to pick up the right pair
- If they pick the right pair, they keep it. Otherwise they place it back on the table upside down and lose a turn.
- Once a student gets to keep his / her card, he / she ticks on the score board (Microsoft Excel)
- The winner is the one who has the most cards / pairs.
- The main aim of this game is also to see the memory of the students because when their peers pick up the wrong pair, they can focus on where it is placed on the table by that particular student.
- This game can be played again for the second time / set just to get students enjoy the lesson and for their memory on this lesson to be better.

Data Collection Procedure and Data Analysis

As mentioned earlier, pre and post tests were conducted together with interviews and observations. After these 2 tests were done, a comparison was made to see if there were any vast or small differences (or no change at all). The procedure for data analysis was explained for the following:-

- (a) Frequencies and percentages would be used to determine the samples' perceptions for the games method when learning music education. (Research Question 1)
- (b) Frequencies and percentages would be used to determine to see to what extent this teaching method could solve attitude and motivation towards learning music education through games. (Research Question 2)
- (c) Frequencies and percentages would be used to determine the success in the games implementation during the teaching and learning process through the difference between the pre and post test (Research Question 3)

Literature Review

Generally, learning theory of music is the core business in the Music Education and it is the purpose in learning the skills. In other words, to be efficient and musically inclined, one has to be professional in theory wise. The hallmarks of good knowledge of music especially in the theory aspects then are the hallmarks of all good music knowledge and skills in the Music Education.

Teachers play an important role in determining future nations' success as to produce high quality, successful and highly skilled. According to Senge (1990), in order to manipulate the existing human resource in an organization effectively, leaders for an organization (especially teachers, have to ensure that all the individuals in the organization, especially students, are well-prepared to learn at every opportunity that comes. Thus, the school teachers can be lead and encouraged to continuously learn as to enhance the teacher education quality as human resource that its potential can be sharpened through learning.

Games

Rosshalde Pak in www.teachhub.com/engaging-classroom-games-all-grades stated that games are not only fun, interactive and social, but they can also be great tools for the learning process. With the many demands and standards that teachers have to focus on, games can sometimes be a distraction rather than instruction. It is a fact that games can add flair and it motivates as well as energizes students towards learning better. According to Kathleen Holyoak in <https://wehavekids.com/education/Teaching-Children-Note-Values-in-a-Fun-Way> says that learning note values in Music is mathematical and it can be taught creatively. Mullett (2013) in <https://www.letsplaykidsmusic.com/music-note-values/> says that although music theory can be boring at times, games can be used as tools to teach theory to combine into the lesson proper. Note values can be taught through games as how many beats they are worth.

Microsoft Excel

Microsoft Excel is a software used as a tool in the teaching and learning process for data purposes. It also creates enthusiasm among students especially dealing with IT and analyzing status and positions in classroom activities which no one can deny has a place in any classroom. According to <https://www.google.com/amp/s/educationblog.microsoft.com/2017/06/powerbi-data-music-classroom/amp/>, music and data go together beautifully as it can be used as an assessment data tool. Microsoft Excel can indeed be a tool for analysis in music (du Soleil, 2015) in any form.

Findings

I saw that the students enjoyed the lessons very much and even the weak students were very enthusiastic because they were learning indirectly while playing games and dealing with Microsoft Excel to see how far they have done well in the lesson. They even had the sense of belonging with one another besides facing the spirit of competition to perform well. Through these games, students will have a better capacity to remember and much better understanding on what is taught. This creativity maintains motivation which does not limit to the teaching approach but the activity through excitement of games; which is also parallel to the findings of Kirkland and O’Riordan (2010) who felt that games are indeed motivating learning tool which can lead to better performance and objective achievement in the teaching and learning process. They do serve good contexts and clear meaning and understanding through the values of notes which will surely come to light through this method because of the experience students go through during the teaching and learning process involving these games.

Students were also attentive and active in excitement and enthusiasm while the lesson was being carried out by willingly listening to the instructions. Thus, listening and understanding the musical notations values skills were also enhanced simultaneously. The tables below show the responses and data obtained from the students based on the pre and post tests:

GRADES	FREQUENCIES	PERCENTAGES (%)	TOTAL OF STUDENTS
85 – 100 (A)	-	-	-
70 – 84 (B)	-	-	-
60 – 69 (C)	-	-	-
50 – 59 (D)	2	5.55	2
40 – 49 (E)	6	15.79	6
01 – 39 (F)	28	73.68	28
			36

Figure 1: Pre-Test

GRADES	FREQUENCIES	PERCENTAGES (%)	TOTAL OF STUDENTS
85 – 100 (A)			
70 – 84 (B)	4	10.53	4
60 – 69 (C)	4	10.53	4
50 – 59 (D)	2	5.55	2

40 – 49 (E)	6	15.79	6
01 – 39 (F)	20	52.63	20
			36

Figure 2: Post-Test

It is obvious from the 2 tables above show that the achievement in the tests is much better and had increased. Students have gained positively in the knowledge of the theory of music in values of notes especially after these musical elements were taught through games. They participated actively and were ready to face the post test (with modified questions).

In the Pre-Test, only 8 students passed the test (2 students had D and 6 students had E), whereas in the Post-Test, 18 students passed (4 students had B, C and 2 students had D, while 6 students had E) – Research Question 1. All of them agreed that this teaching method could solve attitude and motivation towards learning music education through games and through the interview that was carried out – Research Question 2. All the 36 samples / students (100%) have perceived that learning music education through games and had a great impact to the little achievement they have had for the Post-Test – Research Question 3.

Discussion

It is doubtless that this research has given more insights and proved the many ways which can be implemented to impart content teaching into students' learning in Music Education. Teaching notes and its values through games and is a good strategy which I used among the Form 1 students (mediocre to weak group) and this too, by using the Microsoft Excel which made the students look forward to each lesson knowing that IT was involved. This was to enable them to be interested not only in the game and but the content of the game which included the music elements that is to be taught that also involved Microsoft Excel as one of its tools. The low acquisition level in Music Education, especially among students that are weak in the theory aspect using versatile methods in schools, had aroused the anxiety among Music teachers. This weakness among students had caused the teaching and learning process for further skills, such as singing / reading with music scores, playing instruments, listening skills, writing music and such be interrupted.

Therefore, choosing games as an approach to study in is a good measure to gather great support in schools in order to enhance the learning of any subject. If it is not used creatively in schools, lessons will be the same monotonous process during any teaching and learning process as there may not have any improvement in achievement.

Limitations

Students in this mediocre to weak group often faced difficulty in learning the values in the different notes as in crotchets, minims, semibreves and quavers. It cannot be denied that the Music Education is not placed as an important subject in major exams. So, the interest to learn the theory in Music among the students is minimal compared to other subjects. Probably this is one of the reasons the students do not fare well in the Music examinations. Thus, leads them to not being confident to be able to learn Music especially in the aspects of theory although they may be interested in practical. Schools are now examination oriented, thus making teachers wanting to finish their syllabus fast. Due to this, students have no room to 'academically interact' which is found to be a valuable experience and resourceful. Their teachers do not have time to help the students to interact and learn naturally and in depth apart from having to rush for time to finish their syllabuses. Thus, the learning process in "isolation" (learning solely the theory of Music to merely fulfill the syllabus) among students to achieve the learning process objective that had been set is disallowing the students to learn Music naturally. Therefore, students have little confidence in this subject which although as an elective subject, it is an importance to the education system in developing the areas of the brain (left side) in many ways.

Recommendations

There is a need to impose music in order to allow students to be able to benefit from it and enhance their talents to fulfill the aims, goals and objectives of the education system which includes being musically inclined holistically. Howard Gardner's (1983) multiple intelligence which includes music and rhythm suggests that music and rhythm can be expanded if the student has the capability to accommodate adapt and adopt to this skill. By teaching using improvised Games, students will tend to remember not only the Games learnt but what contents, lyrics and play method in the Games that had been taught during the teaching and learning process and consequently, the love for this subject can be enhanced gradually.

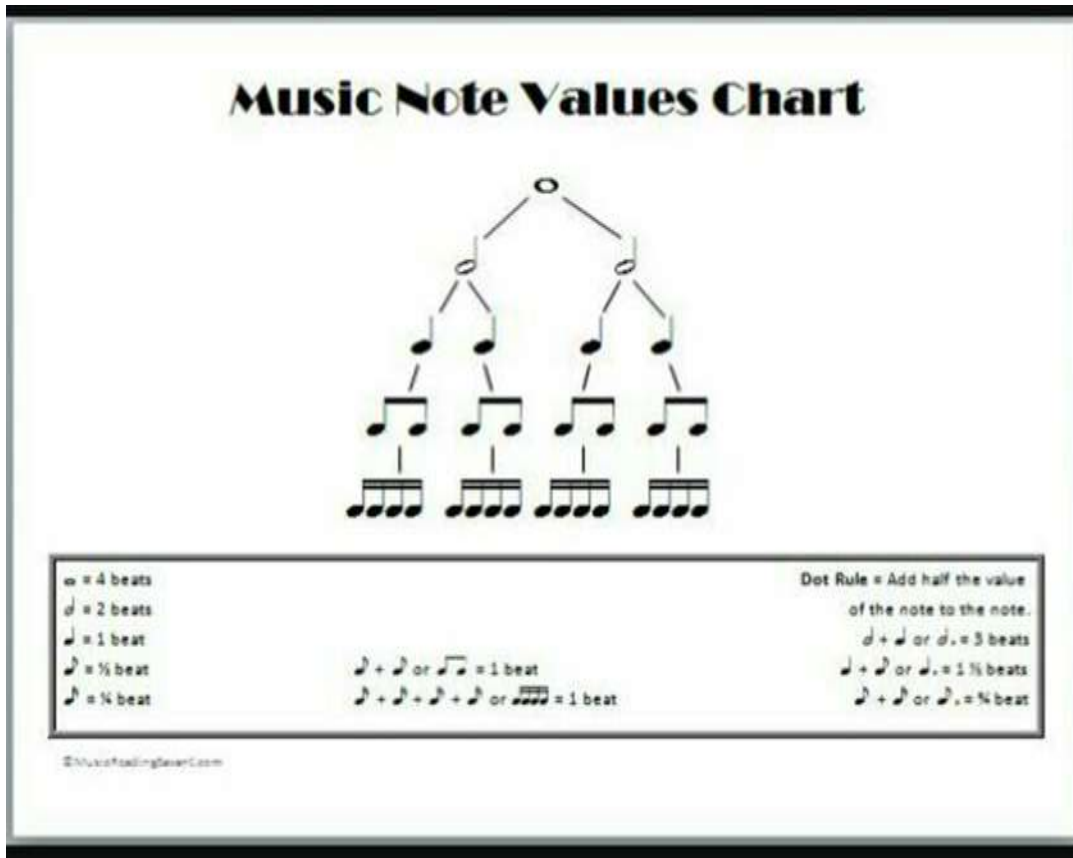
Conclusion

In the nutshell, it can be concluded that using Games during the teaching and learning process enhances the students' alertness to think and indirectly get them to engage towards the learning process in the classroom. They surely would look forward to the next lesson if a Games method like this is used, but of course in another improvised manner. Students will naturally have a flair for Games if these elements are inculcated in the lesson plan to suit the students' interest and at the same time, learning music skills is indirectly enhanced among them who once upon a time, never knew that Music Education would be of their utmost interest .

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APPENDIX 1 Note Chart



APPENDIX 2 (Worksheets) For Pre-Test and Post-Test

1. 1 Count Note
2. A 3 Counts Note
3. A Whole Note
4. A note which has 4 counts
5. Half of Crotchet
6. A 2 Counts Note
7. 2 Minims are equal to _____
8. 4 Crotchets are equal to _____
9. A Dotted Minim is equal to _____ crotchets.
10. A Quarter Note
11. A Semibreve has 2 _____.
12. A Whole note has 4 _____.
13. There are 3 _____ in a _____. (HOTS)
14. A dot is placed after a note to show that the dot has half of the note's value. So it is the note value plus half of its value.
15. 1 Crotchet + 1 Minim = _____ (HOTS)
16. 1 Minim + 1 Minim = _____
17. 1 Minim has 4 _____
18. 2 Quavers make 1 _____
19. There are 4 quavers in 1 _____
20. Another name for this note is Half Note

APPENDIX 3 (Score Sheet) - Sample

NAMES and QUESTIONS	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	TOTAL MARKS
1. Ali																					
2.Ahmad																					
3.Balan																					
4.Mary																					
5. Ah Chong																					

APPENDIX 4 Interview Questions (for students)

1. Do you like being part of this research and lesson?
2. Which part of the Music skill do you like most?
3. In Theory of Music, what do u like?
4. Do you dislike Theory of Music? Why?
5. How did you learn the basic Theory of Music skills?
6. Did you ever make any effort to upgrade your Music skills especially in the Theory aspect?
7. Did you like playing games and learning songs while learning Music?
8. How did these methods make u like Music Education?
9. How will you feel if ever you do well in any Theory of Music skills test after some interesting enforcement during the teaching and learning process?

PEDAGOGY AT THE SERVICE OF DIGITAL TECHNOLOGY THROUGH AN ADAPTIVE CMOOC

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ABSTRACT

The emergence of the « connected era » has had a great impact on the whole educational process worldwide. Many universities have adopted MOOCs (Massive Online Open Courses). While some tend to apply the MOOCs connectivist approach, many others use the MOOCs conventional transmissive methods, which are not usually adapted to the different types of learners and their respective needs, partly making the number of students who actually complete the course too small compared to that of those who start it.

Our objective is to develop a new pedagogical approach as a basis for building a multilingual adaptive cMOOC (Connectivist MOOC) which meets both the technical and scientific needs as well as the personal preferences of learners. Towards that end, five steps have been taken so far, namely conducting an analytical study of the main MOOCs available online. In addition, a detailed analysis of four pedagogical theories was performed. Likewise, a general study of learning styles was conducted. Depending on which, Kolb's experiential model and the Dunn & Dunn model were chosen to be applied in our project. Eventually, with the aim of building a learner's profile for an adaptive cMOOC based on the IMS-LP standard for profile modeling, a survey targeting UAE students was undertaken.

Keywords: MOOC, cMOOC, Adaptive cMOOC, Adaptive Learning, Learner Profile, Learning Styles.

INTRODUCTION

In 2001, the European Commission defined E-Learning as: "The use of new multimedia technologies of the Internet, to improve the quality of learning, by facilitating on the one hand access to resources and services, and on the other hand exchanges and distance collaboration"[1].

The MOOC represents one of the new modalities of E-Learning. It was invented for the first time in 2008. It is the acronym for Massive Online Open Course:

- The **M** (**Massive**): indicates that the MOOC is addressed to a very large number of registrants;
- The 1st **O** (**Open**): means that the course content is accessible free of charge for everyone and for all the levels of study;
- The 2nd **O** (**Online**): indicates that the digital content is available on the internet in real time despite the geographical dispersion of the participants;
- And the **C** (**Course**): means that it is a sharing of knowledge that takes into consideration the pedagogical principles, respecting a calendar, and not just a sharing of course materials or higher level videos as is the case with the OCW (Open Course Ware) for example.

There are two types of MOOCs:

- xMOOC: Is based on the “transmissive” concept followed in classical teaching, where the instructor is the sole contributor to the course;
- cMOOC: This MOOC is called the “connectivist”. The course here is the fruit of collaborative work between the instructor and the learners.

PROBLEMATIC

On December 31, 2014, the Internet network coverage reached 42% of the population of our planet, with 3,079,339,857 users [2]. As the prices of laptops and other electronic devices, such as tablets and smartphones are becoming more and more cheaper, the world has entered a new era: the connected era.

Universities, academic institutions and businesses have, therefore, found in this digital boom a great opportunity to spread knowledge and maximize profits. However, because of their limited resources (time, workforce, capital, etc.), they used very basic methods; recording courses in video formats, and sometimes even PDF files, and uploading them on their MOOC platforms.

Indeed, these universities have tried to facilitate and accelerate the students' access to knowledge, yet the pedagogical problems remain the same. Filming courses presented in the same classical way is in fact only putting online learners in front of the same reality, and making them face the same pedagogical challenge of conventional learning, where they are obliged to follow the methodology and the learning pace imposed by the instructor, with limited interaction during the presentation of the course, and without respecting the course's adaptation to each type of learners, their needs, skills and abilities.

This disharmony negatively affects the learner's engagement and performance. Therefore, we find that despite the massive number of enrollments in a course, which can sometimes reach thousands, the number of active participants who do actually follow the course from the beginning to the end is still modest compared to the first figure (see Fig.1).

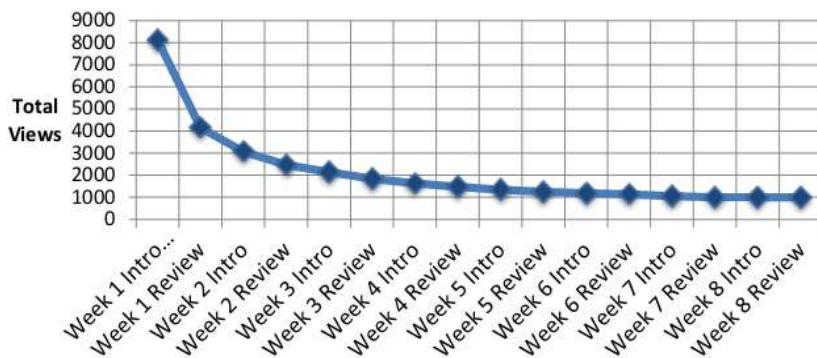


Fig. 1. Visitors of Bioelectricity course videos for each week [3]

In 2012, Meyer [4] (A. ATLANTIC Editor) reported that MOOCs provided by Massachusetts Institute of Technology (MIT) and University of California Berkley, have marked dropout rate between 80% and 95% [5].

In addition, some suppliers or MOOC adopters are trying today to move towards the cMOOCs that try to adopt the notion of connectivism, by providing some tools that can facilitate the interaction among the learners and among the learners and the instructors, by using social networks, discussion forums, FAQs, announcements, guides explaining the progress of the course (Text, Images, Videos, etc.), direct virtual conferences, etc.

However, the majority of other MOOCs are often of the transmissive type (xMOOC). They use the conventional method, where a professor or trainer gives a lecture by providing the maximum amount of information in a limited time, without any adaptation to the needs of each learner's profile, which again poses challenges regarding the course pedagogical scenarios, and consequently brings us back to the same pedagogical problems.

In addition, deadlines for homework or quizzes often trigger a new time and rate constraint. At this stage, things start to be contradictory, especially when we talk about the term "Open", which basically means that people can learn and train according to their own disposition and following to their own rhythms. Each learner has a different profile, and pedagogically this process is not effective in distant learning because it is not adapted to the needs and skills of all the various types of learners.

METHODOLOGY

The main goal of our research work is the conception and the development of a new pedagogical approach, on the basis of which we would design and build a cMOOC adapted to the Abdelmalek Essaâdi University (UAE) students' needs as a first step, and then to the needs of any other online learner around the world, through a multi-lingual adaptive cMOOC platform.

The model to be developed aims at optimizing the performance by minimizing restrictions and improving the learning level. This can provide a relevant academic learning system that is adapted to the scientific and technical needs, as well as the environmental, emotional, sociological, physical, and psychological preferences of a 21st century learner.

PROGRESS DESCRIPTION

Our research project consists of two main layers: a technical layer and a pedagogical layer. Accordingly, since its beginning, our research work has gone through 5 main stages:

- Descriptive and analytical study regarding MOOC platforms;
- Analytical and comparative study concerning the main pedagogical theories;
- Analytical and comparative study concerning the learning styles;
- Determination of a method to build the learner profile;
- Survey to specify the needs of the target population in the first phase (UAE students).

Descriptive and analytical study regarding MOOC platforms

A survey was started in 2014 and carried out more thoroughly in 2017 concerning the most well-known MOOC platforms in the world (Coursera, edX, Udacity, FutureLaeam, Canvas, Riwaq and others). I enrolled in different courses on each of the platforms subject of study in order to be connected on their pages to be able to gather all the relevant information. The results pointed out the differences and the similarities between these platforms regarding the interfaces' ergonomics and reliability, the computer tools, the information systems, the costs, the duration devoted to each course, the variety of the pedagogical activities, the pedagogical components, the types of assessment, the degree of social interaction and the flow of instructors' participation.

Our objective behind this survey was to provide benchmarks which would facilitate the understanding of the each platform characteristics, through technical and pedagogical comparisons so that we would eventually be able to decide on a platform on which our approach can be applied.

Pedagogical theories

In this section, four broad categories of pedagogical theories have been analyzed and studied in detail, namely:

- The behaviorism (Watson, Skinner, ...);
- The cognitivism (Ausuber, ...);
- The constructivism (Piaget, ...);
- The social-constructivism (Vygotsky, ...).

If we try to link these theories with the contexts of today's learning, we find that the bases of the theoretical perspectives cited above have not changed. Nevertheless, three major factors, which were much less prevalent about twenty years ago, affect today's learning process, namely:

- The Internet revolution, which has produced a diversity of e-learning modalities, accompanied by the use of Web 2.0 tools;
- The emergence of a new "type" of learners who think and learn differently than previous generations;
- And the adoption of a variety of new pedagogical methods, which rely almost exclusively on the principles of constructivism [6] and social-constructivism.

Learning styles

This step had two main objectives: the first was to discover the concept and the typology of learning styles, as well as their fundamental role in the learning process in general, and in the case of an adaptive cMOOC in particular, through a descriptive study of certain models, such as: The Kolb's model, the Honey & Mumford's model, the VAK model, the Dunn & Dunn's model and the Felder & Silverman's model.

The second objective was to discuss the decision to adopt two particular models of learning styles in our work: Kolb's experiential model for testing the cMOOC content through its measuring instrument LSI (Learning Style Inventory), and the Dunn & Dunn's model in order to test the general context of adaptive cMOOCs using the BE (Building Excellence Survey) instrument.

The analysis of the learner profile according to these models will be achieved through the collection of information during the students' registration via the member online area. The information gathered will allow the analysis of the learners' interests, needs, skills and preferences so that the learning style or styles that suit each learner can be accordingly chosen in order to subsequently develop the right profile for each learner. This way, it will be possible to deliver courses that are the same at the information level, but which differ at the presentation and evaluation level, in an automatic and adaptive manner with the detected profiles.

Learner Profile

In all the existing MOOC platforms, learners often receive identical pedagogical materials and activities. This implies that all the learners are the same, even though this is not the case. They do not consider each learner's background, goals, preferences, and learning styles. Nonetheless, building a profile containing this relevant information for each learner can be applied for the implementation of an adaptive cMOOC, based on the IMS-LP standard for modeling the learner profile. The major objective of this adaptation is to help learners to learn better and thereby improve the completion rates.

Survey targeted to UAE students

That is why a survey was conducted on a sample of 383 students from the 13 establishments of the UAE (In the cities of: Tetuan, Martil, Tangier and Larache). The students were randomly chosen from each establishment, taking into consideration the diversity of the fields of study.

This work was carried out using a questionnaire with Arabic and French versions, both online and in paper format, in order to directly reach the heart of the target population, with their different characteristics and needs. After the collection of data, we started the data processing stage.

CONCLUSION

MOOCs represent the courses offered with the most massive and heterogeneous participation that anyone can find today. Owing to the open nature that characterizes cMOOCs, different types of learners are enrolled: Pre-university students, university students, postdoc students, non-university students, etc.

In addition, the learning objectives of learners are different. Some may be interested in knowing the subject, others in how to apply their knowledge whereas others tend to be more interested in the way they can improve what they already know. Even the experts in the field can enroll in a course to contrast their experience to that of others or just to know what others are doing. Therefore, it can be said that different participants with different roles, different learning objectives and different heterogeneous contexts can coincide in the same MOOC instance [7].

Eventually, this research work is based on an applicable approach for the conception and the development of an adaptive cMOOC, which aims primarily at providing cMOOC content that is adjusted to each learner profile (Learning styles, learning objectives, etc.).

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Adopting Importance-Performance Analysis to Explore Service Quality of Retail Industry

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Abstract

Satisfying customers' service demands was the main service index in retail industry. Retailers tried to design a service standard to provide suitable service to satisfy customers. However, there might be a gap between customers' expectation and perceived service. Therefore, the purpose of the study was to explore the difference between the importance and satisfaction of service quality in the supermarket chain. Only few studies discussed the gap between customer expectation and perceived service in the supermarket chain. The researcher distributed 400 questionnaires at 20 supermarket chains in Taichung. The Importance-Performance Analysis (IPA) which was the main measurement in this study would be used to measure the difference between the importance and satisfaction of service quality. The researcher expected to assist retailers to provide effective and efficient marketing strategies and improved service performance.

Keywords: Service quality, customer importance, customer satisfaction, Importance-Performance Analysis (IPA)

INTRODUCTION

"The 21st century had entered the era of people experiencing economy." The meaning behind this sentence is that because of the growth of economic and the improvement of living standard, people enhance purchasing ability and purchasing intention [1]. The way of enhancing service quality to satisfy customers' various demands is essential [2]. Also, service providers on the first line needed to be trained and educated by company in order to improve service delivery, showing high service performance to maintain customer satisfaction and loyalty, reducing the developed cost and flexible price, keeping customers when service quality is lower [3].

The aim of this study was to understand the influence of service performance and customer satisfaction toward service quality in supermarket, but less research was related to the influence between service performance, customer satisfaction and service quality in supermarket chains. Therefore, a large fresh supermarket chain run more than 20 years in Taichung was chosen as the main subject of study in order to measure the customer satisfaction and service performance effectively in supermarket chains. Importance-Performance Analysis model (IPA) was adopted to examine the influence of service performance and customer satisfaction toward service quality in supermarket. It can provide retailers some managerial suggestions of improving customer satisfaction and service quality.

Based on the research background, this study aims to explore three purposes as follows: (a) to build service quality dimensions and research framework in supermarket chains. (b) to explore the influence of

service quality and customer satisfaction toward operation in supermarket chains. (c) to examine the diversity of customer satisfaction and importance in supermarket chains.

LITERATURE REVIEW

Service Quality

From the present literatures, service quality can be delivered by low cost and satisfied the expectation of customer demands; customers bring a continuity of assessments toward company through a whole of consumed procedure [4]. However, a personal cognition toward service quality cannot be represented by all customers. Retailers have to understand the difficulty of making a standard assessing service quality; in order to satisfy each customer, retailers need to provide good and consistent service quality to reduce the gap of customer expectation and experience; besides, service cannot be ignored because being a chain of promotions; therefore, retailers provide resources, products and a whole service system to satisfy and solve the problem through service providers contacting with customers [5].

Customer Satisfaction

Customers assess the entire customer satisfaction of company through their consuming experiences. It means the unity of overall satisfaction assessment; customer satisfaction means a reflection of customers' emotion [6]. To enhance customer satisfaction and complete market position, retailers need to plan market segmentation to understand and satisfy customers' demands [7]. With high customer satisfaction, customers are willing to promote products to their friends positively and increase the repurchasing behavior [8].

Importance Performance Analysis (IPA)

Scholars provided managerial strategies and improving service quality in accordance with IPA model. The definition of four quarters is as follows:

- Keep up the good work-For customers, products and service are high satisfaction and high importance. Thus, retailers need to maintain products and service in this quadrant.
- Possible Overkill-For customers, products and service show high performance; however, customers do not pay attention to products and service in this quarter. Thus, retailers have to shift their concentration on other quarters.
- Low Priority-Retailers provide products and service with low performance and customers show low importance in this quarter. Thus, retailers do not have to concentrate on this quarter.
- Concentrate here-Products and service, which showed low performance in this quarter, are very important to customers. Thus, retailers have to strengthen products and service in this quarter.

METHODOLOGY

The researchers proposed 41 service items devising from five service quality dimensions to design questionnaire and these items were used to analyze the customer importance of service quality and actual experiences; 5 service items were used to analyze the degree of customer loyalty. The total service items were 46 revised again by experts and scholars. 6-point Likert-type scale anchored at "strongly agree" to "strongly disagree" was used [9].

The researcher used purposive as a sampling method. The subjects were chosen in accordance with the background of operating more than 20 years and being a large fresh supermarket chain in Taichung. The participant was the employee working in the supermarket chains.

The questionnaire were distributed and explained to internal customers at 20 supermarkets in Taichung. 400 questionnaires distributed, 100 pre-test questionnaires were included. Return questionnaires were 400 copies; valid questionnaires were 300 copies; invalid questionnaires were 100 copies and the percentage of valid questionnaires was 0.75.

ANALYSIS AND RESULT

B. KMO and Bartlett Test Value

Kaiser Meyer Olkin (KMO) was adopted to measure the sampling adequacy of data. In Table 1, KMO was 0.957; Bartlett test was 8088.548; the P-value was less than 0.001. The result indicated that KMO and Bartlett test had good sampling adequacy and could do factor analysis.

Table 1 KMO and Bartlett's test value

The importance of service quality	KMO	Bartletttest	P-value
	0.957	8088.548	0.000*
Note: * $p < .001$.			

Factor Analysis

Principle component analysis was used in this study. The eigenvalue of 6 factors were greater than 1 and the total variance explained was 62.813% shown in Table 2.

Table 2 VARIMAX (before the rotation)

Factor	Eigen value	Variance explained	Total variance explained
1	17.840	17.671	17.671
2	2.390	15.863	33.535
3	1.883	11.838	45.373
4	1.339	6.562	51.934
5	1.139	5.778	57.712
6	1.052	5.100	62.813

According to factors loading after the rotation, the researcher named 6 factors as dimensions in accordance with service items which they had. Six dimensions were explained as follow:

1. Internal Management Mechanism

According to service items included in this dimension, customers extremely emphasizes the mechanism of delivering reliable promotional information and replenishment of products, lucid route design, and clear display of products, acceptable price and quality of products...etc.

2. Service Specialization

Customers thought that well-trained service providers are the key of showing the features of high service quality in this dimension.

3. Marketing Strategy

In this dimension, customers focus on promotions, life-related information and facilities. Retailers need to update information about new technologies, products, economy...etc, collecting messages which customers feel important.

4. Consumer Sovereignty

Customers emphasize the attractive appearance of supermarket chains and retailers can retain consuming records carefully in this dimension.

5. Convenient Facility

Customers in this dimension stress the store can acceptable credit cards of varied banks, offering suitable opening hours and providing spacious parking space to customers in order to make them feel convenient.

6. Understand Consumer Needs

Customers in this dimension focus on services conforming to their needs and the attitude of service providers are professional and conscientious when serving customers.

Reliability Analysis

Some researchers mentioned that Cronbach's $\alpha > 0.7$ indicated a high reliability; Cronbach's $\alpha < 0.35$ indicated low reliability and needed to be deleted [10]. The result showed that six dimensions and unity performed high reliability meaning that the relationship between each service items showed high consistency.

Importance and Satisfaction in Service Quality

Paired T-test was used to examine 41 service items of importance and satisfaction in service quality. The result showed that the P-value of 16service items was greater than 0.05 meaning no significance. It indicated that there was a gap between importance and satisfaction in service quality. The P-value of other service items was significant. Customers consider that service quality provided by retailers do not satisfy them or reach their expectation.

In addition, the averages of service items were greater than 0.5 indicating that customers quite stressed the service item. The average of service item was less than 0.5 showing customers' high satisfaction. Therefore, Q26-The price of products is reasonable. (0.500), which average was greater than 0.5, expressed customers quite pay attention to the products' price provided by retailers. Moreover, Q3-The store can correctly reserve customer records including return, exchange and other services.(-0.003) It was less than 0.5 which indicated that customers are quite satisfied with the service of retaining consuming records.

Furthermore, the difference value of 41 service items in IMP and SAT was less than 0 meaning importance of service items were greater than satisfaction. Thus, service items still had to be reappraised and improved better. Besides, according to customers' expectation tended to high expectation (Examined value > 4.5), most IMP of service items were greater than 4.5 shown in Table 3. It means that customers quite expected about most service items.

Table 3 *The least 5 service items (Examined value > 4.5)*

Service items	IMP
Q29 The tryouts of the store conform to consumer needs.	4.59

Q30	The recipes of the store conform to consumer needs.	4.60
Q1	The appearance of the store is attractive.	4.62
Q17	The store offers a comfortable resting area.	4.66
Q28	The store can renew products regularly.	4.73

According to the average of IMP (4.89), 41 service items were divided into high score group and low score group in Table 4.

Table 4 *The average of IMP*

<i>High score group</i>							
Q2	4.96	Q12	5.06	Q22	4.90	Q36	4.93
Q3	4.91	Q13	5.03	Q23	5.01	Q37	5.03
Q4	5.09	Q14	4.90	Q26	5.03	Q38	5.00
Q5	5.08	Q15	4.99	Q32	4.96	Q39	5.03
Q7	4.95	Q16	4.94	Q33	4.93	Q40	4.99
Q10	4.94	Q19	5.06	Q34	4.95		
Q11	4.93	Q20	5.10	Q35	5.00		
<i>Low score group</i>							
Q1	4.62	Q17	4.66	Q25	4.81	Q30	4.60
Q6	4.71	Q18	4.82	Q27	4.80	Q31	4.79
Q8	4.88	Q21	4.35	Q28	4.73	Q41	4.74
Q9	4.81	Q24	4.88	Q29	4.59		

Furthermore, according to the average of SAT was 4.81, 41 service items were also divided into high score group and low score group in Table 5.

Table 5 *The average of SAT*

<i>High score group</i>							
Q2	4.85	Q9	5.10	Q20	4.94	Q35	4.99
Q3	4.91	Q10	4.83	Q27	4.82	Q37	4.93
Q4	4.89	Q11	4.83	Q31	4.89	Q38	4.87
Q5	4.87	Q13	4.90	Q32	4.89	Q39	4.96
Q7	4.96	Q16	4.88	Q33	4.82	Q40	4.90
Q8	5.12	Q19	4.84	Q34	4.84	Q41	4.88
<i>Low score group</i>							
Q1	4.74	Q17	4.80	Q24	4.58	Q30	4.80
Q6	4.74	Q18	4.72	Q25	4.58	Q36	4.76
Q12	4.75	Q21	4.48	Q26	4.53		
Q14	4.77	Q22	4.71	Q28	4.69		
Q15	4.68	Q23	4.80	Q29	4.75		

Demographic variables and customer satisfaction

In this study, the researcher used independent sample *T-test* to analyze the influence of demographic variables toward customer satisfaction in service quality. Then, One-way ANOVA was adopted to

examine the diversity between each variable. Finally, Scheffe'-test was used to measure the effect of demographic variables toward customer satisfaction in service quality.

1. Gender and satisfaction in independent sample T-test

Genders had significance toward Service Specialization which p-value (0.048) less than 0.05. The p-value of other dimensions was greater than 0.05 meaning no significance. In addition, the average of male was greater than female in three dimensions of Internal Management Mechanism, Service Specialization and Understand Consumer Needs, which indicated that satisfaction would not form diversity because of different gender.

2. Age and satisfaction in One-way ANOVA

There was no significance of age influencing six dimensions in service quality. In post hoc tests, the result also demonstrated no significance.

3. Marriage and satisfaction in One-way ANOVA

There was no significance of marriage influencing six dimensions in service quality. In post hoc tests, the result showed no significance. Occupation and satisfaction in One-way ANOVA. There was no significance of occupation influencing six dimensions in service quality. The result showed no significance in post hoc tests.

4. Education and satisfaction in One-way ANOVA

There was no significance of occupation influencing six dimensions in service quality. The result showed no significance in post hoc tests.

5. Per Capita Monthly Income and satisfaction in One-way ANOVA

Results indicated that "50,001~70,000" was greater than others in Understand Consumer Needs, which meant that customers' monthly income between 50,001 and 70,000 quite stressed service quality offered by retailers in supermarket chains.

6. Transportation and satisfaction in One-way ANOVA

There was no significance of transportation influencing six dimensions in service quality. The result showed no significance in post hoc tests.

Importance-Performance Analysis (IPA)

According to the average and difference variance obtained from Table 4.6, the researcher drew all data on the two-dimensional matrix divided into four quadrants in Fig. 1. Each service items divided into four quadrants were as follows:

1. First quadrant (Keep up the good work)

15 service items spread in the first quadrant indicated that customers quite emphasized these services and felt satisfaction. Therefore, retailers need to maintain the performance of these 15 service items and offer high service quality to customers for increasing customer satisfaction.

2. Second quadrant (Possible overkill)

5 service items distributed in the second quadrant indicated that customers did not stress these services but felt quite satisfaction. Retailers have to shift concentration to other low performance of service items instead of wasting cost and time on this quadrant.

3. Third quadrant (Low priority)

12 service items spread in the third quadrant demonstrated that customers did not stress these services and display low satisfaction. Therefore, retailers may stop dropping too many resources to develop these service items.

4. Fourth quadrant (Concentrate here)

8 service items distributed in the fourth quadrant showed that customers had low satisfaction but pretty emphasized these service items. Thus, according to present service problem or negligence, retailers can provide some useful strategies for improving insufficient parts, such as redesigning space and route for reducing time of customers finding products, enhancing the attitude and behavior of service providers.

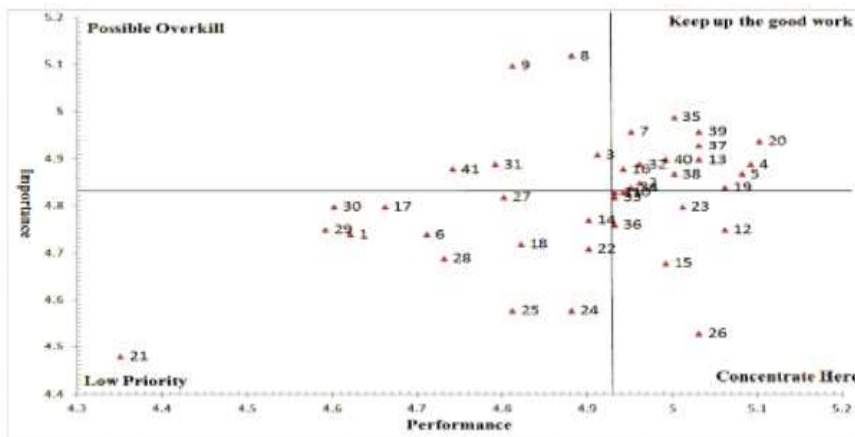


Fig. 1 Importance-Performance Analysis

CONCLUSION

C. The marketing strategy of satisfying target Customer

According to the target customers of supermarket chain are single customers and family with children, convenience store can be the operating model as the reference toward retailers in supermarket chains. Through the marketing strategies of promoting parity and providing convenient parking space, retailers can enhance purchasing motivation of customers and create special purchasing upsurge combining the commercial potential of supermarket chain and convenience store.

Principal implementation of operating service performance

According to two service items of Service Specialization in the fourth quadrant, service providers' expertise and service training do not reach standard of customer satisfaction. Therefore, retailers can adjust staffing and strengthen service providers' expertise. In addition, Retailers should analyze price of product and marketing strategies in order to provide acceptable price to customers and increase purchasing power through holding promotions and adjustment of price. Finally, regular inspection of the sale rate of each product is necessary and should be adjusted or substituted in accordance with the type of product.

Effective service supply substituted for the waste of resources

Customers quite emphasized the service performance in two dimensions of Internal Management Mechanism and Service Specialization. Therefore, retailer should notice service items in these two types

of dimensions and stress service improvement, such as lucid spatial design and display of products, enhancing service providers' own expertise of internal information and product in store, setting striking signposts so that customers no longer feel inconvenient, especially for small branches.

MANAGERIAL IMPLICATION

D. Reducing the supplement of incorrect service

According to the multiple choice analysis of supermarket chains in demographic, based on the service discrepancy of Taiwan fresh supermarket and Pxmart, Taiwan fresh supermarket provides parking space, setting charging area and rest area to customers. Speaking of Pxmart, parity is the main factor of attracting customers although facilities are less than Taiwan fresh supermarket. Thus, Taiwan fresh supermarket should focus on providing high service quality and unique service to customers, such as stabilizing the standard of original service items, understanding customer demands to offer special service that other supermarket chain never had.

Profession and creativity in service quality

According to new technology, consumption patterns and the change of environment, retailers can enhance service providers' expertise and the way of providing service, encouraging service providers to explain the function of facilities and the best way of using each product for customer positively. In this way, retailers can improve service performance and increase the capability of service innovation, which can satisfy customers.

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OPPORTUNITIES TO ENSURE THE ECONOMIC SUSTAINABILITY OF UNIVERSITY EDUCATION

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Abstract: The conditions of operation of the university network in Bulgaria are related to many risks, which determine the lack of sufficient sustainability of the processes of development of its elements and the results of the students' education. This is supported by a number of factors, including the deepening of the demographic crisis, the negative socio-economic and political conditions stimulating emigration, the scarce of material resources and their use in ineffective and inefficient ways as a result of inadequate regulation and policy use of human resources. The possibility to using the cost of education as a base when structuring the nomenclature of active degree courses is analyzed. Justification of different alternatives for managerial decisions is provided.

Keywords: cost of education per student, budget, efficiency

Introduction

Quantitative accretion leads to a qualitative change. This problem has grown in the educational system over the past few years. As a result of the methodology for calculating the funding of the universities in the Higher Education Act, which is based on the number of students studying, and accordingly natality, there is a chronic shortage of funding and ineffective budget estimates. Decrease of 42.893% from 112289 in 1989 year and 105 180 in 1990 years newborns compared to 64125 in 1997 / least / and 80956 in 2009 year / most / newborns for the last 22 years (figure 1), according to the data of the State Statistical Institute, is in the basis of the current problem, putting universities in a unsustainable market. „The number of Bulgarian citizens who have gone abroad under the age of 35 after 1990 is over 700 thousand, of which with higher education are over 20%, the students in higher education institutions abroad are more than 50 000 young people.”[2]

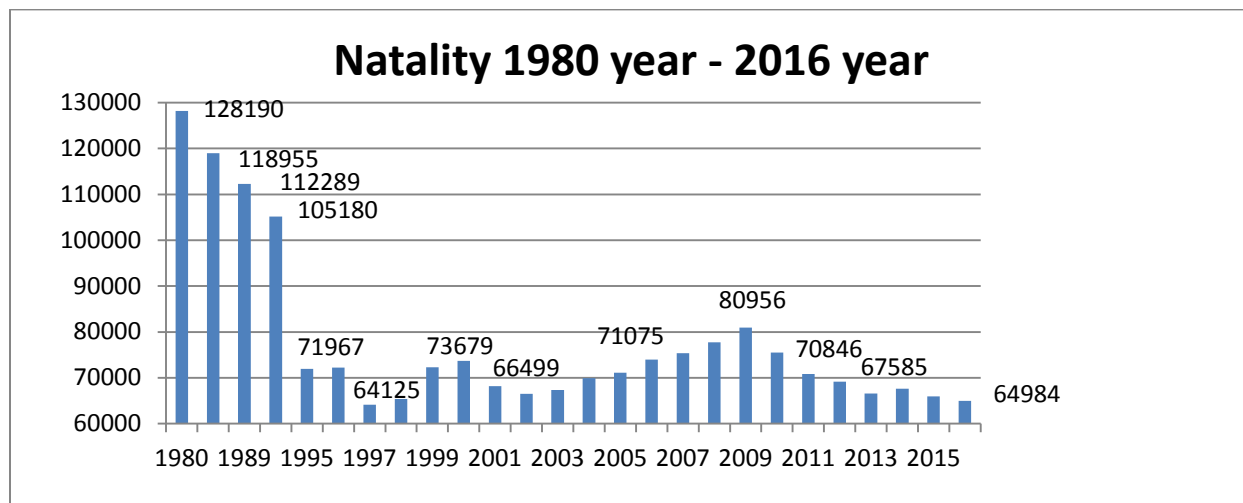


Figure 1: Natality for the period 1980 year – 2016 year

Exposition

For analyzing the dependencies between the market unsustainable state and the number of students is used a phase diagram is represented in figure 2. The feature of a sustainable market presence is illustrated by the so-called phase diagram, which reflects the change in market share over time intervals. It is important to have the previous and the current state (M and $M + 1$) and to have the intersection between the lines of the orthogonal projection M and $M + 1$ in the coordinate system, where the intersection point is below or above bisectrix.

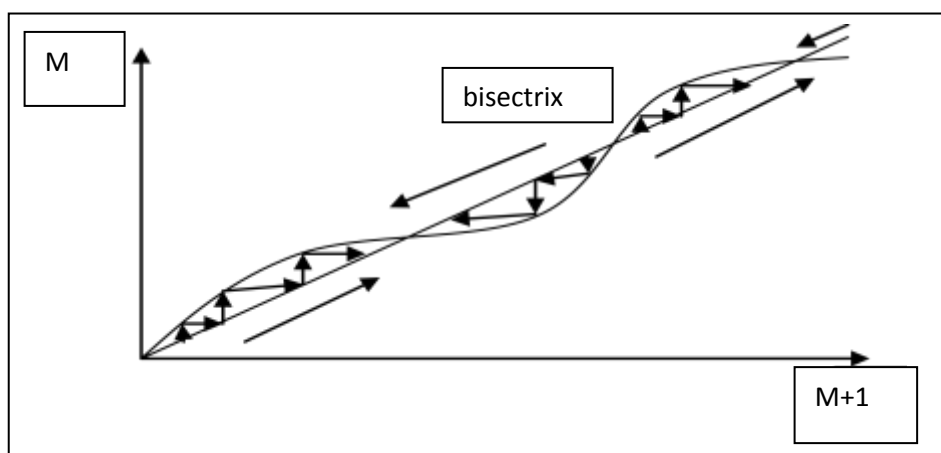


Figure 2 : Phase diagram for market sustainable changes over time intervals.

The presence of a number of intersections of a sustainable nature ensures stability of the system. This is ensured by appropriately structuring the program, enhancing market rentability, increasing market share, expanding the distribution network and verifying the supply. The main destabilizing factors are related to shrinking consumption due to socio-economic and financial crises, state conflicts and natural disasters, as well as the assumption of unfair competition, excessive tolerance for corrupt practices or deviation from the purpose of the fiscal.

The Higher Education Act in Article 90 Al. 5 and 6, which reads as follows:

"Article 90. Al. (1) The State Higher School shall draw up, execute, conclude and report a budget..... Al.(5) Within the terms of presentation of the annual financial report the higher school shall publish a report on the implementation of the revenue statement and the expenditure side of the budget of the revenue and expenditure classification of the state budget. Al. (6) Excess revenue over expenditures at the end of the year shall be transferred to the budget of the higher education institutions for the following year. "[3]. This gives rise to the creation of a new methodology for calculating the budget, determining the cost of training (fig.3), giving the opportunity for proper estimation and specific ability.

The use of the target resources in the training of the students is a basic prerequisite for ensuring the quality of their training. The continued under-use of the resources envisaged tends to worsen the quality of the training compared to the competitive structures, and the exceeding of the eligible costs aggravates the general state of the university and indirectly also has negative consequences for its overall activity, including for the academic.

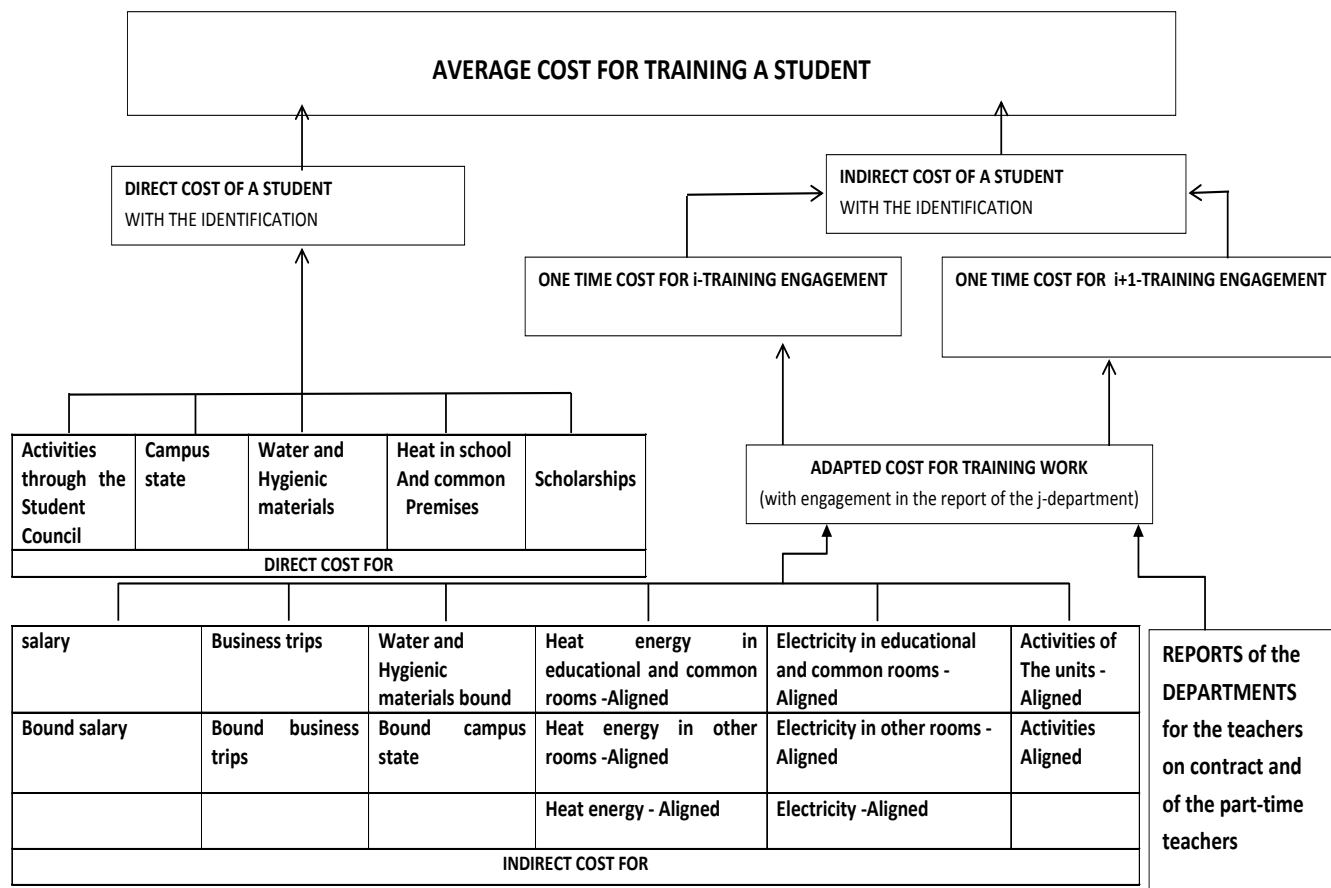


Figure 3: Elements in the methodology for calculating the cost for education per student , by using direct and indirect costs.

The analysis of the assessment of the training of a student by the corresponding cost is presented with a model illustrated in Fig.4 .The abscissa coordinate system shown reflects the number of R - Bachelor's degree, Master or PhD degrees programs fields. The ordinance shows the difference between the resources received for the training and its cost.

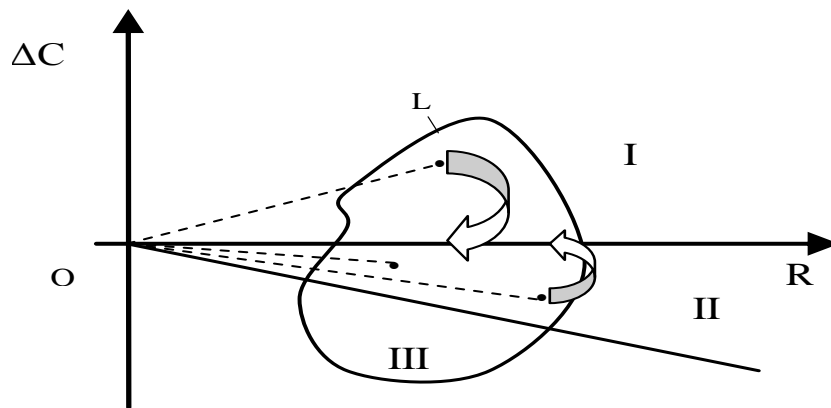


Figure 4: Different cases of the costs for field education corresponding to the fond incomings for the same field, with given marge of tolerance.

The positioning of each of the specialties (professional fields) for a particular financial year is located in the first or the second quadrant, generally falling within the area of the contour L. The natural development for each of the cases covered by the L loop is to realize such moving in time to find a relatively stable position on the abscissa. It is also an attractor of iterations related to regulating the number of students trained and the costs involved. If the consistent shift of the positions of the majors over the years is reflected by a beam connecting the beginning of the coordinate system and their current position, the conducted management policy should trigger a clockwise rotation for the majors that are above the abscissa and vice versa for those below it. For each of the financial years, the majors positioned above the abscissa will form an excess of resources, part of which, in the form of future income (for example one third), passes with the transitional balance in the budget for the following year. The remainder of the surplus compensates the current excess of the specialties under the abscissa. If full compensation is achieved, the unused surplus remains as accumulation for the future development of the university. If the compensation is incomplete, the surplus of the specialties under the abscissa is funded with reserves from previous accumulations in university assets or with currently generated resources from project and / or economic activity, own revenues.

For the first hypotheses, justified management policies are related to a proportionate increase in the cost of all specialties (material development, teacher qualification and / or extension of admission) in order to improve the quality of training and achieve desired positioning in the competitive struggle for education market. The second hypothesis is implementing a differential offsetting approach, which is a prerequisite for a sustainable functioning of the university. An option of such an approach is the possibility of consolidation around the sum of the majors with positions close to their sustainable state, which they achieve by equalizing the cost and the used resources, that is to say when their beam is close to the

abscissa. With this approach, the part of the contour area L underneath the abscissa is divided into two parts of a beam over which the cases of small deviations of their cost of cost remain, and their corresponding overflows are compensated by part of the surplus formed by the majors with the position over the abscissa. For the other under this beam, funding is at the expense of reserves in the university's accumulations and other current resources (in cases like this analogy with funding from last resort is reasonable, role like this often takes International Monetary Fund).

The possibility of positioning above the abscissa or in one of the areas below it provides grounds for a differentiated management policy that justifies the different features.

Increasing admissions for majors with positions above the abscissa may be possible if they are in the first half of a consecutive ranking of candidates for one place but not less than a set value, or increase in admissions for positions under the abscissa may be possible if it is shown that it is combined with such a cost reduction whereby the new overheads will not be higher than the previous one and at the same time for them the already mentioned condition for the ranking of candidates for one place is fulfilled. Another feature is if you increase the intake limit in different ranges for the cases of the two zones of positioning under the abscissa, or increase in reception within the educational capacity should be preceded by proposals for majors positioned over the abscissa in the sequence of the candidate for one place ranking, after each successive proposed increases, it is checked whether the new position of the beam separating the area below the abscissa does not increase the number of majors with a position below it. Another case is if the length of stay in the area under the abscissa is over the tolerance, then should be limited to cases of positioning over the splitting beam and the specialties applying to this period shall be subject to the rules applying to the position under the beam. The duration of the uninterrupted stay in the areas under the beam is limited, whereby, if there is no change in that positioning, the relevant specialty is closed. For the abdominal specialties, to control the admission of lessons in lectures with an average number of less than 100% in the first three semesters, 75% in the second three semesters and 50% in the others. For specialties under the abscissa to supervise non-admission to lectures with an average of less than 40 (1/2 for masters in the first semester) the student during the first three semesters, 30 (1/2 for Masters in the second semester) - for the second three semesters and 20 for the rest, and for each next year until the third year of residence in the same area this number increases by 10%, for example. In case of non-observance of the limitations of the number of the streams it is obligatory to introduce changes in the curriculum, whereby the necessary correction is achieved by the appropriate replacement or shifting of some reunion disciplines with those of other specialties until the beginning of the next academic year. For newly discovered specialties, the above-mentioned features should be taken into account after the first cost determination and the corresponding positioning.

Conclusion

In the past several years universities with historical and academical significance suffer from underfinancing and there is a big possibility of closing or denationalization. The proposed modding provides for a backyard development that takes place under conditions of increased economic sustainability. The opportunities to ensure the economical sustainability of the university education is better possibility. This methodology is accepted and applied in University of Ruse „Angel kunchev”, Bulgaria in 2017 year and already gives positive results.

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Perceptions of Academic Roles and Academic Identities and Their Impact on Conceptualizing Teaching Quality: a Case Study at a Private HEI in Oman

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Abstract

The paper presents a study aimed at examining the way students, academics, and administrators in a private Higher Education Institution in Oman perceive lecturers' academic roles and academic identities. The paper discusses the impact of these perceptions on conceptualization of Teaching Quality. Data collection methods used in the study consist of visual research and semi-structured interviews. Analysis of the obtained results is based on Social Theory and Phenomenographic approaches. The data analysis shows differences among the 114 participants' perceptions of academic roles and identities and their ideological foundations. The analysis examines the impact different perceptions of academic roles and identities have on the participants' conceptualization of teaching quality. The study suggests that frequent use of innovative qualitative data collection methods and interpretive approaches in conducting research in teaching quality at private Higher Education Institutions in Oman may have a positive impact on teaching quality evaluation and enhancement practices.

Keywords: Academic roles, Academic Identities, Teaching Quality, Quality Enhancement

Introduction: The context

Currently many private Higher Education Institutions (HEIs) are going through the second stage of the accreditation process set by the Ministry of Higher Education (MoHE) and the Oman Academic Accreditation Authority (OAAA). Each HEI has to meet multiple standards set by the MoHE and the OAAA.

Both accreditation bodies have defined the criteria according to which Teaching Quality has to be evaluated and maintained. In addition to the already set standards and the frequent OAAA audits, the MoHE conducts its own research in order to establish student satisfaction levels, the nature of their expectations and the extent to which they consider their expectations to be met (1, pp. 57-86). The research is conducted by using either close-ended questionnaires or unstructured interviews as data collection tools (1, pp. 95-100). Important decisions are made based on the results of the surveys and audits, such as giving or taking away accreditation status to/from a specific HEI, raising or decreasing the funds and financial support, as well as staff retention or replacement.

The setting, as described above, has many positive effects on the assurance of quality in HEIs, but there are also two side effects- first, the frequent conducting of surveys and quality assurance related interviews are often seen as a routine, and hence, associated with “boredom”. Second, given that all participants are aware of the consequences which follow a positive or a negative evaluation, the surveys and interviews are often used as tools for power and control by all

stakeholders. Both these side effects lead the participants to either “just ticking the box syndrome” or giving untruthful information.

Furthermore, the questionnaires and interviews designed and conducted in private HEIs in order to satisfy the nationally set standards are designed to collect more quantitative than qualitative data and have very strong positivist ontological underpinnings. Teaching quality is clearly defined by the set indicators for the OAAA standards (2, pp.33-37) which has a direct influence on the conceptualization of academic roles. The collected data are matched to the established definition. The surveys are also designed in such a manner, so that the definition of teaching quality is already formulated in the questions. Whether or not students’ expectations are met and students’ satisfaction- achieved is determined by collecting and analyzing data in a way, which presupposes that students’ expectations are actually the same as those outlined by the MoHE , the OAAA and the management of the private HEI.

Another important factor, which is often ignored is, that in private HEIs in Oman, there is a high percentage of foreign academic and administrative staff, from different countries and with different background and previous work experience (1, pp58-62), whose understanding of academic roles and concepts of teaching quality varies from person to person. Hence, at times, it is the clash between students’ expectations and understandings of what the role of a lecturer is with the understandings of the lecturers on the same topic that creates a lot of tensions and misunderstandings, and yet is completely undetectable by the collected quantitative data at best, or in other cases, the qualitative misunderstandings and lack of satisfaction are “translated” into the quantitative surveys, and thus many things are “lost in translation”.

While the currently applied methods in conducting students’ surveys and collecting quantitative data with regards to teaching quality evaluation are, to a great extent, useful for the purposes of satisfying quality assurance audits conducted by the agency external to the HEIs (in this case, the OAAA), the current paper defends the idea that qualitative data collection based surveys which examine students’ expectations and perceptions of academics’ and lecturers’ roles and professional identities based on relativist ontology and using a more ethnographic and socio-constructionist approaches, would be valuable for quality enhancement purposes.

Within this context, the authors of this paper decided to undertake a study using a different from the already officially applied approaches, in order to examine what students’, academics’ and administrators’ perceptions of academic identities and roles are and to analyze what impact said perceptions might have on the conceptualization of teaching quality as constructed by the three stakeholders at one of the private Higher Educational Institutions in Oman. For the purpose of this paper, the HEI is anonymised and will be called “HEI-O”.

Research Questions:

The study aims to examine three main points:

- How do students, academics and administrative staff perceive academic roles and academic identities?
- What are the underpinning ideologies on which the perceptions of the stakeholders are based?
- What is the impact of the stakeholders’ perceptions of academic roles and academic identities on the conceptualization of teaching quality?

Epistemology and Methodology:

The epistemological underpinnings of this paper are Phenomenological and Socio-Constructionist. The researchers believe that concepts are expressed through language results of the actors’ rationalization of reality, as per their experiences. Furthermore, the researchers

believe that constructed concepts influence the way actors perceive and rationalize reality. Based on their Socio-Constructionist epistemological beliefs, the researchers rely on Discourse Analysis, Ethnographic and Phenomenographic approaches.

The ethnographic approach was necessary, because in order to choose effective methods for the data collection process in this particular study, the researchers relied on their knowledge of the participants' environment and cultures. The phenomenographic approach, on the other hand, allowed them "to explore the range of conceptions held (...) among a population of individuals." (3, p.13), given the understanding that reality is not an external entity, it is a relation between a person and the phenomenon (3, p.13).

Based on their Socio-Constructivist beliefs, the researchers conducted the study following the described below steps:

First, they examined the manner in which academic roles and academic identities are constructed within the conceptual framework of three educational models: the market-oriented, the state-centered and the Humboldt models. Then, ethnographic and phenomenographic approaches were used in designing a survey that enabled them to collect data related to the "HEI-O" stakeholders' understandings and perceptions of academic roles and academic identities- the methods used in designing the survey and the data analysis are further described in the "Methods" section of the paper. Through discourse analysis the researchers reduced the collected data into four categories and analyzed the semantic relationships between the understandings and perceptions of academic roles within the reduced categories and the understandings of academic roles within the three educational models of education. Discourse analysis was also used in establishing a semantic relation between the perceptions of academic roles and the conceptualization of teaching quality.

Conceptual Framework:

The market-oriented, the state-centered and the Humboldt Models

Dobbins et al divide the Higher Educational models into three categories: The state-centered model, the Humboldt model (university as a self-governing community of scholars) and the market-oriented model. (4, pp.665-683) The role of the Higher Educational Institutions and hence, their academics, is defined by the ideology of each different model.

In the state-centered model, the state has the strongest (compared to the other two) control and right to supervise and dictate the way the HEI functions. The academics are seen as public servants, they are often appointed by the state and report to the state's institutions because their purpose is to serve the public in exact accordance with the state's vision. The roles of the academics are strongly linked to local social imagery.

Academics and HEIs have a different role in the Humboldt model – their role is to preserve and secure the academic freedom and autonomy. They are serving the public by, on the one hand complying with the framework of values agreed upon in the social contract of the state, and on the other- they act as regulators of the state whenever they decide that the state's actions would endanger the "public good" as seen by the academics. State and HEIs are partners that perhaps regulate each-other, but are not necessarily dependent ideologically on each-other. .

Finally, Dobbins et al. describe the market-oriented model as a model where the state enhances and supports to some extent the HEIs, and yet the main driving corrector is the market itself and the main driving force- competition. HEIs are regarded as economic enterprises in which the main organizational principles are entrepreneurial tactics. (4, pp.665-683). The prevailing

governance mechanisms are based on ideas of the New Public Management and the principle of competition ensures adaptability to the ever-evolving market and society needs.

The researchers use the outlined academic roles in the above-described three educational models as conceptual tools in the reduction of the collected data and its organization into several categories. The link between academic roles and identities is based on the assumption of the researchers that there is a traditionally expected existence of a strong co-relation between actions, social roles and identity- construction.¹³⁵

Academic Identities and Academic Roles:

The underpinning ideologies of each of the three Models have a significant impact on the way teaching quality, academic identities and roles are perceived and conceptualized. However, often the HEIs context is complex and multicultural (here we use the term broadly and do not bind “multiculturalism” to “internationalism” only) and thus, drawing firm boundaries of academic identity, or expecting that all academic staff will accept and act according to an externally (to the HEI) constructed imagery of academic identity and roles is unrealistic.

Trowler argues that because of this complexity, in addition to the new-managerialist reductionist imagery, there should be policies and research practices within the HEIs which would allow for an “in-depth understanding of structural factors which interact in particular contexts” to be developed (5, p.92)

His argument reflects the differentiation that Habermas makes between rational (Enlightenment Rationality) and communicative actions. (6, pp.42-57) The “restricted and simplified policy science” (5, p.98) of new-managerialists that Trowler critiques is based solely on rational action- as Habermas explains, it simply determines the goals under specific conditions and the strategy under which the goals can be reached, and it completely ignores the existence of communicative actions among actors which refers to “a pragmatic domain of relations between human subjects”- the mutual understanding of subjects, which leads to reciprocity (6, p.48). Habermas states that development in terms of labor action does not guarantee an automatic development in intersubjective terms- a point that Trowler stresses in “What Managerialists Forget” (5). Or, put differently, he argues that academic life can neither be developed nor managed well, unless its “actors”, with their cultural, ideological, epistemological and phenomenological characteristics, are taken into consideration. Identity “is not a fixed entity but a relational process (...), it is a multiple, dynamic and situationally contingent” (5, p.98). These arguments are related to the constructed by the OAAA and MoHE notions of academic roles and the implied co-relation between academic role and academic identity. In the OAAA standards manual there are several chapters in which the roles of academics are clearly outlined (2). The MoHE also explicitly clarifies what roles academics have to acquire (1). The descriptions of academic roles as per both institutions are strictly related to the actions and attitudes an academic is expected to undertake/have. The surveys conducted by the MoHE, as described in the report (1), as well as the surveys related to teaching quality evaluation and students’ satisfaction in “HEI-O” have, as mentioned before, positivist ontological underpinnings, are quantitative and focus on evaluating actions. This emphasis on actions implies that there is a conceptual equivalence between “what an academic does” with “what the academic’s role is”. Furthermore, from the evaluation policies outlined by the two accreditation bodies as well as the “HEI-O” ones, an implied co-relation

¹³⁵ Here we refer to the notion of the co-relation between social actions and identity-construction as developed by Hegel (among many other Modern Philosophers). However, in order to avoid the philosophical debates, which do not fall within the focus of this study, we nevertheless think that an explicit statement of the assumption is in order.

between roles and identities can be noticed: “an academic is the one who does”. Hence, the importance of the way teaching quality is conceptualized- in order for the evaluations to be summative, there is the need of an explicit definition of teaching quality. As mentioned in the introduction of this paper, the OAAA and the MoHE give a clear definition of teaching quality in their respective documents, which is strongly related to “actions”.

Taking into consideration the above-mentioned arguments, and in agreement with Trowler’s statements, the researchers argue that despite the clear definition of teaching quality by the OAAA and the MoHE and despite the implied co-relation between roles and identities, the Socio-Constructionist study of the complex reality of the “HEI-O” context shows a large diversity in the actors’ perceptions and understandings, which should be explored not only through quantitative, but also through qualitative studies.

In examining the way academic roles and identities are perceived, we should take into consideration the way “professionalism has been defined in narratives and discourse and how meanings of professionalism are experienced in the daily routines of academic staff.” (7, 27). The issue is that in private HEIs similar to “HEI-O”, research is based on the established by the external institutions’ conceptual framework and often “tends to occupy itself with responses to neoliberalism and managerialism” as Trahar puts it (8, p.53). Tahrar further on argues that students and academics constitute the values, cultures and traditions within a HEI, and yet their roles are seldom examined, made transparent and critically analyzed. Therefore, in this paper the researchers focus precisely on the way the actors perceive and construct reality.

Methods and Data Collection:

Due to the frequent conducting of similar to the described in the introduction (quantitative) surveys, and the repetition of the vocabulary in said surveys’ discourse, the researchers feared that if they designed a questionnaire which in form resembles the current ones, the participants would confine their answers to the already established clichés.

Therefore, in order to avoid conformity, it was decided to use images, instead of controlled questions. In addition to the advantage that the use of images has in terms of avoiding less critical and truthful answers, it also has the advantage of letting the participants choose their own words, and thus, express more freely and accurately their thoughts and feelings without restricting them within a conceptual framework set by anyone else. Another reason was that “the visual often connects with an emotional dimension that text-based research does not reach” (9, p. 214).

Each participant was shown the same portrait pictures of eight different people and asked to choose one of the pictures and explain in a writing why he or she thought that the person from the chosen picture would be an effective lecturer.

The question was asked orally and in addition the stated above, it was explained that it is a hypothetical question and that the justifications have to be related to qualities people attribute to “good lecturers”. It was explained that the justification cannot contain comments on the physical appearance of the people (such as “I think number 2 would be a great lecturer because I like her dressing style, number 3 because he is tall”, etc).

All participants were shown the exact same pictures and each one of them had to answer independently, in writing, without having the possibility to consult another participant.

The underpinning conceptual framework of the designing of the survey and the choice of the pictures used in it is strictly related to the idea that each individual perceives in a certain image

whatever he or she holds as concepts and understandings. In other words, the answer to the question reflects the predispositions and understandings of the perceiver and is in no way a reflection of the “essence” or “truth” of the object or picture perceived. Taking into account that different individuals react differently to the same observed object, their reaction is a reflection of their subjective perceptions, and not of the objective “qualities” of the perceived object.

The aim of the study was to analyze students’, academics and administrative staff’s perception on what the role of an academic is and hence, what the most valuable professional identity-related qualities in these three groups of stakeholders’ opinions and perceptions are. Hence, in order to avoid any kinds of distractions and biases related to physical appearance, the researchers chose the portrait pictures in accordance with the following criteria:

1. All portrait pictures were of either actors or models, i.e, pictures of people who are in a certain fictitious role that does not represent their true personal identity.
2. All the portrait pictures were of people whose appearance corresponds to the appearances to which all participants had been frequently exposed, either in real life or through the mass media (all people in the pictures were dressed in commonly seen clothes which did not bear any religious or ethnic group belonging, in other words, none of the clothes’ items such as business suit or jeans and t-shirt were considered by the participants to have any explicit religious or ethnic symbolism.)
3. The questions were explicitly formulated in a way that required answers related only to the professional-identity and professional roles’ personality traits- it was emphasized that comments related to the looks and appearance of the people in the pictures wouldn’t be accepted. All participants without exception complied with this request.
4. The portrait pictures were of four men and four women in order to represent the genders equally. Furthermore, it was emphasized that gender is not a determinative factor.
6. The only two differentiation indicators which were considered in the choice of the portrait pictures were age and facial expression, hence, the pictures of two young men and women, along with two middle-aged men and women were chosen, one smiling and one with a serious facial expression for each sequence. The reason why age and facial expression were taken into account when choosing the pictures was that age and facial expression symbolize different things for each individual- some participants qualified the young serious woman as “hard-working and emphatic” and the very same personality traits were attributed to the smiling middle-aged man. While some participants attributed “experience” as a quality of the young smiling woman, others made the same claim while choosing the serious middle-aged man. Given that age and facial expressions were interpreted by each individual in a very subjective manner, the researchers decided that these two differentiation indicators were appropriate and fit for the purpose of the study.
9. The respondents were: ninety (90) students from different levels (undergraduates), ten (10) administrative staff and fourteen (14) academic staff. The sampling principle for the selection of participants was to conduct the survey with one group of students of each academic year. The academic and administrative staff were selected based on their affiliations with different quality assurance committees at the “HEI-O” whose responsibilities included teaching quality assurance policies and procedures design.

Data Analysis:

In order to analyze the data more effectively, the first step to be taken was to sample the different participants’ responses and organize them in emerging categories. Given that the survey was

open-ended and each participant had the freedom to express his or her feelings in a discourse chosen by him or her, and not constrained by the researchers, the sampling method was based on pragmatic discourse analysis.

Three major tendencies were noticed among participants' responses in their description of the most important qualities of an academic and the most important actions for the successful completion of an academic's role.

The first tendency was expressed by describing qualities and perceived duties of academics' role from a very relativist and inter-subjective ontological basis. The emphasis in these descriptions was on the Ego-Alter relationship in an idealized form.

Within this category we placed the respondents who used in their responses words such as:

"optimistic", "kind", "understanding my feelings", "compassionate", "fun to be with", "interesting", "supportive", "team player", "helpful", "laid back/calm", "extrovert", "approachable" etc.

The respondents from this category construct their perceptions of academic roles relying on the communicative action principle, as defined by Habermas (6). In other words, the perception is built on the belief that the normative regulating process' success relies mainly on the inter-subjective interactions, and not on externally imposed criteria. Within the framework of the three educational models, market-oriented, state-centered and Humboldt, we can argue that the first category of respondents has a market-oriented ideology, which has a strong impact on their ways of conceptualizing academic identities and hence, academic roles. Thus, the students are perceived and perceive themselves as "customers" and, on the basis of this belief, the most important role of academics is perceived to be as the "service provider". Taking the above-mentioned into consideration, we conclude that the definition of "quality teaching" among actors of the first category includes in itself the concept of "good inter-subjective skills" and hence, the criteria according to which it is measured include similar concepts as well.

This first category includes the responses of 45 students (50% of the students-respondents), 8 members of the academic staff (57% of the academics-respondents) and 3 members of the administrative staff (30% of the administrators-respondents).

The second tendency was expressed by describing qualities and perceived duties of academics' role from a positivist ontological basis and through the prism of "rational actions", as defined by Habermas (6).

Within this category we have placed the respondents who used in their responses words such as:

"Highly educated", "successful in his/her career", "experienced (academic experience)", "has clear goals/objectives", "formal", "professional", "research-oriented/academically inquisitive", "hardworking", "knowledgeable", "ambitious", "practical", etc.

The respondents of this category base their perceptions on the belief, that the academics' identities and roles are mainly related to professional knowledge and skills. Hence, "teaching quality" is measured by different criteria, which are very similar to ones outlined in the official teaching quality evaluation survey at the "HEI-O"

The second category includes the responses of 32 students (36% of the students-respondents), 5 members of the academic staff (36% of the academics-respondents) and 1 member of the administrative staff (10% of the administrators-respondents).

The third tendency was expressed by describing qualities and perceived duties of academics' role from a relativist ontology, but unlike the first tendency described above, where inter-subjectivity was the key concept, here we noticed a strong social-constructionist ideology.

Within this category we have placed the respondents who used in their responses words such as:

“dignified”, “holding high behavioral standards”, “leader”, “socially responsible”, “decisive”, “fair”, “inspires respect”, “orderly”, “can give me personal advice”, “can resolve conflicts”, etc. The respondents of this category build their perceptions of academics’ identities and roles through the prism of already established social roles. Hence, the academics not only have to have a prior understanding of the way society constructs the concept of their roles, but they also have the duty to construct their own identities and roles in accordance to social imagery and situations. Like the first and the second category of respondents, this last category perceive the roles and identities of academics as being dynamic, however, the difference among said perceived dynamism is that, while in the first category the invariable axis around which the dynamism develops is inter-subjectivity, and in the second category the invariable axis is professional knowledge and skills (in accordance to the international development of the academics’ discipline), in the third category, the invariable axis is society in its local contextual and temporal dimensions.

The third category includes the responses of 11 students (12% of the students-respondents), 0 (zero) members of the academic staff (0% of the academics-respondents) and 4 members of the administrative staff (40% of the administrators-respondents).

Among the 114 respondents, 5 gave responses which do not fit the above-listed categories, and thus, form a fourth, different category.

They have used the following words:

“democratic- has a clear opinion, and yet respects the views of others”, “authentic personality”, “not conforming to the rules”, “individualistic”, “has his/her own opinion”, “can have unprejudiced, open discussion”.

The respondents of this category base their perception on beliefs which are very close to the Humboldt model idea that the academics’ role is at the same time profession-oriented one and socio-oriented one, and that the academics have the responsibility to create a “balance” among the different stakeholders. At the same time, the underpinning understanding is that, unlike in the previously examined categories, where academic identity and roles are to a huge extent constructed in accordance to market, professional communities or society’s concepts, according to the respondents from the fourth category, academic roles and identities are related to the external context, and yet are not necessarily constructed by it. What is more, it is sometimes the very core of an academic’s responsibility to be the socially invariable axis, around which academic dynamism is enacted.

The fourth category includes the responses of 2 students (2% of the students-respondents), 1 member of the academic staff (7% of the academics-respondents) and 2 members of the administrative staff (20% of the administrators-respondents).

Discussion of the Data Analysis:

From the data analysis we can see that the perceptions of academic roles and identities that the participants hold are diverse and not in unison, which is a rather expected result, given the international and multicultural context of “HEI-O”. However, it is precisely this diversity which is ignored to a great extent by the existing practice of quality assurance audits, which, as Fanghanel and Trowler define it, focus “on measurable outcomes”, and yet do not “provide a (...) realistic apprehension of the realities of practice and of the factors that might obstruct enhancement initiatives” (10, p. 310).

What the data analysis shows is that indeed the majority of the students and academics’ perceptions of academic roles and identities coincide with the market-oriented concepts formulated in the OAAA manuals and MoHE documents. However, it is important to notice that

it is not an overwhelming majority- the respondents in the other two categories also constitute a significant percentage.

The most noticeable difference among the responses of the three stakeholders groups is that while a significant part of the administrative staff respondents indicate through their answers that their ideology is aligned with the state-centered model, and thus consider the importance of the academic's role in society and in accordance to social rules and imagery, none of the academic staff expresses similar views. This can be seen as an issue, due to the fact that it is often administrators who create policies and evaluate teaching quality, and the academics who supposedly are the "agents" of said policies. Furthermore, the conceptualization of academic identities and roles in accordance to existing social imagery, but without this being explicitly expressed, leads to several challenges. Trahar argues that teaching and learning principles are often culturally mediated, and thus, the lack of examination of this cultural dimension could result in "ethnocentric pedagogical approaches that are less sensitive to diversity" (8, 54). It can be argued that the same principle applies to the perceptions of academic identities and roles- we can see from the collected data that many students and administrative staff see the academic as a "dignified person", a "good leader", "a good example", and yet what these concepts mean according to each participants' imagery depends enormously on his or her social background, personal narrative, etc. The lack of an explicit examination of these concepts could lead to tensions and misunderstandings among students, administrative and academic staff.

Furthermore, in relation to the arguable co-relation between roles and identity, if we agree with Calvert et al on the idea that "a person's identity is not be found in behavior (...) but in the capacity to keep a particular narrative going" (7, p.32) , we can argue that in this case, the surveys designed to measure students' and management's satisfaction of the teaching quality of an academic focus solely on the academic's behavior, and yet the existing narratives of the different actors (academics and those who evaluate them- students and management) are not taken into account. This creates a particular challenge for the actors when they express their satisfaction: when the surveys are focused on the already established (by the institutions external to the HEI) measurable outcomes and standards, the respondents often "translate" their narratives into the imposed conceptual framework, which creates inaccuracies in the responses. As a simple, and yet frequently occurring example, if an academic is perceived as fulfilling (or not) his or her role of a "social role model"- a belief held as important by the "evaluator" (student or administrative staff member), then the dissatisfaction or satisfaction is expressed by the discourse and concepts which are made available to the evaluator. And hence, "dignified" (or not) is "translated" into "has good class management skills" (or not), which, we might agree , are not identical concepts. The nuances which are "lost" in this translation may be considered as unimportant for the greater aim of quality assurance audits- to assure teaching quality to the 'customer', and yet impede the effectiveness of processes and practices such as quality enhancement and professional development, to name a few.

As mentioned before, the majority of participants perceive the role of academics within a market-oriented educational ideology, which is in congruence with the MoHE and the OAAA conceptual frameworks. However, this result raises a few questions: first, the presumed principle in a market-oriented ideology is that it is the "customer" who conceptualizes the roles and identities of the "service provider" in an ideal scenario. In the HE context, however, the role of the "customer" is complex- as stated in the MoHE report, "the student's role as a customer is more specific than any other (...) customer, because he or she is not only a consumer of the

product , but is also an active participant in the production” (1, p.87)¹³⁶ . What is more, in a market-oriented model, the “customer” makes informed decisions, which usually rely on the amount and type of information, which is available to him or her. In the case of the “HEI-O” participants’ perceptions as seen in the data analysis, based on the collected data and the used method for data collection, it is impossible to determine whether the perceptions of academics’ roles and identities of the respondents of the first category are based on “an informed” choice, or they are the reproduction of existing social norms, based on educational cultural traditions. It is also impossible to determine the extent to which the influence of certain actors’ perceptions on other actors’ perceptions is unilateral or bi-lateral: in other words, whether it is the students’ expectations that influence academics’ perceptions of academic roles and identities, whether it is vice-versa, or whether the influence is from both sides. It is interesting to notice for example, that the percentage of the students’ respondents of the first category is much higher among first-year students, and then significantly decreases among third and fourth- year students (whose responses are more aligned to the second and third categories). It can also be noticed that a very small minority (below 5%) of first-year students’ perceptions of academic roles falls into the third category, but this percentage increases among third and fourth-year students, and yet, as mentioned, the percentage of academics’ responses in this category is null. Hence, one could explain the influence of first-year students’ perceptions on lecturers’ perceptions in the beginning of their studies, and the influence of lecturers’ perceptions on students’ perceptions with the passage of time in the first mentioned above case. And yet, in the second case, there is a clear external influence on the students’ perceptions, which indicates that their concepts are not constructed only within the academics-students’ relationship framework.

Conclusion: Implications

This study has many limitations. Due to its heavy reliance on ethnographic, phenomenographic and social theory approaches, the results have a very limited generalizability- they are strictly confined to the local context and are temporality-dependent. Moreover, the data collection methods’ dependency on Pragmatics and Semiotics render the data analysis strongly linked to the researchers’ ontological, epistemological and ideological biases and interpretations.

However, the study shows the existing diversity among the different “HEI-O” stakeholders’ perceptions of academic roles and identities. The OAAA and the MoHE documents show strong market-oriented ideological understandings of academic roles, and though their discourse focused on actions emerges the implied idea of a strong semiotic co-relation between roles, actions and identity. These understandings have a significant impact on the way teaching quality is conceptualized and the setting of the standards according to which teaching quality is measured. However, the conducted by the researchers survey shows that the participants’ perceptions of academic roles are not solely based on the market-oriented ideology- many participants construct their perceptions from other ideological standpoints. The discourse used by the participants indicates that their perceptions of academic roles are diverse and the perceived co-relation between roles and identities is controversial. The participants’ perceptions of academic roles and identities have also a significant impact on the way they conceptualize teaching quality and the way they assess it. Nevertheless, quantitative surveys are often the only medium through which policy-makers (OAAA, MoHE) and policy-agents (students, academic and administrative staff) communicate. Hence, the study suggests that the more frequent use of phenomenographic and social theory approaches in data collection and data analysis would

¹³⁶ The extract is translated from Arabic by the researchers

provide a better medium for communication among the different stakeholders and would be beneficial for a higher effectiveness in the development of teaching quality enhancement policies and procedures

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Speech Act: Refusal in American and Saudi Cultures (A Contrastive Study on Gender Differences in Refusal Strategies between Saudis and Americans)

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Abstract

The present study assumed similarities and differences in the ways people of different cultures perform refusals. The subjects were 10 Saudi students (5 males and 5 females). Responses of A native English speaking group consisting of 10 students (5 males and 5 females) were examined. Data was collected through a Discourse Completion Questionnaire (Arabic and English versions). Both groups of subjects were asked to respond to 12 different situations (requests, invitations, offers and suggestions). The data was analyzed in terms of semantic formulas such as frequency, order and the status of the refuser (higher, equal or lower status). Gender was looked at as an independent variable to examine its effect on the level of directness between the two groups. The results revealed that the subjects shared similarities in the use of direct strategies, but not in the indirect strategies. Saudis used more indirect strategies as compared to Americans. American and Saudi females employed fewer flat “no” responses than Saudi and American males. The speech act influenced the choice of the semantic formulas across the two cultures.

Keywords: speech acts, gender, status, strategies, refuser

Introduction and Background

The researcher examines the potential differences between American and Saudi students with respect to refusal. Not only did the researcher look at the strategies employed by each group, but also gender differences within each group across both fields. There are a few studies that looked at refusal among Saudis, but no studies to the best of the researcher’s knowledge have examined male and female respondents. It is assumed that the differences between Saudi males and females are evident, given the fact that Saudi Arabia is a segregated society as compared to American society which is regarded as an integrated one. For instance, wedding, social gatherings, and education are segregated by sex in Saudi Arabia. It is hoped that this study will familiarize the West with the Middle Eastern culture for better communication and avoidance of misunderstanding.

Theoretical Framework

The information provided here is based on the studies of Western culture, since there is minimal research on Arabic.

Speech acts

Strategies of speech acts have been a topic of interest and research for the past twenty five years (Morkus, 2009) .The concept of a speech act has been introduced by Austin (Austin, 1962). A speech act is a direct or an indirect utterance, performed by means of a language that serves as a function in a particular situation such as refusal request, apology, etc A speech act includes real life interactions and requires knowledge of the language, as well as the appropriate use of that language. It can be a single word, a phrase or a sentence (Morkus, 2009).

Speech acts are divided into three facets: locutionary act, illocutionary act, and perlocutionary act. The locutionary act is the linguistic cues that the speaker uses to express himself/herself. It is the act that carries the literal meaning of the utterance. The illocutionary act is the intent that the speaker wants to convey, such as refusal. The perlocutionary act refers to the effect of the illocutionary on the receiver (Johnstone, 2008). For example, a person by saying “I’d love to, but I can’t,” s/he is not only uttering the phrase, but also performing an act of refusal. The addressee might respond by saying “no problem.”

Face

The notion of face was introduced by Goffman and developed by Brown and Levinson (AL-Khatib, 2006). It means the person’s image of himself or herself with the accepted social attributes. The notion of face is an important feature in speech acts. Brown and Levinson differentiate between two faces: negative face want and positive face want. The former is linked to the desire of not having people impose on the hearer’s freedom. The latter refers to the desire that is liked by others. Face is culture specific. What might be considered an appropriate and polite face in one culture might be impolite in another one. For instance, in the Western culture, insisting on the invitee to attend a party might be inappropriate and annoying. The basic face wants are shared by people, and people are expected to both save the positive and negative face of other people. Failure to do so will result in a threat in return. Therefore, the speaker and the hearer usually work together to maintain each other’s faces (Al-Shalawi, 1997).

Brown and Levinson (1987) believed that that some speech acts threaten the speaker’s face, and thus there is a need to mitigate face threatening acts (FTAs) by softening them. The notion of face, they claimed, is universal, but the specific aspects of face wants might vary from one culture to another. And the degree of face threatening also differs from one culture to another, depending on what appropriateness means in that culture. When compared to Americans, Arabs are claimed to be more status conscious, especially of those of a higher social position. Therefore, the refusal will be considered a more face threatening act, and thus many safe nonthreatening strategies will be employed to mitigate threats to a face in a verbal encounter and to maintain a harmony in such relations.

Strategies

The term strategy has been used in two main areas of research request as well as politeness (Blum Kulka, 1987). It means the ways or the methods that the speaker and the hearer use to avoid FTAs.

One way to mitigate threatening face is by displaying politeness strategies. Politeness can be positive and negative. Examples of positive politeness strategies include expressing approval,

sympathy, making offers and promises (I'll pay you back, I promise). Examples of negative politeness strategies are indirectness (you wouldn't have a pencil, would you?), apology, etc. However, these strategies might work in some cultures but not in others. Some cultures require the person to be direct when s/he asks for something (Johnstone, 2008).

When the face threatening is high, the speaker will probably choose the negative politeness strategies over the positive politeness strategies because the negative strategies are more redressive than the positive strategies (Johnstone, 2008).

A person from a different background might use different strategies in his/her spoken language that are unacceptable in another culture. In the context of persuasion, for instance, a person might make an oath as a way of convincing the other person of his/her idea. This way of presenting her/his discourse might not convince the other person and might end up making them angry. Another example, a suggestion in a culture might be taken as a promise in another. For instance, the utterance "I will" in response to someone suggesting "drop over for some dinner sometime" might be taken as a promise, so the speaker who says "I will" might show up at the person's house some evening. On the other hand, the other speaker who says "drop over for some dinner sometime" might mean that he/she wants the relationship to continue, or the utterance could be said to end the conversation. (Johnstone, 2008).

Directness & Indirectness

A direct speech act refers to instances when a speaker utters an utterance and s/he means exactly and literally what s/he says with the intention of having a certain illocutionary effect on the hearer. For instance, "No, I can't lend you my car." In an indirect speech act, the speaker means more than what s/he says, and the illocutionary act is performed indirectly (Searle, 1969). In other words, indirect speech act refers to "verbal messages that camouflage and conceal speakers' true intentions in terms of their wants, needs, and goals in the discourse situation" (Nelson, Al Batal, El Bakary, 2002: 40). For instance, in a refusal situation where the subject is asked to attend a party and they reply "sorry, I will be busy tomorrow." Here the refusal is indirectly performed by talking about his/her busy schedule, without explicitly saying no to the invitation. Indirectness is graded, and the hearer sometimes has to make useful guesses about the utterances. When an American says, for example, "drop over for dinner sometime," it might be a way of ending a conversation, or an indication that the speaker would like to have the relationship continue. In another culture, the speaker might feel offended if the hearer does not show up to dinner, or the hearer might feel offended if the speaker does not mention the idea again (invitation) (Johnstone, 2008).

Studies on Arabic communication have been influenced by Hall's model which is based on two cultural contexts: high and low culture contexts. High communication means most of the information is in the speaker and little is conveyed in the explicit message, whereas the low communication states that most of the information is conveyed in the explicit message (Nelson, Al Batal, El Bakary, 2002). In a comprehensive study conducted by Cohen (1991, cited in Nelson, Al Batal, El Bakary, 2002) in the context of a political negotiation involving Palestine, Israel, and the U.S. over the Israeli and Palestinian conflict for the 30 year period, he found that Arabic language is a highly contextual culture in which what is not said is more important than what is not expressed. English, on the other hand, is a low contextual culture. He added that directness in Arabic is disliked, and there is a tendency to avoid directness by employing circumlocution, ambiguity, and metaphor to soften the embarrassing situation and to create a

friendly and a pleasant interaction. Americans, however, prefer directness and clarity even if the content of the message is harsh and uncomfortable.

Low context cultures include the United States, Germany, and other Northern Europe countries. High context cultures include Korea, Japan, China, the Middle East, and other Asian countries (Al-Shalawi, 1997).

Politeness of refusal has been assessed on a scale from indirectness to directness. It is regarded as an indicator of politeness. The higher the level of indirectness, the more freedom the hearer has to choose from various meanings a sentence could imply. Or as it is put by Leech “the more indirect an implicature is, the weaker its force” (Leech, 1983, p.114). The degree of politeness depends, in some societies, upon the social distance of the speaker and hearer, as well as whether the power status between the hearer and the speaker is great.

Collectivism and individualism

Collectivism is defined by the subordination of the individual goals to the group goals. It is also characterized by work group, or an extended family which shows up in cultures such as Asia, Africa, South America, and the Pacific. Individualism, on the other hand, is characterized by the subordination of group goals to a person’s goals. It is more common in Western Europe and the U.S. (Al-Shalawi, 1997).

Individualists prefer to meet new groups and blend with them. They like to form new relationships, but they do not like to get into an intimate relationship. Collectivists, however, prefer to be in the same group. They like to maintain long term relationships; therefore they do not like confrontation. Individualists, on the other hand, do not avoid confrontation because they like to have clarity, and they like to speak straight from the shoulder (Lyuh, cited in Al-Shalawi, 1997).

Power

Power is an essential factor to account for linguistic politeness. Power is closely linked to “the respects in which relationships are asymmetrical” (Johnstone, 2008: 129). It is defined by the ability of one party over the other. Power is related to social status. The participant who has the power will have the right to decide/frame the conversation

Power can be derived from various sources. It could come from wealth, knowledge, age, sex, etc. An older brother might have power over his younger brother, for instance. It is culturally constructed within a community, and it varies from one culture to another.

Not all members of a social group play the same role. Power is related to roles, not to individuals, and these role sets are usually built in. For instance, the asymmetrical power of manager-employee or parent-child is built in (Brown and Levinson, 1987). This asymmetrical power is put to use whenever the situation calls for that.

Gender

The interest in gender differences dates back to the 17th century as it is reflected in the literature of anthropologists, dialectologists, and folk linguists. Men’s speech was portrayed as the accepted standard, as compared to women whose speech was considered deviant. This attitude was reflected in the 20th century as well. It still exists in some communities (Coates, 1986).

However, literature on gender differences has found intriguing results. Women usually ask more questions than men. They also usually do not interrupt, and instead, nod as a way of expressing support. Men, on the other hand, tend to jump from one topic to another and do not talk about their emotions (Tannen, 1990).

In Malagasy society (indigenous people of Madagascar), for instance, indirectness among men is highly recommended. Criticisms and accusations are not straightforward. Men prefer to use implicit accusations and confrontation to soften the situation. For instance, ordering is achieved by a number of verbal softeners and syntactic structures (the active imperative, the passive imperative, and the circumstantial imperatives). It is important to save other's face and not to risk threatening other's face wants, so speech acts such as requesting, criticizing, and ordering are difficult to perform by men and are supposed to be couched in an indirect and elaborate politeness. Face threatening acts are heeded by women such as bargaining, initiating speech encounters, requesting loans, scolding children, etc. By using direct speech and criticism, women violate the Malagasy speech, which is based on discretion and subtlety (Keenan, 1974).

Thus, a person coming from a culture that values directness might put the person in an embarrassing situation. This person might use different strategies in his/her spoken language that are unacceptable in another culture.

Refusal

Speech act of refusal occurs in all languages; nevertheless, it differs in the way of producing refusal. Speech act is a term that has been defined as a minimal unit of discourse, as well as a primary and functional unit of communication (Nelson and et al, 2002). The speech act of refusal is a negative response to an offer, invitation, request, or suggestions. Refusal occurs when a person directly or indirectly utters "no" as a way of rejecting an offer, request, invitation, etc. Therefore, one of the purposes for speech act observation studies is to recognize pragmatic features that are used by people in their native language, and how they achieve their communicative needs in many different speech situations. A refusal is a face threatening act, as it causes damage to both the speaker and the hearer. A refusal imposes a threat on the negative face of the hearer because it contradicts her/his expectation and damages also the positive face of the speaker (Johnstone, 2008).

The refuser tends to use different refusal forms with his manager, friends, and employees due to the social status of refuser. Refusal is a real issue to study because it is face-threatening in the speech act to both the speaker and the addressee. Likewise, production of refusal expressions sometimes causes miscommunication and misunderstanding between the speaker and the hearer due to their different cultures and backgrounds. For instance, rejecting an invitation is not an easy task in Japan. For saving the other's face, the Japanese speakers might use various indirect tactics to minimize the threat to the addressee's negative face. All these different ways are understood to mean "no". These ways include saying nothing or using an expression which could mean yes or no. Using these tactics in American society might not be desirable, since they tend to prefer directness (Johnstone, 2008).

In Saudi and American culture, refusal strategies differ not only from one situation to another, but also from males to females, in the ways of producing the refusal. These ways are direct or indirect strategies, and can be affected by the social status of the refuser to the addressee.

Contrastive Studies

Several studies have been conducted on the speech act of refusal. Beebe, Takahashi, and Uliss-Weltz (1990) showed a correlation between status and direction of refusal. They looked at the refusal strategies employed by Japanese learners versus American learners. Using a discourse completion questionnaire, they discovered that Japanese learners are influenced by the social status of the interlocutor (higher, equal, and lower), while Americans are influenced by

familiarity and social distance. Japanese learners did not express regret when interacting with a person of lower and equal status, and they were direct in their response to those of lower status. Americans provided brief refusal responses to those of higher and lower status, while friends were given elaborate details. Additionally, the study showed that the Americans provided clear and specific excuses, whereas Japanese supplied unclear excuses.

Similarly, Lyun (cited in Al Shalawi, 1997) found the same results. She compared the refusal strategies of Koreans and Americans. The results revealed that the Americans employed direct strategies in all situations. Koreans were less direct with higher status persons. Also, Koreans gave more vague responses than did Americans.

Stevens' (1993) study is the first study on speech act refusal involving native speakers of Arabic. Using a discourse completion questionnaire, he compared the refusal strategies of native English speakers (American) and Egyptian speakers. He discovered that American and Arabic speakers almost used the same strategies, and they seldom used explicit forms of refusal. Americans used more softeners and hedges. However, he did not investigate the order, the frequency, and the degree of indirectness.

Al Shalawi (1997) examined the semantic formulas used by American and Saudi male undergraduate students in their refusal. The discourse completion questionnaire showed that the subjects used the same semantic formulas with the exception of the direct refusal. Saudi males used "no" as a direct way of refusing people of equal and lower status. Americans used "no" in all situations. Additionally, the study revealed that the subjects differed in the number of the semantic formulas and the content of their explanation. Saudis were found to use avoidance strategies and provided unclear responses. Americans were direct and concerned about the clarity of their explanations. Saudis explanations were found also to be lengthy and elaborate but in general to be less specific. Another interesting finding is that Saudis, as an excuse, talked about family engagement, and Americans talked about personal engagement. Saudis also made references to religious terms, while Americans never referred to religious references.

Another important refusal study was conducted by Nelson, Carson, Al Batal, and El Bakary (2002). They compared the refusal strategies of Egyptian Arabic (males) and American English (males and females). The results were analyzed in terms of frequency of strategy use, the frequency of direct and indirect strategies, as well as the effect of the refuser status. Extracting the responses orally, the researchers found out that both subjects used the same semantic formulas as well as the same number of direct and indirect strategies. They, to some extent, used the same excuses for refusal. However, Egyptians used more direct refusal than their counterparts (male and female Americans) in lower status situations. Americans used more direct refusals in equal and lower status situations. Americans used more expressions of gratitude, and they ordered the semantic formulas differently.

Al -Issa (2003) focused on the pragmatic transfer of EFL learners in Jordanian when refusing. He found that Jordanian females were shy and embarrassed when refusing invitation. At the same time, they preferred using "wish expressions" such as "I wish." On the other hand, Jordanian males were clear in refusing, and they tended to use explanation.

Al- Kahtani (2005) discussed the different ways in which people from different cultural backgrounds produce refusal when they use the same semantic code (English). He learned that the subjects were different in their way of refusal, but not across all situations. In suggestion situation, he found that Arabs, Americans, and Japanese used direct strategy to say "no", followed by the gratitude expression "thank you".

In another study that is contradictory to Al-Kahtani's, Al-Eryani (2007) looked at the refusal strategies of Yemeni EFL learners and compared their performance with those of native speakers of Yemeni Arabic and native speakers of American English. The study showed the native speakers of Yemeni's preference of indirect strategies in their refusal by offering explanations and reasons. Americans, on the other hand, used different semantic formulas. They used regret and gave more direct refusal responses.

Abdul Star, Che Lah, and Suleiman (2010) in their recent study, "A study on Strategies Used in Iraqi Arabic to Refuse Suggestions", outline the semantic formulas used in refusing suggestion with Americans. They found that Arabs and Americans used similar direct strategy such as "no" among all ranges of social status. In higher status situations, these direct strategies were softened by using explanations (Iraqi and American subjects) and softeners (only used by Iraqi subjects).

Based on the findings of the aforementioned studies, the following characteristics can be stated. First, Arab speakers used more indirect strategies. Second, they used religious reference. Third, they tend to provide unclear reasons and give more explanations. Finally, their refusal strategies are ordered differently as compared to the order of American refusal strategies.

The present study investigates the potential similarities and differences between Saudi and American refusal strategies. It bridges the gap in the literature review. There are few studies that have examined Saudi refusal strategies, and even fewer studies that have compared Saudis with Americans. Not only has this study tabulated and compared the refusal strategies, but it has also examined the gender differences in each group. To the best of my knowledge, this the first study that will look at the gender differences among male and female Saudis.

Methodology

Research Questions

This research attempts to answer three main questions about refusal between different genders in Saudi and American culture.

- 1) What are the refusal strategies employed by Americans and Saudis, whether males or females?
- 2) What is the effect of gender on the level of directness/ indirectness as realized by Saudis and Americans males and females?
- 3) How frequently do they produce that act?
- 4) How do their social statuses affect on the language use?
- 5) What are the orders of the semantic formulas?

The subjects

Twenty subjects were asked to participate in this study, and they gave their consent. Ten Saudi participants (five females and five males) and ten Americans (five females and five males) were selected for this study. Saudi subjects were students at Ball State University. Their ages ranged from 19 to 30. American subjects were also from Ball State University, and most of them were undergraduate students.

Instrument

The main concern of sociolinguistic research is the instrument by which data can be reliable and valid. According to Wolfson (1986), there are two methods for collecting data: data extracted from a) real life interactions/ observations and b) elicitation. Ideally speaking,

observing spontaneous speech is more real than elicitation. However, there are some drawbacks. First, it will be difficult to observe people without making them notice they are being observed. Second, the researcher cannot intervene. Third, if the researcher wants to examine a particular feature of behavior, it will be difficult to do that. Elicitation has some advantages a) gathering a large amount of examples in a limited period of time b) the possibility of comparing two or more sets of occurring data (Morkus, 2009).

A Discourse Completion Test (DCT) is a questionnaire that was designed by Beebe et al. (1990) for collecting data on speech act realization. The instrument is a written test, and it was adapted from (Al-Issa, 2003; Al-Eryani, 2007; and Umale, 2011) with modifications. The researcher made sure that the situations used here were shared by the two cultures. For instance, it is common in Saudi Arabia that people ask guests to come for lunch, which might not be common in American culture.

The researcher also added some new situations. For instance, situations such as (an advisor suggesting a class for his/her student), (a cleaning person dusting a home), and (an employee inviting his/her manager to go somewhere) were added. Some responses were replaced by responses that fit each culture. For instance, in the equal status suggestion, the response “you should try it anyway” was substituted with a response such as “maybe you should consider it anyway.” The former response could be used in Saudi Arabic without threatening the face of the hearer. This instrument was used in this particular study to collect a large number of data in a short period of time. Also, it consists of four various situations from different places where refusal occurs. For instance, requests, invitations, suggestions, and offers. Each situation was categorized into three different social statuses based on the social status of the refuser (equal, higher, and lower). To illustrate the social status, when the refuser is a manager, for instance, that means he is in a higher social status to his employees. On the other hand, if the refuser works in his manager’s office, that means he is in lower social status to his manager. Finally, if the refuser is in a situation with his friend, that means the refuser is in an equal social status to his friend.

Table (1) shows the different scenarios in all situations with different social status.

Social status	Situations			
	Request	Invitation	Suggestion	Offer
Higher	You are the owner of a bookstore, and one of the workers asks you to increase his pay. Refuse:..... ...	You are the manager of a company and one of your employees invites you to his birthday party. Refuse:.....	You work as the dean of a department, and your secretary suggests you to take some days off. Refuse:.....	You have a cleaning person (maid) at home. While cleaning, she knocks a moderately priced china knickknack off a shelf and it breaks. She wants to buy a new one for you. Refuse:..... ...

Lower	You are at the office and it is closing for the day. Your boss asks you to spend an extra hour to finish some work. Refuse:..... ..	You have joined a company recently, and your boss invites you for a party at his place. Refuse:.....	Your advisor suggests that you take a web-design class. Refuse:.....	You've been working in an advertising agency, and your boss offers you a good position in another country. Refuse:.....
Equal	Your friend has asked you to borrow your class notes. Refuse:..... .	A casual friend invites you to dinner, but you really can't stand this friend's husband/wife. Refuse:.....	You are obese, and your friend suggests you to try new diet. Refuse:.....	Your friend offers you a piece of cake, and you're full. Refuse:.....

Table (1)

Procedure

Twenty subjects were asked to fill out in writing the different natural situations in the DCT by refusal (appendix B). Saudis responded to the situations in Arabic and American responded in English. The responses in the Arabic questionnaire were translated in a way that is similar to a real Arabic situation.

Data analysis

The purpose of this study is to identify the differences of producing refusal forms and frequency in speech acts of refusal between different genders in Saudi and American culture. To achieve that goal, the researcher examined each response (Saudi females vs. American females Saudi males vs. American males). The same semantic formulas that were employed by Beeb, Takahashi, and Uliss-Weltz (1990) (Appendix A) were used in this study because they illustrate and categorize the forms of refusal strategies. For instance, if a refuser said "I am sorry, I have an appointment" to refuse an invitation, this was analyzed as a regret statement. In another example, a refusal such as "thank you, I am busy today" was analyzed as a statement of gratitude. Finally, all refusal forms were accounted for and listed from all situations to decide on the differences and similarities between the genders.

Having provided the research methodology, the study will proceed in the next sections to a detailed examination of the data to find out whether there are potential similarities or differences between the two cultures.

Results and Discussion**Direct strategy****Saudis and Americans**

Saudis and Americans were equal in their use of direct strategies (see table 3). They both employed the same number of direct form (25). Yet they differed in the frequencies of the forms of direct refusal (no, I can't, etc). Table (2) shows the direct refusal forms that were used by all the participants in all situations. Table (2) displays that both groups used direct forms with all social statuses except in the invitation situation, when the situation involved a high status

position. The interlocutors did not want to be mean and impolite by producing a direct form to a very generous situation “invitation”. Thus, the refusers tried to avoid refusal by employing indirect strategies that will be examined in the following section. Saudis also did not use the direct forms in the request situation (higher status), and similarly Americans did not employ the direct forms in the same situation (equal status). Additionally, Americans used more flat “no” than Saudis when they are in the lower status position. Americans used flat “no” two times, and Saudi used it once. However, the number of occurrences of flat “no” is not high. This shows that Saudis and Americans are status conscious, especially when refusing people of higher status. Comparatively speaking, the case with other statuses was not the same. The use of flat “no” increased in refusing individuals of lower as well as equal status. In general, Americans used more flat “no” than Saudis. Americans used 11 flat “no” whereas Saudis used flat “no” 10 times.

The flat “no” strategy was the most frequently used strategy by both Americans and Saudis. It accounted for 44% and 40% of all the direct strategy use, respectively. The direct strategy “I don’t think so” was the second most frequently utilized strategy by all Americans, accounting for 36%. The direct strategy “I can’t” was the second most frequently used strategy by Saudis, accounting for 32% of all strategy use by this group. The performative strategy “I refuse/ decline” was the least frequently used strategy, showing up twice in Saudis data and once in Americans.

Avoiding saying “no” reflects Saudi culture, which regards harmony as more important than sincerity (Al-Shawali, 1997). This finding was also found in a study conducted by Okabe (1983) who found that “Americans’ tendency to use explicit words is the most noteworthy characteristic of their communication style” (p. 36).

		Saudis		Americans	
Situation	Social Status	Females	Males	females	Males
Request	Higher			I don’t think (1)	
	Lower	I can’t (1)	I refuse (1), I can’t (1)		I can’t (1)
	Equal		Not now (1)		
Invitation	Higher				
	lower		I can’t (1)	I don’t think (1)	
	equal		I can’t (1)		No (1)
Suggestion	Higher	I don’t think (2) I can’t (2)	I don’t think (2), no (1)	I can’t (1) No (2)	No (1) I can’t (1)
	lower	I refuse (1)		No (1)	No, I don’t think (1)

	equal	I don't think	NO (1), no no (1)	I don't think (2)	No (1)
Offer	higher	No	No (2)		
	lower	I can't (2)	NO (1)	I don't think (4), I decline	
	Equal	No	NO (1)	No (1) I'd rather not (1)	No (4)

Table (2)

Direct strategies	Saudis	Americans
I don't think so	5 (20%)	9 (36%)
I can't	8 (32%)	3 (12%)
No/not	40 (%)	11 (44%)
I refuse/ decline	2 (8%)	1 (4%)
I'd rather not	-	1 (4%)
Total	25	25

Table (3)

Saudi and American females

According to the data in table (2 and 4), Saudi and American females tended to be quite similar by performing the same direct forms of refusal. The Saudi females used 11 direct forms of refusal, whereas the American females used 14 forms. However, the t-test revealed that the difference between these two variables was not significant ($p > .100$).

Direct strategies	Saudi		American	
	Females	males	Females	males
I don't think so	3 (27.2%)	2 (21%)	8 (73%)	1 (10%)
I can't	5 (45%)	3 (21%)	1 (9%)	2 (20%)
No/not	2 (18%)	8 (57%)	4 (36.3%)	7 (70%)
I refuse/ decline	1 (9%)	1 (7%)	1 (9%)	-
I'd rather not	-	-	1 (9%)	-
Total	11	14	14	10

Table (4)

Saudi and American females performed almost identical forms of direct refusal. For example, "I don't think so," "I can't," "no", and "I refuse". However, they differ from one situation to another in the frequency of using them. The only form that was merely used by American females was (I'd rather not), which does not have an equivalent in Arabic. Direct strategies coded as "I can't" were accounted for 45%, followed by "I do not think so" among Saudi females. The direct strategies "I don't think so" and "no" accounted for 73% and 36%,

respectively among American females. The direct strategy “no” appeared twice in the Saudi females’ data.

In conclusion, all the participants tended to use the same direct refusal forms, with the forms only differing in frequency of use. However, these results do support the findings of Nelson, Al-Batal, and El Bakary (2002) when they pointed out that American and Egyptian women tended to use direct strategies with the same extent in all status situations. In this study, American females were more direct than Saudi females because the frequency of using direct forms was high in comparison with Saudis, although the difference was statistically minimal. In this collected data, both Saudi and American females produced the performative verbs such as “I refuse”. In general, the study did not find a significant difference between Saudi and American females, with respect to the level of directness.

Saudi and American males

Direct strategy

Table (4) displays that Saudi males used more direct strategies than did American males. They outranked American males in both frequency as well as forms. American males merely used flat “not/no,” “I can’t,” and “I don’t think so.” However, the t-test showed that the difference between Saudi males’ usage of direct forms versus American males’ was not significant. The alpha level was above 0.05.

As illustrated in table (4), it can be stated that Saudi and American males were quite similar to each other in producing direct expressions. However, they differed in frequency from one situation to another.

Among the American males, the strategy coded as “no” was the most frequently used strategy of all strategy use (70%), followed by “I can’t” (20%). Similarly, “no” was used by Saudi males more than the other direct strategies. It accounted for 57% of the whole direct strategy. The second direct strategy was “I can’t”, appearing 3 times in the Saudi males’ data.

Saudi and American males’ tendency to use the direct refusal form “no” with high frequency reveals that males, in general, prefer directness more than indirectness. They refer directly to what they need or want.

Indirect strategies

Saudis and Americans

Both Saudis and Americans used indirect strategies more frequently than direct ones. (Figure 1) shows this tendency. Interlocutors usually implement indirect strategies to lessen the face threatening and to maintain a friendly and enjoyable relationship. However, Saudis were observed to utilize a substantially greater proportion of indirect strategies than Americans. Saudis used a total of 210 indirect refusal strategies, while Americans used 143 (table 5).

It is remarkable that Saudis employed more indirect strategies, which reflects the Arabian culture. According to A-Kahtani, W. (2005) Arabs dislike directness, and they feel embarrassed when refusing others. On the other hand, Americans prefer truthfulness over agreeable or flowery language.

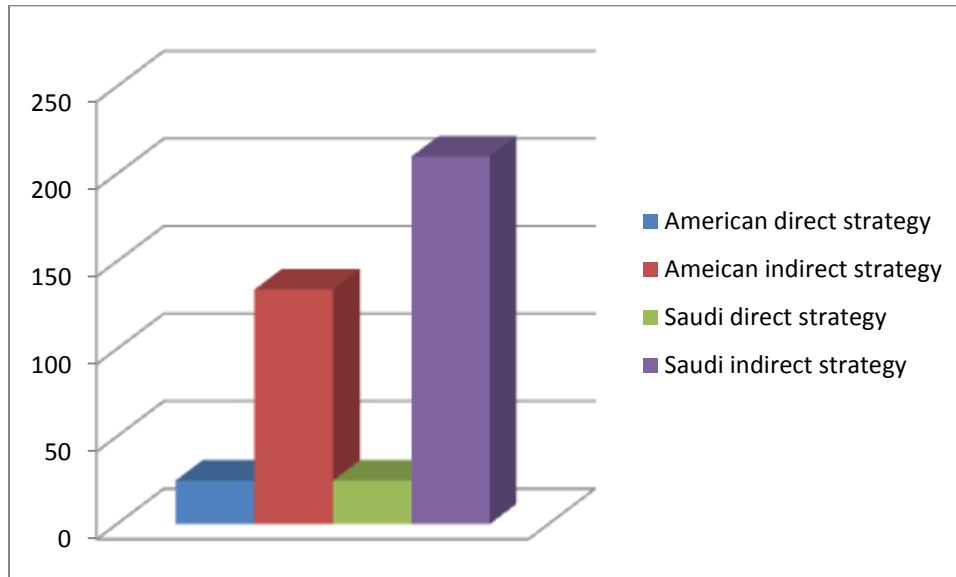


Figure (1)

The most frequently used strategy by Saudis was “giving reason” (94 times), followed by the strategy “statement of regret” (42 times), and succeeded by the direct strategy (25 times). The strategy “Positive feeling” (16 times) was the fourth most popular indirect strategy among Saudis. Americans, on the other hand, used the indirect strategy “giving reason” more than any other of the indirect strategies. It accounted for 71 times of the total number of strategies used. The strategy “giving reason” was followed by “direct strategy” (25 times). The indirect strategy coded as “positive opinion” was used 19 times. (See table 5).

The high frequency of the positive politeness strategy “giving reason” used by both groups was to ensure the hearer’s cooperation and creates an atmosphere of friendliness. Also, it was used to reduce the illocutionary force of refusal by telling the hearer that s/he would accept, if only it was not for some reason.

Most of the reasons that were provided by Saudis were lengthy and elaborate. For instance, in the request situation where the owner of the bookstore is refusing a request from a lower status person “an employee” is as follows: (“waallah “by Allah” I am very sorry. With no doubt you deserve the raise, but if we raise your salary, we have to raise the salaries for the rest of the employees, and we have budget shortage”. Another example is seen in the offer situation where the cleaning person apologizes for breaking the knickknack. Most of the Saudi responses included “giving reasons” in addition to “letting the interlocutor off the hook”, such as “it is very old” and “it is very old you cannot afford that”. Saudis felt obliged to come up with a convincing excuse and use more explanations to save his/her face and the face of the hearer. Others might consider this overuse of excuses as a waste of time or even an exaggeration.

It was also observed that most of the Saudis’ explanations were more specific than Americans, which could be attributable to the fact that Americans prefer privacy. For instance, the Saudis’ excuses are (e.g. I have to go to pick up my children from school; I have to take my son to the hospital; I have an appointment with my family). Americans excuses included (I have plans; I have a prior engagement).

Additionally, in their excuses, Americans talked more about their personal engagements, while Saudis talked about family engagements. This finding is consistent with other studies (Alkahtani (2005); Al Shalawi (1997) ; Nelson, Al Batal, El Bakary (2002).

The indirect strategies that were merely employed by Saudis include: wish, statement of alternative, promise, lecturing, invoking the name of God, excuse me, titles/ honorifics, criticism, and common saying.

The employment of the indirect strategy “titles” by Saudis seems to reflect the Arab culture. Arabs are claimed to be more “rank conscious” than Americans (Nelson, Al Batal, El Bakary, 2002). In the situation where the manager asks the employee to stay an extra hour, Saudis began their refusal by defining the relationship between the refuser and the hearer, with respect to social status. This was achieved by referring to the rank of the hearer “manager” or by using a formal address such as “sir” or “dear”

The strategy “question” was merely used by the Americans. Americans employment of question is to lessen the force imposed on the hearer and to express uncertainty. In the request situation, the boss asks the employee to stay an extra hour. Responses included, for instance, “Can we do it tomorrow? Maybe another time?”

	Saudis	Americans
Indirect strategies		
Reason	94 (44%)	71 (49.6%)
Postponement	5 (2.3%)	5 (3.5)
Positive opinion	16 (7.6%)	19 (13.2%)
Statement of empathy	2 (1%)	1 (1%)
Wish	7 (3.3%)	-
Statement of regret	42 (20%)	18 (12.5%)
Gratitude	13 (6.1)	14 (10%)
Statement of principle	5 (2.3%)	6 (4.1)
Let interlocutor off the hook	5 (2.3%)	9 (6.2%)
Statement of alternatives	5 (2.3%)	
Promise	4 (2%)	
Giving advice/ lecturing	3 (1.4%)	
Invoking the name of God	1 (0.4%)	
Excuse me	1 (0.4)	
Titles	4 (2%)	
Criticism	2 (1%)	
Common saying	2 (1%)	
Question	-	7 (5%)
Total	210	143

Table (5)

Saudi and American females

As shown in table (6), Saudi females showed their preference for using indirect strategy. Saudi females’ indirect responses appeared 111 times, whereas American females used 69 indirect forms. Saudi females’ responses included multiple and various indirect refusal forms in all social statuses. They used the excuse such as “excuse me,” the regret statement such as “I am sorry,” and the statement of empathy such as “I understand”. On the other hand, American

females used not only the same phrases used by the Saudis, but they also produced other forms as well. They used statement of positive opinion such as “I am pleased,” and “I’d love to”. Generally, it was found that the social status of refusal does play an important role in choosing certain indirect forms.

The most frequently used strategy by Saudi females was “giving reason,” accounting for 44%, followed by the strategy “statement of regret,” accounting for 21% of all the strategy use. Similarly, the most frequently employed strategy by American females was “giving reason,” appearing 34 times. The strategy “statement of regret” was the second most popular, appearing 11 times.

	Saudis		Americans	
Indirect strategies	Females	Males	Females	Males
Reason	49 (44%)	45 (45%)	34 (49.2)	37 (50%)
Postponement	2 (2%)	3 (3%)	4 (6%)	1 (1.3%)
Positive opinion	8 (7.2%)	8 (8%)	7 (10%)	12 (16.2)
Statement of empathy	1 (1%)	1 (1%)	-	1 (1.3%)
Wish	6 (5.4%)	1 (19%)	-	-
Statement of regret	23 (21%)	19 (19%)	11 (16)	7 (9.4%)
Gratitude	7(6.3%)	6 (6%)	5 (7.2%)	9 (12.1)
Statement of principle	3 (3%)	2 (2%)	3 (4.3)	3 (4%)
Let interlocutor off the hook	2 (2%)	3 (3%)	5 (7.2%)	4 (5.4%)
Statement of alternatives	4 (4%)	1 (1%)	-	-
Promise	2 (2%)	2 (2%)	-	-
Giving advice/ lecturing	2 (2%)	1 (1%)	-	-
Invoking the name of God	-	1 (1%)	-	-
Excuse	1 (1%)	-	-	-
Titles	1(1%)	3 (3%)	-	-
Criticism	1 (1%)	1 (1%)	-	-
Common saying	-	2 (2%)	-	-
Question	-	-	-	7 (9.4%)
Total	111	99	69	74

Table (6)

Saudi and American Males

Saudi males differed from American males in that the indirect strategies were used 99 times whereas in Americans’ data they were utilized 74 times (table 6). Saudi males responded using various indirect strategies such as “reason”, a “statement of regret”, a “wish,” a “statement of empathy” or a “promise”. On the other hand, American males employed a limited number of indirect strategies. The most common strategies used by American males were “giving reason”, a “positive opinion” and “gratitude”. On the other hand, the most common strategies employed by Saudi males were “giving reason”, a “statement of regret”, and “positive opinion”.

Order of Semantic Formulas Request

Saudis across the three social statuses favored the same semantic formulas in the order of “statement of regret” and “reason”. Americans exhibited the same order of semantic formulas: “statement of regret” in the first position and “reason” in the second position; or “positive opinion” in the first position and “reason” in the second position (see table 7).

Social status	Americans		Saudis	
Higher	regret Positive opinion	reason reason	Regret	reason
Lower	positive opinion	reason	Regret	reason
Equal	regret	reason	Regret	reason

Table (7)

Overall, the two cultures strikingly patterned with each other by using the same order of the semantic formulas, with the exception of the lower status position. Here Saudis preferred to use “statement of regret,” while Americans preferred to utilize “positive opinion”.

Invitation

In contrast to the request situation, it is noted in the invitation situation that both groups extended the semantic formulas to three strategies (when the refuser was in a high position status) (see table 8). Both groups showed that they used “reason” in the second position or the third position. It becomes evident that Saudis preferred regret statement in the first position, which yields to the sociocultural norms of the Saudi community. Most of the strategies used by Saudis here are similar to those used in the above situation, with the addition of “wish” and “direct”. Saudis preferred to start their response in the birthday invitation with congratulating the employee with “a prayer for a happy year”. The Americans, on the other hand, preferred to use positive opinion + reason or regret statement + reason.

Social status	Americans			Saudis		
Higher	Regret	direct	reason	wish	regret	reason
Lower	positive	reason	-----	regret	reason	-----
Equal	Regret Positive	Reason reason	----- -----	regret	direct	-----

Table (8)

Suggestion

Table (9) shows that most of the Saudis and Americans were alike in that they used “direct strategies” even with individuals of higher status position. However, in the equal status position, Americans preferred to use “reason” instead of providing a plain direct refusal response. Additionally, both groups employed fewer semantic formulas, as compared to other situations such as request and invitations. The significant factor that affected the type of semantic formulas was the speech acts per se. Suggestion might be seen as lesser face threatening in comparison with other speech acts.

Social status	Americans	Saudis
---------------	-----------	--------

Higher	direct strategies	-----	direct strategies	-----
Lower	direct strategies	-----	direct positive	----- Direct
Equal	reason	-----	direct	Reason

Table (9)

Offer

Both groups were found to be similar in the situation where a cleaning person knocks a moderately priced china knickknack off a shelf and it breaks. In this situation, the refuser had to turn down the offer of the refusee who was in a lower status in the way that they used “let the interlocutor off the hook” in the first position (see table 10). Saudis employed both direct strategy and indirect strategy “let the interlocutor off the hook”. Additionally, while Saudis in the equal status position seemed to express “gratitude” in the first position followed by “direct” in the second position, Americans were found to employ the same semantic formulas, but in the opposite order. In refusing the offer of a person from a higher status, Americans and Saudis differ in their strategy use. Saudis employed “regret” or “positive opinion” in the first position, and “reason” in the second position. Americans utilized “direct strategy” or “reason”.

Social status	Americans		Saudis	
Higher	Let the interlocutor off the hook	-----	Direct Let the interlocutor off the hook	----- -----
Lower	Direct reason	----- -----	regret positive	Reason Reason
Equal	direct	gratitude	gratitude	Direct

Table (10)

Conclusion

Saudis and Americans were similar in the frequency of the direct strategy use. Both used 25 direct forms. Saudi and American females, however, used fewer flat “no” responses to mitigate the threat caused to the positive face, and to maintain harmony in the relationship.

Indirect strategies were most frequently used by Saudis. Saudi males and females outranked their counterparts in their use of indirect strategies. The most common strategies were “reason”, “regret statement”, “positive opinion” and “gratitude”. Similarly, Americans shared the same common indirect strategies which were “reason”, “positive opinion,” a “regret statement” and “gratitude”. However, both groups differed in the frequency of use, as well as the order of using these indirect strategies.

Saudis and Americans showed differences in the choices of semantic formulas across all situations except with regard to the “suggestion situation.” The choice of semantic formulas reflected each culture. Saudis preferred to use “regret statement” followed by “reason” and the Americans preferred to use “positive opinion” followed by “reason”. In the suggestion situation, the subjects favored direct strategy.

One intriguing finding was that the status of the refuser is a much stronger conditioning factor in the speech of Saudi and American speakers as far as the direct strategy is concerned.

The use of “no” increased as the status of the refusal decreased. However, the direct “no” was not used extensively in the subjects’ data. Saudis were more status conscious than were Americans. When Saudis were in a lower status position, they sometimes used “titles” when addressing someone in a higher status position.

Limitation

An important limitation of this study is related to instrument. The subjects in this study were asked to respond in writing. Asking the subjects to respond orally might yield different results, since speech acts are usually performed orally.

Another weakness is shown by the request situation, where the subjects were asked to refuse a request from a classmate for class notes. Some of the subjects agreed to lend the class notes for the interlocutor. Changing the situation or modifying it is necessary to have a reliable instrument.

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Appendix A

Classification of refusal strategies

I. Direct

- A. Per formative (e.g., “I refuse.”).
- B. Non-per formative statement
 - (1) “No”
 - (2) Negative willingness (e.g., “I can’t.” “I won’t be able to give them to you.”).

II. Indirect

- A. Statement of regret (e.g., “I’m so sorry.”).
- B. Reason (e.g., “I have other plans.”).
- C. Statement of alternative (e.g., “If you work half the day, I’ll give you the afternoon off.”).
- D. Lecturing (e.g. “be careful next time”).
- E. Promise of future acceptance (e.g. “I promise you that the increase would be next year”).
- F. Statement of principle (e.g., “I don’t believe in fad dieting.”).
- G. Criticize the request/requester (e.g., “you are careless?”).
- H. Postponement (e.g., “I need to think about it.”).
- I. Statement of positive opinion or agreement (I’d love to)
- J. Statement of empathy (e.g., “I understand that you are in a dire need of this raise).
- K. Let interlocutor off the hook (e.g., that’s okay; don’t worry about it.”).
- L. Gratitude (e.g., “Thanks.”).
- M. question (do you really think that’d be best?).
- N. Titles (e.g. dear, sir).
- O. Excuse (e.g. “excuse me”).
- P. Invoking of God (e.g. Allah, Inshallah)
- Q. wish (e.g. “I wish you a happy year”).
- R. Common saying (e.g. “ who works hard, we get the benefit later”).

Appendix B

Discourse Completion Questionnaire

Please read the following 12 situations. After each situation you will be asked to write a response. Respond as you would be in actual conversation.

REQUEST

1. You are the owner of a bookstore. One of your best workers asks to speak to you in private.

Worker: As you know you've been pleased with my work . I've been here just over a year now, and I really enjoy working here and so I'd like to request a raise.

You: _____

Worker: I love working here, but I think I'll need to consider my options.

REQUEST

2. You are at the office in a meeting with your boss. It is getting close to the end of the day and you want to leave work.

Boss: If you don't mind, I'd like you to stay an extra hour or two tonight so that we can finish up this work.

You: _____

Boss: We can finish it tomorrow.

REQUEST

3. Your friend has asked to borrow your class notes.

You: _____

Friend: Ok , no problem.

INVITATION

4. You are the manager of a company and one of the employees invites you to his birthday party. You are busy that day.

You:

employee: Ok, I understand.

INVITATION

5. A casual friend invites you to dinner, but you really can't stand this friend's husband/spouse.

Friend: We're having a small dinner on Saturday night party.

You: _____

Friend: O.K., maybe another time

INVITATION

6. You have joined a company recently as a supervisor and your boss invites you for a party she is throwing this coming Saturday.

Manager: We would love to have you come to the party.

You: _____

Boss: Oh, I understand.

SUGGESTION

7. You work as a dean of a college. The work has been stressful lately. Your administrative assistant suggests that you take some days off.

Administrative Assistant: You are overstressed due to work. Why don't you consider taking a short break?

You: _____

Administrative Assistant: You could still think about it, later on.

SUGGESTION

8. You need to finish your graduate credits and your professor suggests that you register for a web design class, but you believe that you do not need it.

Professor: How about a web-design class?

You: -----

SUGGESTION

9. You're at a friend's house watching TV. He/She offers you a snack.

You: Thanks, but no thanks. I've been eating way too much lately. My clothes don't even fit me anymore.

Friend: Hey, why don't you try that new diet that I read about last week.

You: _____

Friend: Maybe you should consider it anyway.

OFFER

10. You've been working in an advertising agency now for some time. Today, the boss calls you into his office to offer you a raise and promotion, but it involves moving. You don't want to go.

Boss: I'd like to offer you an executive position in our new office in Muncie. It's a great town only 3 hours drive. And, a nice raise comes with the position.

You: _____

Boss: Well, maybe you should give it more thought before turning it down

OFFER

11. A cleaning person is dusting your home. While cleaning, she knocks a medium priced china knickknack off a shelf and it breaks

Helper: I'm so sorry; I didn't mean to break it. I will replace it with a new one.

You: _____

Helper: But I'd really like to

OFFER

12. Your friend offers you a piece of cake, but you're full

You: _____

The Effects of Team Cues, Cognitive Collaboration, and Knowledge Integration in Wiki Supported Learning Environment

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Abstract

This study was conducted to explain the factors influencing wiki-mediated learning by integrating Team Cues, Cognitive Collaboration, and Knowledge Integration of teamwork on a wiki platform. An online survey was conducted with students enrolled in an IT class in a major U.S. university and partial least squares regression was performed on the survey data. The results indicated that two team cues (namely Task Involvement and Process Accountability) are the most significant factor that affects team cognitive elaboration (a team-based variable) which in turn influences Knowledge Integration. Knowledge Integration directly affects Perceived Learning, which is critical measure of learning effectiveness that is communicable to all stakeholders of an educational institution. The results contribute to our understanding on how Team factors influence perceived learning of subjects on a Wiki platform and how the Wiki collaboration can be delivered by educators.

1. Introduction

Wiki is a Web 2.0 technology that has become widely prevalent. The word “wiki” is of Hawaiian origin, meaning “quick.” A wiki is a website designed for user-generated content; such websites are created quickly, incrementally, and collaboratively, and they can be shared with and edited by peers. It has been used as an Internet service for collaboration (Cho, Chen, and Chung, 2010). Given its unique functionalities, wiki can be used for educational purpose for team work in class room setting. Our motivation for conducting this research is to understand the impact of team factors on cognitive elaboration and knowledge integration. We also intend to understand whether knowledge integration will directly influence use intention of wiki users in educational setting. By conducting research with wiki users, our goal of understanding the use of wiki service as instructional aid will be achieved.

2. Literature Review

In our research model, Team situation cues, Cognitive elaboration during wiki use, knowledge integration, and wiki use intention are included. Previous work have tested this model in an educational setting (Zhang et al., 2013). Following the idea that has previous built upon student users group in Asia, we refined the model and further test the research model with U.S. students. We intended to investigate whether the model can be applied in a different user group.

2.1 Team situation cues

Five situation cues are included in the model. Team situation cues are task involvement, process accountability, time pressure, critical norm, and task reflexivity. Task involvement is defined as the extent to which team members are involved with the group task, as well as view it as important and interesting (Zaichkowsky, 1994; Veltrop et al., 2018). Process accountability is defined as the expectation that one may be called on to explain and justify his/ her working processes (Lerner and Tetlock, 1999; Garg, Inman, and Mittal, 2017). Timeliness is another important parameter defining team tasks, particularly for project-based teams. With high time pressure, team members are less likely to engage in cognitive elaboration, which is time-consuming and requires numerous mental activities (De Dreu 2003; Bălău and Utz, 2017). Critical norm is a team norm that values and supports deviance and critical thoughts (Postmes, Spears, and Cihangir, 2001; Nyhlén, and Gidlund, 2018), serving as an important regulatory function that can guide individual behavior in small groups. Task reflexivity is defined as “the extent to which team members overtly reflect upon the group's objectives, strategies, and processes, and adapt them to current or anticipated endogenous or environmental circumstances”(West, 1996; Li et al., 2018).

2.2 Cognitive Elaboration

Cognitive elaboration refers to the extent to which people think about and cognitively process issue-relevant information (Chow and Luk, 2006; Hamm et al., 2017). Previous research found that the level of cognitive elaboration expended in using wikis would influence wiki content quality in teams using wiki for collective content building (Zhang et al, 2013). Low elaborators who received attributional retraining outperformed their stress-reduction treatment peers by nearly a letter grade on a class test assessed 5 months post-treatment in an online learning environment (Hamm et al., 2017).

2.3 Knowledge Integration

Knowledge integration is “the synthesis of individuals’ specialized knowledge into situation-specific systemic knowledge” (Alavi and Tiwana, 2002). The results from a sample of Chinese exporters show that the relational capacity of knowledge integration mediates the performance impact of market-oriented environmental sustainability, and such a mediating process of leaning is further enhanced by international buyer involvement (Li, Zhou, and Wu, 2017).

3. Method

An online survey was administered to undergraduate students in three sections of an introductory IT concepts class at a northeastern U.S. university. The participants were rewarded extra credits for participating in the survey. Participation was voluntary, and the students were allowed to refuse to participate or not complete the survey. They were also provided an alternative for earning the same number of extra credits; nevertheless, 95% (N=81) of the students participated in the survey.

4. Analysis and Discussion

As shown in Figure 1, task involvement, process accountability, task reflexivity are three team cues that directly influence cognitive elaboration (CE) during wiki use. Critical norm and time pressure do not have significant effect on CE; it is likely that students were given sufficient time to finish their wiki project and that there was no specific critical norm developed over time along with the team project. CE has positive relationship with knowledge integration (KI), which in turns influence continuance intention, though variance of explained by KI to continuance intention is relatively low. Table 1 and 2 present the Reliability, AVE, and Correlations of latent variables.

5. Conclusion

In this study, we test the relationship between team cues, Cognitive Elaboration, knowledge integration, and continuouse intention with 81 students using wiki as a learning tool to accomplish their team work. Results suggests that task involvement, proces accountaiblity, and task reflexivity are three team cues that are important factors influencing cognitive elaboration. Cognitive elaboration has direction impact to knowledge intenation. Based on the results, system developers and educators shall develop functionalities and learning approach that help students experience team cues so they will be able to engage and develop knowlege

Table 1. Reliability and AVE

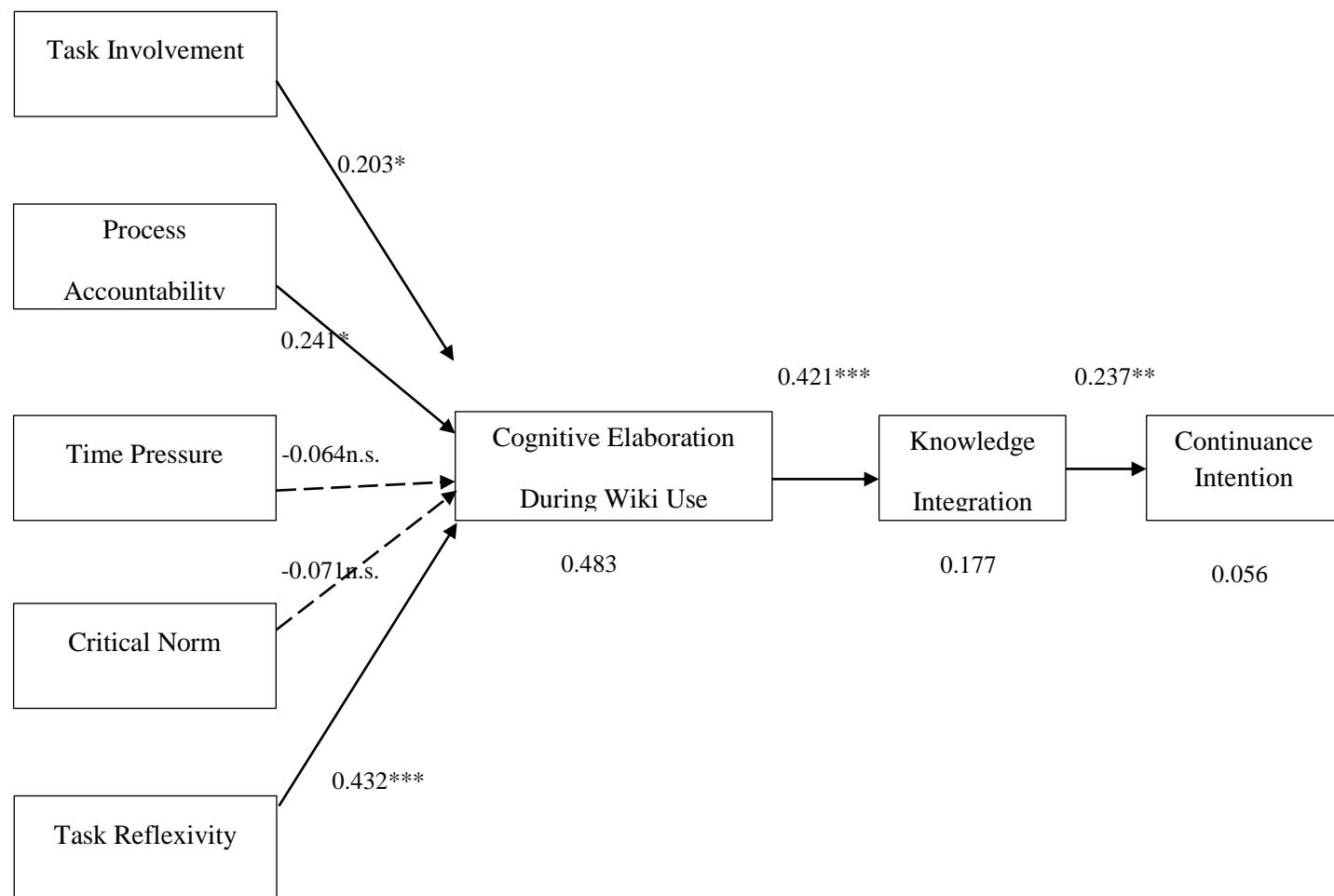
Construct	Number of items	Reliability	AVE
Task Inv	3	0.876	0.703
Process	4	0.805	0.518
Time Pre	2	0.931	0.870
Critical	3	0.894	0.741
Task Ref	4	0.911	0.720
Cognitiv	3	0.936	0.830
Knowledg	4	0.919	0.741
Contin	4	0.938	0.793

Table 2. Correlations of latent variables

Construct	Task Inv	Process	Time Pre	Critical	Task Ref	Cognitiv	Knowledg	Contin
Task Inv	0.838							
Process	0.516	0.720						

Time Pre	-0.254	0.057	0.930					
Critical	0.081	0.139	0.191	0.861				
Task Ref	0.373	0.467	-0.129	0.517	0.849			
Cognitiv	0.499	0.534	-0.171	0.190	0.592	0.911		
Knowledg	0.280	0.320	-0.145	0.527	0.697	0.421	0.861	
Contin	0.493	0.401	-0.072	0.171	0.348	0.281	0.237	0.891

Figure 1. Model and Path Analysis



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ROLE OF BUSINESS ETHICS IN PROMOTING BUSINESS INTELLIGENCE PRACTICES

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Abstract:

This article aims to identify the role of business ethics in promoting business intelligence practices in the organization. From this point, this study tries to drive the thinking of economic companies that taking benefits from business intelligence requires to be practiced ethically inside and outside the company. For that, the companies needs to focus on good business intelligence. Therefore, we are trying through this article to clarify the impacts of business ethics on business intelligence in the organization. In addition, among the most important results reached in this article, is that the meaning of business intelligence is the process of understanding and anticipating the competitive environment in which the business operates. Business ethics can be defined as the principles and standards that determine acceptable conduct in business organizations. Moreover, Business ethics can contribute to the good practices of business intelligence by regulating the organizations' operations, and make them exercised in fair manners.

Keywords:

Business, ethics, intelligence, organization.

INTRODUCTION:

Business intelligence is one of the fastest growing disciplines in the world; however, the words conjure up images of trench coats and meetings in back alleys. Unfortunately, recent events only serve to reinforce these fears. Earlier this year, for example, Volkswagen agreed to pay \$100 million to General Motors after the U.S. firm alleged that VW used documents pilfered by an ex-GM executive to its competitive advantage. More recently, Johnson & Johnson and Boehringer Mannheim settled out of court after trading accusations of improper activities, including infiltrating company meetings and taking confidential documents. Even more unsettling to some may be the passage of the Economic Espionage Act in 1996. The law makes it illegal to steal any material that a business has taken "reasonable efforts" to keep secret, and if the material derives its value from not being known. The Act imposes fines of up to \$5 million and 10 years in jail for domestic cases, with greater penalties for cases in which the theft is committed on behalf of a foreign government.

From this point, we can formulate our main question:

“How can business ethics improve the practices of business intelligence in organization?”

This main question can be divided into these sub-questions:

- How can we rely on business intelligence ?
- How can we achieve a good business ethics ?

- How can business ethics contribute in supporting and developing business intelligence ?

As pre-answers to these sub-questions:

- Business intelligence is the power of gathering good information about new products and competitors.
- Business ethics means that organizations must do all its business operations legally.
- Business ethics can contribute to the good practices of business intelligence by getting away of theft and bribes, and gathering information legally by Brochures, reports.

This article aims to achieve these goals:

- The identification of the Business intelligence and ethics.
- The exchange of experiences in the field of Business intelligence.
- Showing the importance of Business ethics in the contribution of the good practices of business organizations.

In order to reach the above objectives and test the proposed hypotheses we have divided our article to three sections, the first section highlight on the fundamentals on Business intelligence the second section shows the Business ethics in the business world. The third and the last section points on the contribution of business ethics to the good practices of business intelligence.

I. Fundamentals on Business intelligence:

In this section, we are going to highlight the business intelligence, its evolution, its benefits on the business world, and the difference between intelligence and espionage.

I.1. Definition of business intelligence:

Business intelligence is the process of understanding and anticipating the competitive environment in which the business operates. All companies who wish to remain successful gather business intelligence in some way and Best Buy is no different. It is our intent to compete aggressively but fairly, with our actions always firmly anchored in our values.⁽ⁱ⁾

I.2. Evolution of the business intelligence:

Development of the business intelligence is tightly related to the innovations in the information technology field in general. As mentioned by Biere (2003: 30-41), before 1970s, managers were struggling to access the information they needed for the decision-making process since they were forced to wait for the programming changes and reports. Moreover, it was not possible to access a computer outside of the organization. Thus, all tools for reporting and query were sold to the organizations to be personalized by the IT departments and, thus, required a significant amount of the time and versatile programming skills. However, in the early 1970s some of the vendors started to offer tools which allowed also non-programming users to access and analyze the data. The main disadvantage of those solutions referred to the fact that vendors loaded proprietary data solutions (i.e. data was embedded into the system after the sale and there was no possibility to implement end-user data afterwards) as the relational databases and, hence, standardized formats to store data have not yet been developed. Such data sources were closed and worked only with that particular vendor's tool; extractions of the data sets were often not synchronized with the customer's actual data; most tools were not able to contain the required data volume; IT specialists were usually required to pull the information from the original data source; these tools

required significant investment; consequently the customer could be trapped with the non-efficient tool. However, development of first query-based tools resulted in the learning outcomes (e.g. understanding of how the data should be stored and accessed) and positively influenced on the further development in the field.⁽ⁱⁱ⁾

The next development milestone was the emergence of so called Information Center (IC) concept in the early 1980s. The idea of such centers was to decrease the lengths of the learning process for query-based reporting systems users (end-users who were standing in between the non-technical users and IT staff) by providing them with the online assistance concerning system's issues. Moreover, ICs also became personal computer (PC) competency centers as the personal computer has just emerged at that time. However, with the development of the spreadsheets, the role of the ICs declined and they have disappeared with time, ruining the settled knowledge centralization in the organizations. The most significant value of these centers was "setting the corporate standards for analysis tools". Due to the fact that IT cost decreased significantly during this period, the impact of the IT systems on the company's performance started to be more visible. In order to make users being more responsible while utilizing the IT systems (especially those which has a significant impact on the organizations' business processes) end-users were charged with users fees when they were processing data, using reporting or maintenance. However, this practice was not eventually successful since the end-users were not willing to pay for utilization of the tools when they are not able to estimate the real impact of their actions towards the performance of the organization.⁽ⁱⁱⁱ⁾

During late 1980s and early 1990s data processing and manipulation was performed directly in the data warehouse, the access to which was provided to any users. This approach had many negative aspects such as: excess of errors and anomalies in the data which users had to deal with, high complexity and volume of the data since it was pulled from various disparate sources, problem of validating and qualifying of the results, lack of performance etc. However, such practice also brought a positive development and, namely, understanding the need for the metadata. Metadata is the data which is represented by the attributes that describe this data (Turban, 2011: 55) (e.g. metadata for the file can be represented by such attributes as: creation date, author, size of the document etc.). Thus, such development led to several conclusions, such as: all data sources and metadata should be defined, there should be a central repository for users to access the data such as data warehouse or data mart (a more specific repository which is derived from the warehouse to suit end-users needs more specifically).^(iv)

From the terminological point of view, the actual term of "Business Intelligence" was introduced by the Gartner Group in the mid-1990s as mentioned by Turban et al. (2011: 29). However, based on the above presented information, the idea of the reporting systems already existed in the early 1970s being represented by the static two-dimensional reporting systems grouped as the Management Information Systems (MIS). Later in 1980s another concept named Executive Information Systems (EIS) emerged. These systems were meant as the decision-making support for the top-level managers and executives. Some of the functions these systems performed include the following: dynamic multidimensional ad hoc or on-demand reporting, forecasting and predictions, drill down to details, trend analysis, status access, critical success factors (CSFs). After mid-1990s, with addition of some new features, commercial products which offered functions mentioned above appear under a common name of business intelligence. Thus,

from the conceptual prospective, EIS transformed into BI. As pointed out further by the author, by 2005, BI started to include also artificial intelligence capabilities meant to facilitate the decision-making process as well as powerful analytical features.^(v)

I.3. Benefits of Business Intelligence:

According to Thomas Jr. (2001) “BI is both an offensive and defensive system”. It provides a better understanding of the competitive environment and at the same time acts as a protection for intellectual property. Gibson et al. (2004) group benefits of BI into tangibles (e.g. Return on Investment and Cost savings) and intangibles (e.g. better information, better strategies, better tactics and decisions, and more efficient processes). They further argue that the intangibles benefit out-weighs the tangibles, since BI falls under IT, where its benefits cannot be clearly identified. BI has lots of influence on strategic activities and where traditional evaluation techniques are applied in respect to projects with strategic benefits, success rates is very low. As users advance in skills of BI tools, such users can e.g. be very instrumental in making strategic decisions, for instance, for the organization not to pursue a particular market group; the level of BI benefit here is global in scope and not so obvious to identify and measure. Tools in BI enable possibilities for users to rapidly discover information to queries relating to their work. Timely answers to business questions, improve operational efficiency, eliminate report backlog and delays, negotiate better contracts with suppliers and customers, find root causes and take action, identify wasted resources and reduce inventory costs, leverage your investment in your ERP or data warehouse, improve strategies with better marketing analysis, empower sales force, provide quick answers to user questions and challenge assumptions with factual information, are some of the benefits to be gained from BI implementation.^(vi)

I.4. Difference between intelligence & espionage:

The organization known as Strategic and Competitive Intelligence Professionals (SCIP) makes it clear that the primary difference between intelligence and espionage is that “intelligence is the process of legally and ethically gathering and analyzing information about competitors”. From that, it can be argued that espionage represents a failure to abide by these rules. That is to say, if the information in question is gathered in an illegal or unethical way, the gatherer of the information has committed an act of espionage.

The question of when intelligence becomes espionage is further elaborated upon in an article by Crane (2005), in which he attempts to determine “at what point does legitimate competitive intelligence gathering cross the line into industrial espionage”.

He argues that, ethically speaking, an act of intelligence can be considered an act of espionage, if it is found that: the nature of the information gathered can be considered as confidential, the tactics used go beyond what is deemed acceptable, or the information was gained with the purpose of being used against the public interest. His argument neatly captures three of the areas in which a LIS professional could face ethical struggles in intelligence work. The first area relates to questions of how far -by what methods or nature-one should go to gather data. The second area relates to problems stemming from the ambiguity of what is acceptable.

The third area relates to issues around whose interests are being served and what future problems may arise there from.^(vii)

II. Business Ethics in a business world

In this section, we will highlight on the definition of business ethics, its importance, and the acceptable and Unacceptable sources of Informations.

II.1. Definition of business ethics:

Business ethics can be defined as the principles and standards that determine acceptable conduct in business organizations. The acceptability of behaviour in business is determined by customers, competitors, government regulators, interest groups, and the public, as well as each individual's personal moral principles and values.^(viii)

II.2. Importance of Ethics:

Business intelligence practitioners are beginning to develop more explicit standards. For example, the SCIP Code of Ethics (printed at the front of every issue of CIR) exhorts members to maintain the highest degree of professionalism and to avoid unethical practices; to comply with all applicable laws; to adhere to their own companies' practices, objectives, and guidelines; to identify themselves and their organization prior to interviews; and to respect requests for confidentiality. However, these guidelines are somewhat general and don't provide a beginning practitioner with the specific guidance needed to make decisions in ethically ambiguous situations. For example, what should a SCIP member do when the law provides insufficient guidance or when his or her company seems to encourage unethical conduct? As the profession continues to grow, its challenge will be to develop consensus about acceptable and unacceptable Business intelligence practice.^(ix)

II.3. Acceptable and Unacceptable sources of Informations:

Most of the factual information required for successful intelligence analysis can be found in the "public domain." A key role you can perform is to assist in gathering this publicly available information; sources that you may find useful include (but are not limited to):^(x)

- Published materials – e.g. local newspapers and press accounts.
- Public filings – zoning, building permits, litigation, etc.
- Financial documents, such as competitor company annual reports.
- Published financial information and broker reports.
- Brochures, reports, other information published by or about competitors that can be collected at trade shows, exhibits, etc.
- Published market surveys and consultant reports.

Illegal activities should not be pursued under any circumstances. Examples of such actions include (but are not limited to):^(xi)

- Theft (tangible or intangible property).
- Bribery.
- Blackmail.
- Trespassing.
- Wiretapping.
- Receiving stolen property.
- Clandestine recording.
- Eavesdropping.
- Misappropriation of intellectual property.

- Extortion.
- Price fixing.
- Market allocations of products or territories.
- Illegal boycotts.
- Bid rigging.

III. Practicing Business intelligence ethically:

In this section, we will highlight on how companies actually collect Business intelligence, the ethics of business intelligence, and the impact of ethics on Business intelligence.

III.1. Collection of business intelligence:

The lifeline of effective strategic planning is the infusion of high quality competitive information. To insure such quality, experts recommend that companies develop alternative intelligence sources, scan multiple aspects of the environment, and sensitize employees to the necessity of intelligence gathering. How do companies actually collect competitive intelligence? There is more speculation than documentation about the vast amounts that are being spent on tactics ranging from electronic eavesdropping to encouraging loose talking executives. The few systematic studies available have been conducted by the American Marketing Association and have been limited to traditional marketing research activities. There is also a surprising lack of information on the attitudes of the company personnel who have been identified as the key sources for gathering intelligence. Again research has been confined to measuring marketing researchers' and marketing research executives' attitudes towards specific marketing research activities, especially as they impact on their or on the rights of the consumers or experimental subjects being studied.^(xii)

III.2. The ethics of business intelligence:

The question of whether or not the conduct of activities relating to business intelligence is ethical is really composed of two parts. First, there is the broad question of whether or not the collection and use of business intelligence is an ethical practice. If we come to the conclusion that this "end" is acceptable, then we have to deal with the question of the means. This second question examines which of the specific methods of collection and use of business intelligence are allowable and which methods are not. Contrary to the opinion that business is an amoral activity (i.e., that it is devoid of any ethical or moral dimension), we believe that business ethics is a viable and necessary field of study. Business, just as any field of human endeavor, is a human activity and, therefore, has a moral dimension. However, unlike other human activities that are founded on the central motive of love or charity toward one's fellow human, the primary motive behind business is profit. Ethicists and moralists have pronounced this motivation as being acceptable in the eyes of God and man. Some apologists for capitalism have even called the concepts of profit and individual success divinely inspired by an invisible hand that governs the actions of every rational economic man, to the benefit of society as a whole. To profit from one's business dealings is not, in itself, unethical. While one might judge this motivation to be base, it cannot be said that it is immoral or amoral. Profit as an end is perfectly acceptable to most; however, the means to attain that goal can be a problem. The judgement as to whether or not an action is ethical should be made within the moral framework of the business environment. The purpose of business intelligence is to help managers assess their competition, their vendors, their customers, and the business and technological environment. This allows the managers to avoid

surprises, forecast changes in business relationships, identify opportunities, predict a competitor's strategy and develop a successful business plan. All of these motives are aimed at making a business more effective and efficient, hence more profitable. That added efficiency benefits not only the owner but society as a whole. We are not aware of any framework for evaluating business ethics which would call either these motives or these results immoral or which would prohibit the collection or use of business intelligence.^(xiii)

III.3. Impact of ethics on Business intelligence:

Legal and ethical guidelines are the ground rules that all employees must follow in carrying out their business intelligence duties, be that speaking with suppliers, customers, or even direct competitors. Whatever form the guidelines take, they must reflect and reinforce your company's corporate ethical guidelines—with added specificity about intelligence activities. Clients of the Futures Group have spanned the range in terms of how detailed they make their guidelines—from a simple statement of the company's commitment to the highest ethical standards to a multi-page document of specific guidelines and examples that leave little doubt in the reader's mind about what is and is not permitted. Whatever method you choose, it is critical that the guidelines mirror the ethical culture of the organization.^(xiv)

What's the best way to institute such guidelines? Perhaps the most critical element is the support of top management. This ensures two things: that the guidelines will be followed and enforced and that they are seen to apply to all employees, not just those in the intelligence unit. Any guidelines that lack top management's support will soon be forgotten or ignored.

Secondly, it is crucial to enlist the help of your company's legal department early on. Just the mention of business intelligence can give some lawyers the shakes, conjuring up a host of fears and misconceptions. Meeting with your lawyers early will allow you to fend off these misconceptions and gain your attorneys' input before you begin drafting the parameters. In return, by engaging the legal department you can help elevate the status of the intelligence unit. If your guidelines are "blessed" at the corporate level, a clear signal is sent that the intelligence unit is an integral part of the organization that's here to stay. Too, you can begin to forge a valuable relationship between your company's intelligence and legal units, which often have information of value to each other. Corporate lawyers often know first about pending legislation or regulatory issues that could affect company strategy. For its part, the intelligence unit can often provide early warning of potential takeovers, as well as input on mergers and acquisitions and anti-dumping cases.^(xv)

Third, the guidelines should be introduced with a short training program. It's important that everyone know the limits of legitimate business intelligence from the outset. Equally important, the guidelines should not frighten employees into ignoring the valuable information they come across daily. A short training program can help strike this balance. In it, there should be a discussion of the inevitable gray areas employees may encounter. What is a salesperson to do for example, if a contact volunteers a document from your competitor that is clearly proprietary and reveals some valuable insights? The answer to this will vary by firm, and it is important that your employees recognize the potential for such situations. It's important at this point therefore, to give your employees a single point of contact to call if they have questions or concerns. This

person could be in the legal or security department, but it's best to designate only one contact point to avoid confusion.^(xvi)

In order to practice business intelligence ethically organizations should not spy on other competitive organizations, should not stole others' ideas, should not use illegal methods like piracy in order to collect informations, but, it has to hire competent employees, making good relations with clients, so if it want to collect informations from them, they will be happy to help and not forget the changes that happens in environment.

CONCLUSION:

Intelligence is steadily making its way in the business world, combining business processes, technology and best practices to offer managers insights that guides strategic decision-making based on the accumulated data. Though expensive and needs ample time to implement and matures, its improved decision-making, helps reduce cost and identify new business opportunities. Organizations, whose operations results in the large accumulation of data and needs better understanding of the past, present and to influence future decision-making are adopting BI systems.

In this article, we derived to these results:

- Business intelligence is the process of understanding and anticipating the competitive environment in which the business operates.
- Business ethics can be defined as the principles and standards that determine acceptable conduct in business organizations.
- Business ethics can contribute to the good practices of business intelligence by regulating the organizations' operations, and make them exercised in fair manners.

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Socio-Psychological Issues of Marginality in Transforming Societies

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Abstract

It's difficult to imagine any social community without marginal phenomena, without marginal groups and marginal people, without marginal social roles, a display of marginal consciousness and behavior. In every society individuals, social and ethnic groups and social strata act as bearers of marginal qualities. In other words marginality is a socio-cultural and socio-psychological phenomenon, which has always been an indivisible part of different historical societies, different social types. The importance of problems of cultural marginal identities, especially from the psychological point of view, study of marginality phenomenon increases especially in transforming societies, where in the result of political, economic, social and cultural reconstructions once stable social structures, the system of social relations are annulled and their elements-the social institutes, social groups and individuals appear in intermediate, transitional situation. In some sense marginality becomes one of the main characteristics of a transforming society.

Keywords

Marginality, behaviour, social relations system, identity, phenomenon of parallelism.

In literature on the studies of the phenomenon of marginality different types of marginality are usually differentiated: ecological, (geographical), social, economic, cultural, political, religious, ideological, existential, etc. which are involved in the following large groups according to their essence and functions:

- a) structural (social) marginality**
- b) cultural (ethnic-cultural) marginality**
- c) marginality of social groups**

There is no common definition of marginality in Professional Literature. As I. Popova mentions, by the term notion of marginality are usually meant those relatively stable phenomena, which occur in the margin of different cultures, social communities interactions of structures, in the result of which some parts of social subjects appear out of margins (Popova 1999: 62).

In D.Olshanski's opinion "The notion of marginality means collection of features of social subgroup representatives' consciousness and behavior that are not able to integrate into large referent communities due to these or those circumstances (Olshanski 2001).

In researchers' opinion no monosemantic comprehension of the notion of **marginality** is stipulated by the following circumstances.

- a) that concept is used by different sciences (philosophy, sociology, social psychology, culturology, politology, economics, etc.) in different meanings or from different points of views.
- b) that concept is used in different meanings, connected with the types of marginality.
- c) the vagueness (uncertainty) of the meaning of that concept makes it difficult to present the main phenomenon in the context of socio-cultural processes.

Some researchers consider the notion of "marginal person" as "sociological fiction." And some researchers think that marginality is such a general concept that though including everything it doesn't except anything. Thus it should be used very carefully and only after its criteria have been defined. In sociological literature two approaches to the study of marginality are distinguished: **in the first case** the concept of marginality is comprehended as the state (condition) of the social groups and individuals in the process of structural transformations in the society (e.g. changes in social status, when the group or the individual appears between two groups or layers) and **in the second case** - marginality is comprehended as a description of social groups that are in border marginal condition.

Based on such a comment marginals appear to be outsiders, especially those two who are in the 'bottom of life': the tramps, lumpen, unemployed, criminal elements and groups that are not included in social layers. In the Soviet period marginality referred to social groups that "don't take part in production process, don't perform social function, don't have social status and survive at the expense of those means, which are gained either by ignoring the accepted norms." In this case we deal with the functional side of marginality.

V. Sadkov thinks that "Such a phenomenon as marginality, undoubtedly, is one of the reasons for crime." There is, without doubt, close interconnection between marginality and crime. (Sadkov 2000: 43).

Unlike the sociological approach, the philosophical comprehension of the phenomenon is still under discussion.

When presenting the notion of "marginal person". R. Park considered the marginal person to be a result of intercultural processes. Such a person appears when there are racial and cultural conflicts and new social communities appear. The marginal person finds himself in the middle of two cultures. The "moral and psychological" indignation that is the result of cultural intercourse is more absolutely displayed in the psychology of a marginal person. Park considers the marginal person as an extra result of the process of culturalization. Park understands marginality not only as the person's status between the two social or cultural groups. Analyzing migration Park evaluates "cultural hybrids" pessimistically not because the marginal immigrant can't do away with his past and adapt himself to the new cultural environment, but for the reason that cultures

are impenetrable and impassable and it isn't possible to stay on their border. The marginal person is compelled to choose one of them (Park 1928: 259-260).

The preliminary condition for the marginal person's formation is the length of the indefinite critical situation. The longer the situation is, (i.e. the person is unadaptable) the steadier become the features typical of a marginal person (Zakaryan 2000: 319-328).

In his book **"The marginal man"** developing Park's views E. Stonequist considers a marginal man as a social individual that is involved in the cultural conflict. Such a person is on the border of two cultures but doesn't belong to either of them. The marginal individual's split personality is stipulated by the social and racial, ethnic contradictions existing in the given society. E. Stonequist considers a marginal person a key-personality in the cultural interrelations, who, ambitious to unite with dominant reference social groups, communicates with elements of cultural values and accepts the criteria working in the culture. As a result a "cultural hybrid" is developed that appears in the marginal situation: on the one hand he is on the edge of the dominant group, that considers him alien, on the other hand he is on the border of his old group that considers the person who left them, "a traitor." Unlike R. Park, E. Stonequist pays attention to the negative consequences of the marginality process (Stonequist 1961).

In E. Stonequist's opinion the process of conversion of the person's social, spiritual, mental and sensual features lasts about 20 years. He specifies three phases in the marginal person's evolution. **In the first phase** the man doesn't realize that he has appeared in the cultural conflict and doesn't notice that he gradually assimilates to the dominating group culture. **In the second phase** the conflict is realised and in psychological sense the man turns into a "marginal person." **In the third phase** the "marginal person" makes successful or unsuccessful attempts to adapt himself to the disputed situation. In case of successful adaptation he gets out of the marginal situation, becomes "a normal man" and in case of failure he remains in the state of inadaptation alongside with psychological complexes typical of it (Stonequist 1961).

R. Park's and E. Stonequist's ideas of a marginal person became the basis for new comments, theoretical and experimental researches.

Thus it is worth paying attention to the American researcher B. J. Mancini's approach in which not only the sociological and socio-psychological sides of the studies of different types of marginality are compared but also psychological tenets of the adaptation theory to explain marginality are used.

The first type of marginality is connected with the position occupied in a definite structure, when an individual becomes marginal "according to the definition." Mancini suggests the following criteria to denote the degree of marginality (Mancini 1988):

- a) **Changeability of the situation**
- b) **Significance of the situation**
- c) **Visibility of the situation**
- d) **Cultural conflict**
- e) **Group conflict**
- f) **The position of the former group**
- g) **The attitude to the "adapting group"**
- h) **The trend of identification**
- i) **Voluntary (realised) position.**

As mentioned before, the problems of cultural marginal identities have a universal nature, i.e. it's typical of both stable and transitional, transforming societies. There are stipulating preconditions for the appearance of marginality in stable societies as well. In this sense, it is impossible to imagine a society in which no changes take place. But comparatively in stable societies there is a regulated net of social relations that provides a high degree of people's social-cultural consolidation and cooperation. In such cases people feel that they are organic part of the whole. For example, in the former Soviet Union a united social-political and moral-psychological field was created, and its values had a common character. The majority of the Soviet people, on the whole, didn't feel isolated, cut off from the society: the dominating part of the population was engaged in the acting social-economic structures, in different spheres of working activities.

The first and the most important factor that brings the problems of cultural marginal identities is unemployment, which is the derivative of the collapse of social-political relations and social links. In the consequence of the latter not only reduce the living standards of the society, but also a general impoverishment of the population takes place.

In such ambiguous, indefinite and instable conditions increasingly proceeds the process of marginality of almost all spheres of the society. Its peculiarity is that the marginal groups or the marginal people work everywhere including nearly all spheres of life. If in stable societies the phenomenon of marginality are controlled and are somehow regulated, in transitional societies which are in headlong transformations, the processes of marginality have spontaneous, unpredictable and uncontrolled character.

In transitional societies the volume, contents, qualities and spheres of the display of marginality change. The turn of the majority into a marginal mass creates a qualitatively new situation of the social reality. In E.N. Starikov's marginality is the result of mobility of the society's social structure, the result of the state of uncertainty. This point of view is disputable because marginality is simply identified with mobility, with transition. Though marginality supposes the presence of mobility, not every mobility is marginality yet (Starikov, E. N. 1994).

In any case the problems of cultural marginal identities as a phenomenon are widespread in the transforming society. If marginality obtains massive nature its values and orientations also penetrate into the consciousness of such people who still maintain their status in social structures.

A transitional society where the tempo of social mobility is high, by its nature, creates a favourable environment for the intensive displays of marginal happenings. In transitional society there exists **the phenomenon of parallelism**: on the one hand old institutes, values and relations peculiar to them continue to work mechanically and on the other hand new social institutes and interpersonal relations, stipulated by transformation processes, work. Irrespective of their will and wish, with objective reasons, people appear in the intersection of two realities, two different socio-cultural worlds, and under the influence of new realities. Thus dual behaviour towards everything around is formed inside them. The created situations make people get into unknown relations and roles. An agonizing psychological process of combining the old and new realities coexisting in parallel starts. Playing double roles creates preconditions for the formation of a split world-view and a dual social position.

In transforming societies political and economic changes are accompanied by changes of social-psychological character. Such changes take place as comprehending values anew, devaluation of

world-view, transformation of stereotypes, searches for the meaning of life, breaking off social relations, inhumanity in interpersonal relations, decline of morality, changes in social status, position and role behaviour. As a result most people face a crisis of social identification which is expressed by the person's loss of the positive comprehension of his social belonging (Hakobyan, Khachatryan 2015: 325-329).

In the transitional society another peculiarity of the development of the problems of cultural marginal identities is the fact that in consequence of social mobility (both vertical and horizontal) the border between the marginal and non-marginal becomes unsteady, time and distance between them disappear or the opportunity to change from a non-marginal into a marginal increases. The marginality of the greater part of population also means mingling the borders between the social strata and groups increase of intermediate groups that are identified with great difficulty. The social stratification processes bring forth essential changes in people's social status, creating new conditions for their social mobility.

Another peculiarity of the problem of cultural marginal identities in the transitional society is that alongside with the traditional marginal groups at the edge of social structures there appear new marginal people who have higher education, professional qualification, a developed system of requirements, great social expectations and political activity.

One shouldn't think that marginality is displayed evenly and equally. If we specify several levels of marginality (macro, micro and the behaviour of the person towards certain situations) and take into consideration the context of time and distance, we can mention that disproportion and contradiction is noticed in the development of marginality in each level.

Uncertainty, hesitation, pessimism, aggression, alarm and fear become the socio-psychological "disease" of people living in the transitional society. More dominating becomes the sense of socio-psychological dissatisfaction. Depressive state, low spirits uncertainty about tomorrow, failure of expectations, depression, frustrations, stresses and conflicts, nihilistic behaviour towards any idea and reality, determination of turning to adventurous utilitarian opportunistic activities is the incomplete socio-psychological picture of the people living in the transitional society.

In a transforming society the macro processes of the problems of cultural marginal identities occur in certain phases, during which different marginal groups, marginal strata are formed and different marginal situations are created. In some sense the phases of marginality coincide with the stage of development of transitional society. Thus three phases may be specified.

In the first phase new tendencies of development arise under the predominance of the old. In this phase the old is rejected in a revolutionary way, a process of discrediting the old order, social structures and relations is going on.

In the second phase the phenomenon of parallelism develops, i.e. there is a struggle between the old and new everywhere, the social life is instable, social shocks follow one another.

In the third phase the new trends of development become dominant, new structures begin to work and tendencies of stability become irreversible, but the old still continues to exist.

In the first phase of the transitional period those people are included in the process of marginality who have just lost their jobs and social status in the result of social structure changes, but they still hope that very soon they will find a new job according to their profession. In this phase they are still engaged in criticising the past, they are sure that the changes will improve their state. Idealizing the present (as a rule, negative trends of its development are either disguised or are taken no notice of), they have no negative predictions yet. Moreover, they are sure the changes that take place will improve their situation. Such people still maintain their old value system of and points of view. They tend to explain their being out of jobs and status as ill luck, a result of objective circumstances, a temporary state or as a result of their being inexperienced, their own shortcomings and mistakes, lack of foresight (improvidence), insufficient activity. The saying “**Every dog has his day**” guides them which means that though they have encountered themselves in a certain situation, they haven’t lost their hope to regain their social status, they’re still sure of their power as well as of positive results of the changes that happen in life.

But in any case, the collapse of the old structures and relations, the temporary uncertain and instable states can’t help reflecting on their mood and the way they feel. The fear of the unknown, uncertain disturbs their psychology. Typical features such people’s psychological state are temporizing, ambiguity, desperation, depression, anxiety, hesitation, etc. In case this state continues and deepens, serious psychological problems may occur which may lead to the loss of self-respect and to a general psychological crisis. However, in this phase the tendencies of marginality are not seen distinctly and realized by the people who have already appeared in the whirlpool of marginality.

In the second phase in the process of marginality are encompassed, to be more precise those people already become marginal who having been unemployed and having lost their status for a long time, have already ‘tasted the bitterness’ of unemployment and realize their new status. Under conditions of economic crisis and mass unemployment the vertical downward of social mobility is noticed which means reduction in people’s social status. For example an intellectual, a specialist of high qualification has to do a job requiring lower qualification because of the social downward mobility. And just the opposite, upward mobility also takes place when those who once had low social position obtain high social status.

In the result of vertically downward mobility the society’s frustration process deepens and inadaptability. More vividly are exhibited the social-psychological consequences of the crisis of social identity. The ideas about life that were previously formed vanish, a mess and contradictions rise between the ego’s past, present (the acting ego) and future (ideal ego). The values and orientations typical; of the previous social status are observed to mix into new values and orientations. This creates a favourable basis for different conflicts and contradictions. Desperation and critical situations are accompanied by intensifying of the feelings of loneliness, alienation and of being an odd man.

If the person’s basic needs are not satisfied, the man isn’t even eager to aim at higher goals.

Under conditions of long unemployment the man appears under ‘control of boredom’. As E. From observes, if the man can’t defend himself from boredom, he feels depressed. And the depressed man feels something like a vacuum inside him, he feels as if he were paralyzed, as if he lacks something that he needs in order to act. To feel his inner emptiness he uses everything. He is **passive**, he feels that he is of very little value and those feelings he oppresses by

consumption thus becoming **a consumer**. In such people develop a new system of marginal values, typical features of which are as follows (From 2000: 33):

- a) intolerance towards people and social institutes
- b) norm contradicting extreme forms of behaviour
- c) destructiveness
- d) personality cult, moral relativism, nihilism, irresponsibility.

Meanwhile in the society alongside with traditional marginal groups develop new marginal (structural) social groups of a different type, which hold an edge, marginal position towards the “centre” or the social norm. If such people more or less adapt to their state, a marginal consciousness develops together with the values and orientations typical of it. Marginal groups and people change their system of values, social orientations and the ways of adaptation. With the expansion of marginal groups arise subcultures and anti-cultures that can develop various alternative movements. Under conditions of transitional society emerge various marginal ideological currents which pay attention to such subjects as death, tragedy, conflicts, disasters, the apocalypses, social and psychological deviations, mysticism, sexual freedom, etc (Hakobyan, Khachatryan 2017).

Those marginal groups, which include impoverished and lumpen people, obtain certain features. They gradually lose working inducement and morality, consumer psychology is developed. Work stops being a need. If there still remain any objective orientations, they are directly related to consumption, and search for material means. And the expanding consumption that is no longer connected with working functions obtains a desperate, disorganised character. The lumpenized marginal person gradually goes down to the “bottom of life,” loses all his social ties. The ties with the former co-workers, friends and family members are fully cut off. The marginal person is looking for people like himself in order to create a new social environment. Some of the psycho-social peculiarities typical of this group are economic and political passivity and the realized conviction that the State and society must meet their needs. Such marginal people choose the negative model of adaptation, the peculiar features of which are engagement in temporary jobs, occasional earnings, using different ways of begging, living at other people’s expense, etc. Another model of negative adaptation, the model of social parasitism is chosen by the marginal people (especially frauds, members of criminal groups, etc.) who only meet their needs at others’ expense, especially by means of violence, murder, illegal actions. The strategy of social behaviour chosen by them is accompanied by destructive consequences (Hakobyan 2014: 254-265).

Not accepting the new values and norms of the society and only willing to consume others’ wealth, the lumpenized marginal man having chosen the crime path, is psychologically ready for aggressive, destructive anti-social actions. Such marginal people are often involved in antisocial and antistate movements being used by different political forces.

Not identifying themselves with any non-marginal group, not accepting their norms the marginal people deprive themselves of the chance to fully participate in social-political life.

Being in the state of anomie, being unable or unwilling to find out the reasons for their marginal lives, not realising their own interests properly, the marginal people become political objects. The marginal no more has his own system of values, so he begins intensely imitating (mostly in a perverted way) the social and cultural norms that are more or less understandable to him.

Another marginal stratum are people who have great social needs and expectations, higher education and top qualification, who aren't fully drawn out of social structures but can't realise their social expectations. Some of them not only adapt to marginal values but also transform them ideologically on the level of both everyday consciousness and theory.

They revolt, complain against "unjust society" and "police-state," criticise the reforms that take place.

In such a situation hostile attitude is established between the ego and the outer world, and from the position of spontaneous, intense personality cult the man contradicts the society using a number of psychological mechanisms while defending himself.

Such marginal people obtain the features of depressive symptoms such as

- low self-appraisal of the qualities that have highly subjective personal importance
- self-condemnation and self-criticism. The marginal person first of all blames himself for his failure.
- loss of confidence in his own power, negative expectations, uncertainty while making important decisions, etc.

Such people develop a system of marginal values with the following typical features

- a) Intolerance towards social institutes and people.
- b) Extreme forms of abnormal behaviour.
- c) Destructiveness.
- d) Personality cult, moral relativism, nihilism, irresponsibility.

Alongside with changes in the orientations of values, marginal people's knowledge also changes. The processes of attention, understanding, memorizing, forgetting, thinking, obtain quite another direction which is stipulated by the nature of new requirements and new values.

The chaos in public life, impersonality assists the collapse of individual's potential. The individuals who have lost self-confidence and orientation begin to search for a strong "we," ambitious to identify themselves with some group (movement, party) in order to gain psychological relaxation and certainty. The marginal person alienates himself from the norms and values accepted by the society, rejects the existing social structures, encloses himself in his own sphere which is comprehended as the home of his life. He puts up with his marginal state and position, hides himself in the 'entrenchments' of indifference, impersonality and passivity (Hakobyan, Khachatryan 2014: 65-67).

If some marginal people avoid taking part in social-political processes, others do, choosing the destructive variant of social behaviour. Atheistic orientation is mostly adopted by intellectual (cultural) marginal people, who voluntarily (voluntarily because in case they want, these intellectuals can return to their former status) contradict and challenge the society.

If such a marginal person displays social activity, he is characterised by animosity, anarchism, extremism, intolerance and revenge. The key-problem of marginality is closely related with adaptation problems (Hakobyan 2016: 154-158).

In literature three types of adaptation are differentiated:

- a) **adaptation through reformation of the environment.** In order to adapt himself the person is eager to reform the reality, to reconstruct it according to his ideas and ideals. Self-identification is part of the adaptation process. The man's activity can be directed towards utmost adaptation to the environment at the expense of his own and personal resources.
- b) **Adaptation through reformation of "ego."** When the individual feels that he isn't able to reform the reality he reforms himself.
- c) **Adaptation through "isolation," through "escape."** Feeling unable to change either the reality or himself, the individual chooses the way of self-isolation (Hakobyan 2014).

Three groups of social-psychological adaptation can be differentiated:

- a) **normal adaptation**
- b) **deviant adaptation**
- c) **diagnostic adaptation.**

It should be noticed that especially in transitional periods strive for power can not only be obvious but also disguised.

In transitional periods this type of adaptation for marginalized people occurs in different forms.. Aggressiveness is the most wide-spread type. Under conditions of marginality the psychological protection mechanism of aggression is more often used.

Frustrations of social character underlie the beginning of aggressive behaviour. More over, aggressive behaviour is displayed not only obviously but also in secret, hidden forms. The marginal person directs his aggressiveness towards such people or objects that have nothing to do with his psychological frustration, i.e. the object of aggression is substituted by other objects. It occurs especially when the frustrated person is unable to direct his aggression straight towards the immediate frustrater, venting his spleen upon occasional people. He searches for "scape goats" to relax their tension. One of the extreme forms of aggressive behaviour is revolt, which is connected not only with non-acceptance of the existing social-political realities, but also with their violent overturn (Hakobyan 2009:59-60).

Not taking into account the objective circumstances, the marginal person or groups amongst whom, as a rule, there are many young marginal people, try to destroy the social structures, to reform the reality by means of various antisocial, antinormal and terroristic actions.

Revolt is the form of the adventurous strategy typical of marginal people. The society that has a common system of values and united reasons for behaviour, the revolting type of adaptation is not much characteristic while for transitional societies where anomie is a

common state, the revolting, extremist form of involvement in the social relations is becoming a rather wide-spread social occurrence.

Though revolt is not a mass form of adaptation, it is a fact that marginal people, especially the youth, are noticed to demonstrate aggressive behaviour and violence. To be more accurate, they are psychologically ready to use violence although they can really help doing it. Under conditions of social and interethnic tension the opportunity of demonstrating aggression increases.

As L.Y. Gozman mentions, in such cases the person's readiness to use violence is not so important as his attitude towards those using violence (Gozman 1995: 21).

In transitional periods the other types of adaptation, self-reformation and escape from the reality, also become wide-spread. If the person isn't able to change the reality or to adapt himself to the reality, the last variant is to change himself. "The man isn't able to change the world, but that is not suitable for him, and he changes the world in his mind." In this case the man may lose the feeling of his own personal value or the value of the world surrounding him.

In the transitional period one of the forms of demonstrating marginal consciousness and behaviour is **the idealisation of the past**. Marginal people often turn to this mechanism of protection. It's more typical of people who passed the social phases in the former system, becoming age-marginal people in the new one.

As a rule, old people reconcile themselves to their new roles and status, to the loss of traditional norm and values with great difficulty. It's especially difficult for them to bear the change of public opinion, the indifference that is gradually formed.

Unable to adapt themselves to the new conditions the age-marginal people feel odd and useless.

Loneliness, isolation, the feeling of being odd, the low standard of living, create such stressful situations that few are able to overcome.

The marginal belonging to this group colours the social relations of the not far past, ascribes such virtues and qualities to the former social-political structure that didn't exist or existed partially (Dermanova, 2009: 65).

The marginal man suffers from nostalgia. These people use such a mechanism of psychological protection as regression (psychological retreat). The stereotypes typical of their life in the past become restored or more active in their consciousness. The psychological retreat is a form of escape from the reality which partially soothes the marginal people's psychological tension. Such people, as a rule, sympathise with the political forces that call for returning to the past, for restoring the old system.

Summarising the above mentioned, we can say that in the transitional societies for the display of mass marginality there are favourable conditions which in the atmosphere of general anarchy can negatively affect both the development of the social life and the people's psychology. The states' active and flexible social policy becomes very important to prevent

such dangerous developments, i.e. to regulate and control the process of marginalization, to overcome marginalization .

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إشكالية الطائفية في العراق و مستقبل الدولة الوطنية

The Issue of Sectarianism in Iraq and the Future of the National State

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جامعة قاصدي مرباح ورقلة

الجمهورية الجزائرية الديمقراطية الشعبية

الملخص: يدخل في التكوين السوسولوجي لجمهورية العراق مجموعة من الأعراق و الطوائف، التي شكلت على فترات جملة من الأزمات السياسية و المجتمعية و حتى الأمنية بين هذه الطوائف و الأعراق من جهة، وبينها و بين الحكومة المركزية في بغداد من جهة أخرى. تشكل السنة و الشيعة و الأكراد أهم هذه الطوائف من حيث التأثير الديمغرافي و الفعالية السياسية، و ذلك راجع لعدة اعتبارات منها الإقليمية و الإستراتيجية، كون كل طائفة من هذه الطوائف تهدف الى السيطرة على موارد الطاقة و إلى التواجد بقوة في دواليب السلطة وكذلك لكل منها مرجعيات و حلفاء إقليميون و دوليون. تهدف هذه الورقة البحثية إلى تحديد الدلالة الحقيقية لمضمون الطائفية و خصوصيتها في جمهورية العراق، كما تبحث في أسبابها و دوافعها و إستراتيجية كل طائفة في بناء هوية مستقلة عن الهوية الوطنية. وفي الحصول على الحكم الذاتي أو البحث عن الإستقلال كما حدث شهر سبتمبر 2017 في إقليم كردستان. تعتمد هذه الورقة على المنهج الوصفي الذي يلائم هذا النوع من الدراسات، كما تعتمد كذلك على المنهج المقارن في تحليل الأساليب و الآليات المختلفة لكل طائفة في بحث هويتها الجديدة بشكل يتناقض مع مضمون الهوية العراقية، كما تعمل الورقة البحثية على فحص تأثير ذلك كله على مستقبل الدولة الوطنية في العراق و إذا ما كانت هناك بدائل عقلانية للتعامل بواقعية مع الأطراف الباحثة عن ترسيم نظام حكم لا مركزي -فيدرالي- في العراق والانعكاسات الإقليمية و الدولية الناجمة عن ذلك كله.

Abstract: The sociological structure of the Republic of Iraq includes a number of races and sects, which have formed at times periods of political, societal and even security crises among these sects and races on the one hand and with the central government in Baghdad on the other. Sunnis, Shiites, and Kurds are the most important of these communities in terms of demographic impact and political effectiveness. This is due to several regional and strategic considerations, because each of these sects aims to control the energy resources and to be strongly present in the power cabinets and because each has regional and international allies. The purpose of this research paper is to determine the real significance of the content of sectarianism and its specificity in the Republic of Iraq. It also examines the reasons and motivations of each sect in building an identity independent of the national identity and in obtaining autonomy or seeking independence, such as the events that occurred in Kurdistan region in September 2017. This paper is based on the descriptive approach that suits this type of study. It also relies on the comparative approach in analyzing the different methods and mechanisms of each sect in the creation of its new identity in a manner that contradicts the essence of Iraqi identity. Additionally, the paper attempts to examine the effect of all that on the future the national state in Iraq and whether there are rational alternatives to deal realistically with the parties seeking the demarcation of a decentralized regime in this country as well as the regional and international repercussions resulting from it.

الكلمات المفتاحية: الطائفية - الهوية - العراق - الدولة الوطنية.

مقدمة:

يتحكم في التكوين السوسولوجي لجمهورية العراق مجموعة من الأعراق شكلت شيئا فشيئا إتجاهات طائفية أثرت على البناء الهوياتي للعراق و شكلت مجموعة من التهديدات للمستقبل الوحدوي بالنسبة للدولة العراقية، وإنطلاقا من الاستفتاء الذي تم تنظيمه في إقليم كردستان شهر سبتمبر 2017 و الذي كانت نتائجه و رغبة منظميه تسير نحو الانفصال عن الدولة العراقية و الإستقلال في كيان سيادي، والذي كان سينتج مجموعة من الإنعكاسات الإقليمية و الدولية المؤثرة كان لازما أن نطرح الإشكالية التالية: إلى أي مدى تؤثر الطائفية في صيرورة و مستقبل الدولة العراقية؟ و لتحليل هذه الإشكالية نرسم المحاور التالية:

1-الإطار المفهومي والنظري.

2-دوافع الطائفية في المجتمع العراقي.

3-مظاهر الطائفية في المجتمع العراقي.

4-الطائفية و مستقبل القومية في العراق.

5-الخاتمة.

أولا- الإطار النظري والمفهومي:

يقتضي معالجة مفهوم الطائفية مقارنتها بالمصطلحات القريبة والمتداخلة الإستعمال حتى يسهل استيعاب لظاهرة موضوع البحث. و من هذه المصطلحات نجد المواطنة و الهوية.

-مفهوم الطائفية: تعرف الطائفية (sectarianism) بأنها: "نعصب لجماعة عضوية تتطلع إلى تحقيق مواقع سياسية واجتماعية أفضل في الدولة وهذا عبر تشكيل تحالفات تتبنى طابعا سياسيا أو حزبيا يتخذ من الانتماء الطائفي معيارا للمفاضلة والأهمية لتولي المسؤوليات والقيادة بصرف النظر عن الكفاءة والأمانة و الإستقامة"¹. وتعرف كذلك بأنها: "تنجسد حينما يستيقظ في الإنسان وعي استقلالي بدينه أو عقيدته تحت دوافع صحيحة أو غير صحيحة تجعله يسلك مسلكا سلبيا تجاه من لا يشاركه دينه أو هويته"². أي ان الفرد لا يتحول الى طائفي الا اذا تحولت قضية الانتماء بداخله الى قضية ولاء. و تعرف كذلك بأنها: " مجموعة تتميز بالخصوصية، و الجمود العقلي، و الإخلاص العنيد لصيغ محدودة، وهي في العادة مجموعة الأقلية، غالبا ما تكون منظمة من أجل النزاعات أو تكون منظمة على الأقل من أجل اتفاق ترتيب واع من قبل الأكثرية"³. أي أن الطائفية يمكن أي يدخل في توجيهها وصناعتها مجموعة من الأقلية مع بعضها البعض. مما سبق يمكن القول الطائفية هي عملية الولاء التي تتكون لدى أقلية معينة، أو أقليات معينة من أجل خدمة توجهات و ثقافات و أدوار و خصوصيات الأقلية المعنية مع إقصاء الأقليات الأخرى من الإستفادة من المعطيات نفسها. و الطائفية نوعان⁴:

1- الطائفية السياسية: ويقصد بها أن تتمحور السلطة على أساس يخدم جماعة معينة دون غيرها أو في حالة توازن القوى يتم الحديث عن ما يسمى تقاسم السلطة.

2- الطائفية الدينية: ويقصد بها تقسيم المجتمع على أساس مذهبي من خلال إيجاد حواجز اجتماعية واقتصادية وأمنية لحفظ وجود الجماعة ومنه السعي لإيجاد سبل لتطويق وإلغاء الطرف الآخر أو الأطراف الأخرى.

كما أنه للطائفية سمتان بارزتان هما⁵:

1-التعصب: يبنى الشخص الحامل للفكر الطائفي لمنطلقاته الفكرية على أساس من التعصب لفرقة أو قبيلته دون الحاجة لمعرفة أنها الحقيقة أم لا. و هو ما يؤدي به الى التشدد و اساءة الظن بالآخرين، ويمكن ان يصل الامر الى التكفير الديني او القتل.

2-العنف: حيث ان الشخص المدافع عن الطائفية يمكن ان ينتهج اسلوب العنف او سلوك العنف المادي و الجسماني للقضاء على الطائفة الأخرى، و هو ما يمكن ان تمارسه الطوائف الأخرى فينتج عنه ما يسمى العنف المضاد.

-مفهوم المواطنة: عرفت المواطنة (citizenship) من طرف دائرة المعارف البريطانية بأنها: "علاقة فرد و دولة كما يحددها قانون تلك الدولة، ومن ثم فإن المواطنة تعطي للفرد حقوقا سياسية، مثل حق الانتخاب و تولي المناصب العامة"⁶. أي ان المواطنة هي قبول الفرد العيش تحت طائلة قانون دولة معينة مع الاستفادة من جميع الحقوق السياسية و فرص تولي المناصب. و هناك من يعرف المواطنة بأنها: "تمتع المواطن بالحقوق المدنية و السياسية في دولة ما". أو هي: "أكثر أشكال العضوية في جماعة سياسية اكتمالا"⁷. مما سبق يتضح أن المواطنة هي شعور و إحساس قيمي جمعي، وأثناء علاقة بين طرفين أو أكثر بين الفرد و الجماعة و الدولة، و هي بالأساس تكون داخل حيز جغرافي معين، و أن العلاقة بين الفرد و الجماعة يمكن أن ينتج عنها حقوق سياسية⁸. مما سبق نجد أن المواطنة تدخل في إطار توفيق السلطة السياسية بين جميع مواطنيها و تطبيق المساواة بينهم، وذلك إعتبارا من أن الأفراد متساوون وفوق الإعتبارات الطائفية والعرقية و القبلية⁹. ما يبين أن المواطنة مفهوم إنتماء إيجابي للمجموعة الوطنية عوضا عن مفهوم الإنتماء السلبي لجماعة معينة و رفض كل الجماعة الوطنية.

و المواطنة باللغة العربية تعود لكلمة موطن أي الوطن، أي مكان الإقامة، و من ثم فالوطنية (patriotism) هي تأتي في إطار مفهوم حب الوطن، و الولاء له و السعي لخدمته بما يحقق أهداف كل المجموعة الوطنية¹⁰.

مفهوم الهوية: تعرف الهوية (Identity) بأنها: "إحساس فرد أو جماعة بالذات، نتيجة وعي الذات بأنني أو نحن نمتلك خصائص مميزة ككينونة تميزني وتميزنا عنهم". و هي في موضع آخر تعني: "حقيقة الشيء و الصفات التي يتميز به عن غيره من الأشياء"¹¹. و تعرف كذلك: "هي وعي الانسان واحساسه لذاته، و انتمائه لجماعة بشرية قومية أو دينية، مجتمعا أو أمة أو في إطار الانتماء الانساني العام". و هي كذلك: "إنها معرفتنا...بما، وأين، نحن، ومن أين أتينا، و إلى أين نمضي، وبما نريد لأنفسنا و للآخرين، وبموقعنا في خريطة العلاقات و التناقضات والصراعات القائمة"¹².

في هذا الإطار توصف الهوية بأنها مجموعة السمات الثقافية التي تسهم في تشكيل الحد الأدنى المشترك بين المنتمين اليها و التي تميزهم عن الآخرين. و هي بهذا الشكل تعتبر مستوى أرفع من المواطنة -التي تعني قبول الآخر وقبول السلطة السياسية الحاكمة في البلاد و قابلية الخضوع لها- هي شعور بالإنتماء لمجموعة معينة قد لا تجمعهم ببعضهم حدود مكانية و لكن تعتبر المتغيرات الثقافية و الإنسانية هي الروابط السياسية الجامعة بين هؤلاء الأفراد في إطار هوية جامعة. حسب صمويل هنتغتون يمكن تحديد مصادر الهوية على النحو التالي¹³:

- 1-الصفات الشخصية: كالعمر و السلالة و قرابة الدم و العرق.
 - 2-الصفات الثقافية و الاجتماعية: كالعشيرة، و القبيلة، و الاصدقاء و الفريق، و الزملاء و اللغة والدين، و الحضارة.
 - 3-الصفات الإقليمية: كالجوار، و المدينة، و الاقليم و الولاية و المنطقة الجغرافية، و القارة.
 - 4-الصفات الاقتصادية: الوظيفة، و مجموعة العمل، و القطاع الاقتصادي، و الطبقة العملية.
- حيث يمكن للصفات أعلاه أن تساهم في تشكيل هوية معينة سواء كانت مجتمعة أو بوجود البعض منها فقط.

مما سبق يمكن الحديث عن أنه يجب التفرقة بين الطائفية التي تعني التعصب والانغلاق لصالح جماعة معينة، في حين تذهب المواطنة للتعبير عن حالة قبول الآخر و الخضوع للسلطة السياسية، كهجرة بعض المواطنين من دولهم الأصلية الى دول أخرى و يقبلون بجنسيتها والخضوع لقوانينها مع تمتعهم بالحقوق السياسية والاجتماعية للشعوب الأخرى، في تعبر الهوية شعور أسمى بواسطة تحريك مجموعة السمات والمتغيرات و التي تدفع نحو الشعور بالإنتماء الى مجموعة معينة مهما كان الفرد أو الجماعة قريبة من اقليم تواجد الهوية أم بعيدة عنه كشعور المسلمين في أوروبا أو بإنتمائهم للعالم العربي و الاسلامي، و شعور الطلاب في أمريكا بإنتمائهم لأسيا أو افريقيا و هكذا.

شكلت مقارنة الهوية أحد الأطر التكوينية التي وجدت لنفسها قبولا وسط الدارسين للعلاقات الدولية، فهي تحدد مصلحة الفاعل وتساهم في صنع السياسة العامة وهي التي تحدد للفاعل الدور المطلوب في العلاقات الدولية¹⁴، مثلا أثرت الهوية الألمانية بعد الحرب العالمية II على دورهم في السياسة

الأوروبية و العالمية و على دورهم العملياني في حلف شمال الأطلسي، و الأمر ذاته بالنسبة للبريطانيين الذي ربطو مصالحهم بالولايات المتحدة الأمريكية و كذلك يركز البنائيون على مجموعة الدراسات في مجال علم النفس الإجتماعي.

ثانيا: دوافع الطائفية في العراق:

شكلت الطائفية أحد المتغيرات التي أثرت على الاستقرار و الأمن السياسي و المجتمعي في العراق، حيث أصبحت الهوية الوطنية العراقية محل تحديد حقيقي في اطار استمرار مشروع الدولة القومية، ومن ثم أصبح من قبيل المنطق المعري أن نبحث في أسباب الحركة لظاهرة الطائفية في العراق.

لعبت عديد العوامل في انبعاث و تعاظم الطائفية العراقية و يمكن تحديدها على النحو التالي:

1- دور الإستعمار: لقد عمل المتغير الخارجي المتمثل أساسا في الإستعمار على استغلال المسألة الطائفية وذلك من خلال التحالف مع الأقلية و تحييدها في مختلف أجهزة الدولة. و من ثم لا يمكن الفصل بين الطائفية في العراق و السياسات التي اتبعتها القوى الخارجية المستعمرة لبلاد الرافدين. لعب الاستعمار البريطاني دورا مهم في تجزئة وتفكيك المجتمع العراقي عندما أقدم على إحتلال العراق¹⁵ لتسهيل مهمة السيطرة عليه من خلال مجموعة القوانين و القرارات، حيث ركزت السلطات البريطانية على الاقليات و حاولت تقرب الاقليات من السلطة و المراكز الحساسة عوض الاكثرية. يقوم الاستعمار البريطاني عادة بسلوك منهجي مع الشعوب التي يستعمرها وذلك من خلال تاجيج الصراعات القبلية و تفكيك اللحمة الاجتماعية. حيث قال اللورد كرومر المقيم البريطاني السابق في مصر: " لا يمكن للغرب أن يسيطر على الشرق سيطرة تامة الا بإضعاف الدين و إفساد الأخلاق"¹⁶. و منذ السنوات التالية لنشوء الدولة العراقية جاءت عدة محاولات لتكوين هوية عراقية جامعة حيث يعد ابرزها محاولة الملك فيصل الأول عام 1932 و الرامي الى إعادة تأسيس دولة العراق على اساس من المساواة بين الجميع¹⁷، لكن هذا المشروع باء بالفشل. و الشيء نفسه في العهد الجمهوري بين العام 1958 و 2003 الا ان الوضع لم يكن ملائما بسبب طغيان العوامل الطائفية و شخصية الزعيم¹⁸.

بعد حرب الخليج الثانية ساهمت مناطق حظر الطيران في تشكيل وضعية طائفية جديدة يميزها الشيعة في الجنوب و الأكراد في الشمال، حيث لم يعد الولاء للمركز من خلال عدم وجود تمثيل حقيقي في السلطة المركزية¹⁹ بعد سقوط بغداد عام 2003 ظهرت هويات متباينة هي في الحقيقة انعكاس للأداء الطائفي لكل من الشيعة الذين قبلوا الاحتلال الأمريكي للعراق لأنه خلصهم من شر صدام حسين الذي اضطهدهم لسنوات.²⁰ و الأكراد اللذين يحملون بمشروع اقامة حكم ذاتي و منه الإستقلال، و السنة اللذين تحملوا عبء الصدام مع القوات الأمريكية ومقاومة الإحتلال.

أقر الدستور العراقي الجديد لعام 2005 أن العراق انتقل من كونه دولة ذات هوية بسيطة هي الهوية العربية، الى كونه دولة ذات هوية مركبة تحتوي مجموعة من الأعراق و الأقليات في أمة واحدة هي الأمة العراقية.²¹ سعت الولايات المتحدة من خلال الاعتماد على سياسة الفوضى بعد احتلالها للعراق الى تثبيت نظام المحاصصة الطائفية في تولي المناصب الأساسية، وذلك بعد أن تم تنصيب بول بريمر كحاكم أمريكي في العراق ما خلف عدة انعكاسات على الأوضاع السياسية و البنية المجتمعية.²² حيث ان الواقع العراقي الحديث و مكوناته يجعل من تأجيج معطيات الطائفية أمرا عاديا.

2- العامل المجتمعي: و الذي بواسطته عرفت العراق مجموعة من الثقافات و الاستقطابات على مر العصور حيث تجاورت فيها الألسن و تعايشت

مختلف النحل، حتى قيل تفرس العرب و تبغدد الفرس إبان العصر العباسي وما بعد هذا العصر إلى ظهور العصر العثماني وما بعده، فإضافة إلى المسلمين بمذاهبهم المتنوعة المعروفة، والمسيحيين بكنائسهم المختلفة و الأكراد والسنة و الشيعة والتركمان و الأرمن، فإنه يضم طوائف وأعراقا فريدة، يندر ان تجد بعضها خارج العراق كاليزيدية و الصائبة و البهائية و الأشورية و الشركس والشبك و الغجر.²³ و تعتبر اللغة العربية هي اللغة الرسمية في العراق الذي تستخدم فيه لغات أخرى كالكردي، وهناك التركمانية والسريانية، و أما من حيث الإثنيات العرقية فيشكل العرب نسبة تصل إلى 75 % و يشكل الأكراد 15%، أما من حيث الديانة و يشكل المسلمون 97 % من السكان بينما الباقي يتوزع بين المسيحيين و اليهود و اليزيديين و الصائبة و الشركس²⁴. و هذا التنوع يعد أحد المؤثرات المحركة لظاهرة الطائفية، و الى اختلافات حادة قد يصعب معها إيجاد صيغ مشتركة للتعايش مع وجود مظاهر العنف الاجتماعي و العنف المضاد.²⁵

3- غياب الممارسة الديمقراطية: حيث يؤدي غياب التداول الحر و الديمقراطي على السلطة و اقضاء الطرف الآخر إلى تعزيز الشعور بالظلم و التهميش

وإعطاء الأولوية لعشائر و جماعات معينة مقارنة بباقي الطوائف و الجماعات²⁶، و هو ما يؤسس لعدم استقرار مجتمعي هذا الأخير الذي يعرفه محمد عابد الجابري بأنه عدم قدرة الحاكم على المحافظة على التجانس داخل المجتمع، و عدم ضمان ولاء المجموعات المتحالفة معه، و يعرف

صمويل هنتغتون بانه عدم قدرة المؤسسات الاستجابة للمطالب المتزايدة²⁷، في العراق تؤكد المؤشرات في عهد نظام الرئيس صدام حسين أن غياب التداول على السلطة أحد أهم العوامل في تأجيج الطائفية وعدم الاستقرار أصبح حتمية تفضي الى العنف السياسي و الأمني وفقدان الثقة في المنظومة الحاكمة التبعملت على صهر كل اطياف المجتمع في بوتقة بعثية واحدة. اضافة الى ما سبق فإن الحكومات المتعاقبة بعد الاحتلال لم تستطع ان تبني مواطنة يمكن أن تكون اساسا لتكوين هوية عراقية جامعة²⁸ فرغم كون الدستور العراقي الجديد يؤسس لمنع الطائفية إلا أن توزيع المناصب الحساسة في الجمهورية العراقية على أساس المحاصصة يجعل من دور الدستور عاملا غير مؤثر في إلغاء الطائفية و كذا تعزيز الروح الديمقراطية و المساواة، حيث تقضي المحاصصة بتولي الأكراد رئاسة الدولة و الشيعة رئاسة الحكومة و السنة البرلمان، و خاصة إذا علمنا أن البرلمان يقوم على الأغلبية و أغليته هم من الشيعة فطبعاً هناك امتياز لصالح الشيعة في الحصول على أغلبية البرلمان وكذا رئاسة الحكومة.

لقد أدى انسحاب القوات الأمريكية نهاية عام 2011 و غياب دور حقيقي للمؤسسات السياسية في العراق، وكذا غياب المؤسسة العسكرية المنوط بها تثبيت الاستقرار والأمن إلى تأجيج العامل الطائفي، وأعطى بذلك صلاحيات واسعة لرئيس الحكومة السابق نوري المالكي في تسيير المؤسسات الحكومية والمليشيات الأمنية لتسيير مصالح شيعية خاصة.

تساهم الطائفية في تقييد ظهور مشروع وطني لإعادة بناء العراق في مرحلة ما بعد الاحتلال الذي عمل من أجل الإستثمار في النعرات العرقية وإذكاء الروح الانفصالية²⁹ و هذا ما قدمه مشروع بايدن.

و في هذا الإطار يمكن وصف المشهد السياسي العراقي على النحو التالي³⁰:

- ترسيخ الطائفية حتى صارت سمة مميزة، إلى درجة وجود مكون اجتماعي واحد بحكم تكوين بعض الوزارات والدوائر الحكومية
- انعدام الثقة بين الشركاء السياسيين إلى درجة وجود العداوات واللجوء إلى العنف.
- سوء تسيير في الشؤون العامة رغم وجود ميزانية تقدر بـ 130 مليار دولار لعام 2013.
- استئثار الفساد في مختلف الهيئات الحكومية
- تدني مستوى الأمن و الاستقرار

و مع تدني مستوى الأمن و الاستقرار نجد أن البيئة أصبحت ملائمة لانتشار التنظيمات الإرهابية لدرجة تراجع الجيش العراقي أمامها و هو ما حدث مع "تنظيم الدولة الإسلامية في العراق والشام، هذا الأخير الذي لم يبرز فجأة، ولكنه انبثق من تنظيم القاعدة (قاعدة الجهاد في بلاد الرافدين) الذي شكله أبو مصعب الزرقاوي عام 2004 ، حيث لم تتمكن القوات المسلحة العراقية من الصمود في وجه تقدم تنظيم داعش وسيطرته على الموصل مركز محافظة نينوى وكذا محافظة كل من كركوك والأنبار وصلاح الدين³¹ و رغم جهود حكومة العابدي الجديدة في استدراك الوضع الأمني ومحاولة إعادة بناء المؤسسة العسكرية وتوحيد الجهود من أجل القضاء على تنظيم داعش إلا أنه غير كاف خصوصاً وأن الأخير يتواجد كذلك و بقوة في أراضي سوريا ويسيطر على مساحة واسعة من البنية التحتية وكذا يملك مصادر تمويل قوية.

ثالثاً: مظاهر الطائفية في المجتمع العراقي:

بعد الاحتلال برزت الطائفية كأحد أهم مصادر التهديد للاستقرار الاجتماعي في العراق، ذلك أن كل مكون يريد أن تميل الكفة لصالحه، ومن ثم جاء نظام المحاصصة الطائفية في رئاسة المؤسسات الثلاثة: البرلمان، الحكومة ورئاسة الجمهورية. أضف إلى ذلك التقسيم الطائفي للمناصب القيادية في مختلف الوزارات والهيئات السيادية ويمكن تحديد المكونات الرئيسية للمجتمع العراقي على النحو التالي³²:

- 1- الشيعة: حيث يمثل الشيعة القسم الأكبر من المكون الاجتماعي في العراق، ويتركز أغلبهم جنوب العاصمة بغداد إلى الحدود مع إيران و الكويت و السعودية، و لهم انتماء عقائدي مع إيران تحت إشراف الحوزات الدينية التي يقوم عليها مجموعة من المراجع الدينية التي تلقت تكويناً في إيران. قبل أن يتسلم الشيعة المناصب الأساسية لإدارة الشؤون في العراق بعد الاحتلال، عانوا كثيراً فمضد العهد العثماني كان هناك شرع بينهم وبين السلطة العثمانية ذات التوجه العقائدي السني التي كانت تتعامل معهم كأقلية ملغية الحقوق، وهو ما استمر عليه الحال إبان العهد الملكي وكذا فترة حكم حزب البعث الذين هيمن فيه الحزب الواحد على التركيبة السياسية والاقتصاد و الأمن و الثقافة و إدارة الدولة بكل مفاصلها.
- 2- السنة: منذ أن سقطت بغداد في أبريل 2003 في يد الغزاة الأمريكان، بدأت تتراجع قوة الطائفة السنية التي كان ينتمي إليها النظام السابق لصالح إعطاء الدور الأكبر للغالبية الشيعية، في هذا الإطار اتهمت الطائفة الشيعية بأنها المدبر الرئيسي لعمليات التفجير التي عرفتها بغداد بعد

سقوط النظام حيث كانت أغلبها في مناطق السنة في وسط العراق، وبهذا عرفت المناطق السنية مجموعة من الإضطرابات من أجل تحسين المستوى الاقتصادي و الاجتماعي و من أجل مشاركة أكبر في الحياة السياسية³³.

3- الأكراد: يعتبر الأكراد ثالث مكون اجتماعي رئيسي في العراق، حيث لعبت هذه الطائفة دورا مؤثرا في تاريخ العراق السياسي الحديث، حيث شكلت مشكلة الهوية و الانتماء أحد أهم محركات الطائفة لتتواجد في زاوية مهمة من الأحداث السياسية العراقية. في هذا الصدد لعبت العوامل الإقليمية دورا مهما في عرقلة المشروع الوطني لهذه الطائفة، في هذا الإطار شهدت مرحلة ما بعد الاحتلال مزيدا من الإهتمام بالملف الكردي وكذا طرحت بشدة مسألة الفدرالية، حيث عرفت مجموعة من المشاريع السياسية و الاقتصادية، مثل قانون إدارة الدولة المؤقت، و الدستور الدائم و قانون تشكيل الأقاليم، و من ثم الدستور الكردي و قانون الإستثمار في إقليم كردستان³⁴ حيث تتموقع هذه الطائفة جغرافيا في شمال العراق وهي قريبة من مناطق توصف بأغنى حقول النفط في العالم. يدار إقليم كردستان بواسطة حكومة محلية و شكل ذلك نوعا من الإختلاف حول صلاحيات الحكومة الإقليمية بينها و بين الحكومة المركزية في بغداد، حيث اعترض رئيس الوزراء السابق نوري المالكي على بعض ممارسات الحكومة في أربيل خصوصا في قضايا إبرام عقود النفط وتصديرها³⁵.

في الحقيقة تشكل المحاصصة الطائفية أهم عوامل إفشال مشروع الدولة المدنية في العراق³⁶. و من ثم فإن بعض المحللين يعتقدون أن دلالات الطائفية جاءت أساسا من أجل إفشال العملية السياسية في العراق و أن العراق لم تكن تعطى فيها أهمية كبيرة لما يسمى السنة والشيعية والأكراد إلا بعد الاحتلال، وأن حقيقة الطائفية السياسية ما هي إلا انعكاس للطائفية الاجتماعية التي أسس لها المستعمر الإنجليزي³⁷. و بعده إزادات مع المستعمر الأمريكي من خلال القضاء على القيم المتوارثة و محاولة فرض قيم جديدة هي في الحقيقة غريبة عن المجتمع العراقي، و يزداد الامر سوءا اذا عرفنا ان المجتمع العراقي خاض ثلاثة حروب و حصار اقتصادي في فترة اقل من ربع قرن.³⁸

تتميز معظلة الطائفية في المجتمع العراقي بظاهرة العنف القائم على اساس التصفية الطائفية، بين مكونات النسيج الاجتماعي بعدما كان الاستبداد و العنف عموديا من السلطة نحو المجتمع.³⁹ حيث حصد العنف ارواح الألاف من العراقيين من مختلف الطوائف و في كل المناطق والمحافظات. تشير الاحصائيات أن ضحايا العنف الطائفي جاءت على النحو التالي: عام 2004 كان عدد الضحايا 5271، عام 2005 كان عدد الضحايا 8093، عام 2006 كان عدد الضحايا 17832، عام 2007 كان عدد الضحايا 13692، عام 2008 كان عدد الضحايا 6786 و يظهر من هذه الاحصائيات أن عامي 2006 و 2007 كانا الأكثر دموية بعد احتلال العراق، رغم ان الأعوام الأخرى لم تكن خالية تماما من القتلى.⁴⁰ أما ضحايا العنف من الكفاءات و النخب العراقية بين عامي 2003 و 2008 حوالي 374 من الاطارات ذات الكفاءة و حوالي 256 من الأساتذة الجامعيين.⁴¹ لقد إستمر العنف الطائفي في العراق بعد عام 2008 و لكن ليس بنفس الحدة، وتناقص أكثر بعد بدء عمليات الانسحاب.

يشكل التهجير القسري أحد أبرز مظاهر الطائفية في العراق و التي تشكل وجه قبيحا لعلمية انتهاك الأمن الانساني المتمثلة في الخصوصية و الحق في الملكية ما أدى بالكثير من العراقيين الى الهجرة من مدنهم وقراهم الى مناطق اخرى اكثر أمنا عندهم سواء كان ذلك في العراق أو في الخارج فوفقا لبيانات مفوضية الأمم المتحدة لشؤون اللاجئين يوجد في العراق مليون و 700 ألف نازح داخلي و حوالي مليونين و 200 ألف نحو الخارج أغلبهم في الدول المجاورة⁴² و يعاني المهجرون قسريا من صعوبات بالغة خاصة الحصول على السكن اللائق ويعانون حرمانا من التعليم و الصحة و الغذاء. توضح المؤشرات ان نسبة الطلاق ازدادت في المجتمع العراقي بسبب العامل الطائفي ما يؤدي الى تفكك الاجتماعي، و تطورت بفضل ذلك الكثير من الأمراض النفسية و العصبية بين أفراد المجتمع العراقي

رابعا: الطائفية و مستقبل القومية في العراق:

بفضل السياسة الأمريكية بعد الإحتلال المتمثلة في الغاء الجيش العراقي و اقامة الحكم العسكري، دخلت الدولة العراقية في تجاذبات و سلسلة من عمليات العنف الطائفي خاصة بعد قيامه الولايات المتحدة بتوطين الشيعة في الكثير من المناصب الحساسة في البلاد، و تم تهجير الكثير من السنة. و جاء بمشروع بايدن ليفتح المجال للفدرالية في العراق.

يلعب الفساد السياسي دورا مهما في تأجيج الطائفية في العراق، حيث نعي بالفساد السياسي إساءة استخدام السلطة من القادة السياسية من أجل تحقيق مصالح خاصة⁴³، و ذلك من خلال تعاظم الرشوة، الوساطة، المحسوبية، الاختلاس، التزوير، عقد الصفقات المشبوهة و إستغلال النفوذ. كل هذه العوامل تسمح بإزدياد ميل كل مكونات المجتمع العراقي الى بناء شخصية منفردة تعمل على اعطاء الأدوار و الحقوق اللازمة لأصحابها، و تأتي القضية

الكردية كجزء لا يتجزء من هذه القضية. من وجهة النظر التاريخية لا يمكن اعتبار رغبة الأكراد في الإستقلال شيء جديدا حيث عرفت التاريخ الحديث للعراق ثورة عام 1958 و التي أسفرت عن قبول الكردية كقومية ثانية في العراق الى جانب القومية العربية، بعدها حاول الملا مصطفى البرزاني من خلال الحزب الوطني الكردستاني اعلان حكم ذاتي في شمال العراق سبتمبر عام 1961⁴⁴. و انتهت هذه الحركة في شهر حوان 1963 بعد العملية العسكرية التي قادها الجيش العراقي. بعد عدة محاولات قام مسعود البرزاني بتنظيم استفتاء لانفصال كردستان العراق عن الدولة العراقية شهر سبتمبر 2017، و مباشرة اعلنت بغداد عدم اعترافها بالاستفتاء ولا بنتائجه، و طالبت بتسليم المناطق المتنازع عليها و المعابر الحدودية و المطارات الى سيادة السلطات الاتحادية⁴⁵ حيث واجه مسعود البرزاني انتكاسة داخلية بسبب الاستفتاء وذلك من خلال رفض الحزب الاتحاد الوطني للاستفتاء حيث يظهر ان حسابات البرزاني كانت خاطئة، خاصة و أن الإقليم غني بالنفط و بهذا يحتل أهمية استراتيجية لدى الولايات المتحدة الأمريكية ، بل فقد البرزاني مساندة الرئيس العراقي فؤاد معصوم و هو قيادي في الحزب الوطني الكردستاني حيث رفض الاستفتاء و قال بأنه ادى الى عودة القوات العراقية للسيطرة على الاقليم⁴⁶. و إرتكبت حكومة كردستان أخطاء أخرى في تقدير ردود الأفعال الإقليمية و الدولية تجاه نتائج عملية الإستفتاء، فبينما عارضت تركيا و إيران بقوة و ذلك لمعطيات الجغرافية البشرية و السياسية التي تتمتع بها المنطقة، أصبحت إسرائيل الدولة الإقليمية الوحيدة التي أعربت عن تأييدها لها، في حين تبني الأردن موقفاً متعاطفاً تجاه الاستفتاء⁴⁷، كما عارضته الأمم المتحدة و روسيا و بريطانيا وأعلنت الولايات المتحدة لاحقا موقفاها الرفض لنتائج الإستفتاء.

الختامة:

تلعب الطائفية الدور السلبي في تقسيم المجتمعات التي لم تتمكن من خلال آلية المواطنة الى الوصول الى هوية جامعة. و رغم المعطى التاريخي و المعطى الاجتماعي المسببان للطائفية في العراق إلا أن دور الإحتلال و كذا الفساد السياسي يعتبران اهم محددان لمستقبل الدولة الوطنية في العراق. بالرغم من سلبية مواقف دول الجوار من الإستفتاء المقام في كردستان من اجل الاستقلال في سبتمبر 2017، إلا أنه يجب النظر الى هذه العملية بعين الاعتبار، لأنها يمكن أن تكون محمدا قويا للدور المستقبلي للعراق خاصة اذا تم الاتفاق على اعادة تشكيل الخارطة الإقليمية و تغيير الأدوار بين الدول المؤثرة مباشرة في الواقع العراقي كإيران و تركيا اللتان رفضتا الإستفتاء ونتائجه لكون الأولى ستخسر أراضي غنية بالنفط و الثانية ستخسر أراضي هامة هي منبع نفري دجلة والفرات من هضبة الأناضول جنوب تركيا و من المعروف أن هذه المنطقة تعتبر سلة غذاء لتركيا. إن الوصول الى هوية عراقية جامعة يحتم توظيف قيم المواطنة و فتح المجال أمام مقارنة المتعددة التخصصات حيث يدخل في هذا الإطار تفعيل دور القيم و الديمقراطية السياسية النزوية إضافة الى تمكين الأطارات الحقيقية الفعالة في الوصول الى الحكم كما أنه لابد من توزيع عادل لعائدات مداخيل الدولة ليشعر الجميع بأنهم فعلا ينتمون الى هذا الوطن.

الهوامش السفلية:

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Toward the Development of a Cultural Sociopolitical Context Psychology Base for the Culturally Oppressed-within a Psychology of Liberation Framework

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Abstract

This position paper is aimed at expanding the field of psychology of liberation by emphasizing the need for a critical psychology approach that is relevant to culturally oppressed populations for which WesternEurocentric psychology models, principles and interventions are largely irrelevant. It seeks to identify and replace psychological foundations which were designed to address and understand Anglo and European realities and worldviews and to move away from away from academic tradition to evolve free to allow transformation evolution and advancement of the culturally oppressed. This approach differs from the basic tenants of psychology of liberation in that it does not only focuses in the socio-economic context under which the individual evolves but places primary emphasis in the impact of cultural oppression in the formation of the self and in the cultural annihilation chains that keep the individual captive and unable to transform his destiny. It also differs in that it can be done from a community level context as well as through an individual process of transformation. This paper aims to: 1) address the need to redefine psychology apart from western ideological constructs, 2) cover basic concepts of psychology of liberation, 3) propose new terms to identify the experiences culturally diverse individuals go through and 4) begin to establish a theoretical framework for the development, understanding and creation of a psychology base that is relevant for the culturally oppressed and promotes their advancement and liberation.

Introduction

Martin Baro is considered the founder of psychology of liberation. This theoretical perspective emerged in Latin America in response to the perceived lack of relevance of traditional psychological models to Latino and/or socio-economically oppressed populations (Burton, M, & Kagan, C., 2005; Watkins Shulman, 2010). Martin Baro's essays made evident that psychology cannot function independently from the context in which the individual evolves and cannot afford to ignore the connections among mental health, human rights and the struggles

(e.g., violence, injustice oppression) that men have to endure in order to live or at the very least survive. He argued that fragmented or diverse realities need to be given a voice through the work of psychologists who operate from the base of people whose marginalized lives cannot be accounted for by theories which are ahistorical, universalistic and assume that personality and psychopathology foundations are the same across cultures (Baro, 1994). Based on these premises, the concept of psychology of liberation evolved demanding that psychology be liberated from itself in order to work toward the liberation of others. Martin Baro envisioned a psychology aimed at developing a contextually based understanding of man and seeking to determine the impact of the experiences to which he/she has been subjected. He was cognizant of the power that psychological suffering caused by poverty, oppression, racism and violence had in the construction of the self and the creation of states of personal estrangement, psychic fragmentation and marginalized dependency, all of which lead to the acceptance of submission and oppression as a way of living thus preventing the process of transformation and empowerment to occur. Martin Baró ascribed to the belief that human beings are transformed by changing their reality. He talked about the anguish, misery and pain caused by social structures such as war, racism and poverty (Baró, 1989). He concentrated his work on the psychological suffering caused by social, economic and political oppressive forces (Watkins & Shulman, 2010). It is this author's contention to focus on the devastating impact caused by discrimination and cultural oppression which leads to fragmentation of the oppressed individual's psyche and psychodynamic functioning thus inhibiting the process of transformation and empowerment.

The Need to Redefine Psychology and to Develop

New Culture Socio-Economic Context Base Models

Although, psychology of liberation emerged with Martin Baró, many other Latin American social psychologists such as Maritza Montero in Venezuela, Bernardo Jimenez Dominguez in Colombia and Mexico, Jorge Mario Flores from Mexico and Ignacio Dobles from Costa Rica have continued with his line of work and have expanded and proposed new insights and developments. Psychology of liberation found its way among Latin-American psychologists because it gave voice to the problems that had already been identified by those who worked with populations whose reality could not be accounted for by the existing psychological foundations. The existing models lacked relevance because they focused on individualism, hedonism, personal happiness and the impact of sacrifice, suffering commitment, community support was not addressed. The discontent with psychological precepts that defined psychological functioning from external, objectivistic measures of performance failing to account for the interrelatedness of human nature resulted in the acknowledgment of the need for a new epistemology that will critically revise theories of psychology and will serve to reorient this practice (Watkins & Shulman, 2010). Furthermore, the need to move away from a fragmented conceptualization of man further reinforced the idea that new and context relevant models were needed to facilitate the process of transformation and the liberation and to redefine identities which have been curtailed, suppressed or erased. A major purpose was to unchain potential and empower the oppressed so that he could emerge free to be able to predetermine his

destiny. Promoting breaking away from dominant modes of thinking and being will inevitably lead to self-discovery or at the very least to a re-encounter with the true self.

The Study of Psychology from a Cultural, Socio-Economic Context

Defining elements of a cultural psychology base requires the understanding and study of the impact of the experiences through which culturally oppressed people must go through in the process of adaptation and transformation.

Suppression of cultural awareness for purposes of co-existing

As Sue and Sue (2008) and Dorividio and Gaertner (2000) indicated, although old fashion racism has declined in the last few years, subtle forms of racism, bias and prejudice have resulted from a socialization process which consciously or unconsciously conditions attitudes and social stereotypes about members of culturally diverse groups. These forms of projecting embedded biased attitudes and/or beliefs have been known as microaggressions. The most frequent messages conveyed to persons belonging to ethnically diverse groups include: "you are not accepted," "you are not important," "you are incapable," "you are not a good person," These and other forms of overt or subtle discrimination and bias have been found to be dangerous and harmful (Sue, 2004) and have negatively impacted the culturally diverse individual's self-esteem by fostering feelings of self-doubt, powerlessness and loss of personal and group integrity (Solarzano, et.al., 2000, Sue and Sue, 2008). People of color in the United States have reacted in various ways to try to cope with the psychodynamic impact of not feeling accepted and valued. Many have opted to cope by suppressing cultural awareness and acting as if they were members of the majority group.

The development of socio-cultural styles rests within the context of deconstructivism, ego psychology, and observational learning. The understanding of the role of culture in man's ability to adapt and the compensatory mechanisms used for his survival have been for the most part largely overlooked. Helping the individual understand the fears, concerns, needs that resulted from attempts to limit his capacity for choice and growth is essential for emerging free from the attacks to his cultural essence. It is, therefore, only in the context of his subjective being that the individual can achieve understanding of the psychodynamic forces responsible for his choice. Some socio-cultural mind states have been identified by the author.

THE QUIET PAIN

This mind state refers to people who have quietly experienced the despair inherent in a society which socio-political conditions contribute to the oppression of culturally different groups and limit their opportunities for success or growth.

THE DISASSOCIATED SELF

This mind state refers to persons who experience their cultural being fading away and feel helpless in their efforts for integration but continue seeking a healthy identification.

THE MULTICULTURAL PSYQUE

Refers to people who experience their various cultural beings at different periods of time or as emerging personalities in situations that have corresponding cultural elements. Being able to have a flexible cultural structure can facilitate integration and increase tolerance and understanding of those who are culturally different constitutes an adaptive element. However, the Multicultural psyche can also generate identity confusion and a sense of lack of permanence and integration.

CULTURAL COALITION

Refers to persons who experience resentment and apprehension towards the Anglo or host culture and manifest it in politically and socially appropriate ways and/or without any major resistance efforts toward the establishment. They experience identity conflicts and seem unhappy with their socio-political posture. They join others who feel the same way to keep them from breaking down.

THE INNER PAIN

These are persons who either hold strong resentment or hate against the host culture/establishment or who are internally confused about their duality. Hating parts of themselves they do not understand they go to great lengths to punish those who are like them (in an unconscious effort to punish those parts of themselves they do not like) or those who they feel have victimized them.

CULTURAL AUTISM

This term refers to Hispanics who live in a world of their own in which struggles, political states, social prejudice and the like are treated as non-existent. The individual's life revolves around his family with a denial of the social reality that surrounds them. They are basically apolitical and interpret acts of injustice as personal attributes of those who committed them.

The battle of the Worldviews and the tricultural self

In the case of the Hispanic living in the United States their cultural worldview (poetic conscience/indigenous) is almost diametrically opposed to the world view from the majority

culture (pragmatic) in which he interacts. To live in a world that emphasizes capitalism, pragmatism, the use of objective reasoning, alienation and impersonal relational/interactional styles constitutes a major shift in worldview for Hispanics and African Americans who function on a cultural world that emphasizes harmony with nature, sharing, cooperation and respect for moral values as well as for magico-mythical conceptions of the world which are intended to give him a sense of perceptiveness as well as a respite from oppressive conditions. The indigenous worldview values living in harmony with nature while the pragmatic seeks to control it. As Jose Gutierrez (1998) indicated, during the initial stages of interacting in a different culture, the individual experiences cognitive dissonance and shock that he has to resolve as he evolves through the process of becoming bicultural. According to Gutierrez functioning in each of these stages is accompanied by various psychological manifestations of distress. For example, during the first stage the child is likely to experience anxiety, depression, confusion and a deep sense of inadequacy. When the person's worldview is questioned, or deemed as erroneous or inadequate, the culturally diverse identity process begins to collapse. From a psychological perspective, magical thinking is the ability to consciously or unconsciously access the flow of energy that binds human beings together and the ability to acquire meaning prior to objectification. Pragmatism, in the other hand, adheres to ideas of practicality and the principles of science thus rejecting any beliefs based on principles that are not able to be verified scientifically. The culturally diverse individual's worldviews appear to undergo a spiritualistic struggle for dominance and the battle ground lies in his attempts to integrate or reconcile belief systems that are up to a certain point irreconcilable. Navigating these multicultural waters can often be a painful process for the culturally diverse. Adding to the stress inherent in co-existing in two different worldviews is the conception that the culturally diverse worldview is primitive and incorrect, thus fostering a negative self-perception.

Current psychological theories assume that fundamental realities of personality and psychopathology are the same across cultures negating the importance of the cultural construction of knowledge and the capacity to differ and break away from dominant modes of understanding, integrating, and relating. This limited view of reality blocks the use of healing approaches or psychotherapeutic methods which are cultural context specific. For example, differences in relating can be illustrated by emphasizing the difference between the "I" and the "we" self. In the Anglo/Eurocentric worldview the "I" self constitutes an integral part of the ability to relate to others without losing perspective that the individual's wellbeing is first. This is ingrained in the pragmatic worldview emphasis on individualism. In the Hispanic culture the "I" self is subordinated to the needs of the group. That is, Hispanics relations are based within the context of a "we" self in which the needs of the group are considered as important and/or more important than personal needs. Happiness is achieved by facilitating group harmony and by contributing to the wellbeing of the group. Therefore, when the "I" self is emphasized in therapy, a disconnect is likely to occur between the client and the counselor.

From a very early age social perceptions of ethnicity appear to play a major role in the socialization process and consequently in the formation of the self (Samuda, 1975). In the case

of the bicultural child the differences or disparities that he might experience between his core culture and that of the larger society may cause conflict that threatens the foundations upon which the self was formed. The child entering a social structure that requires him to emphasize modes of being, behaving, acting and reacting that are different from those that have been reinforced and valued by his core culture may become confused, conflicted and to some extent traumatized by a foundation which no longer defines who he is or who he should become. It is at this point that cultural boundaries may become rigid or loose thus acting as blocks to personal integration. For example, the child may construct rigid psycho-cultural boundaries to protect the basis of his core cultural self. In doing so, he also restricts access to cultural components from the newly encountered worldview and may create a processing system that denies his cultural boundaries to protect the basis of his core cultural self. In doing so, he also restricts access to the cultural framework from the newly encountered worldview and may create a processing system that denies his bicultural duality.

Sue & Sue (1999) indicated that during the developmental years the I self does not have a consistent, organized mode of functioning that allows for a critical, balanced examination of the input that defines the formation of self-representations. It is precisely here when the individual is more vulnerable to social and cultural influences. If the information transmitted is consistent the possibility of an integrated self remains high. However, in the case of the individual who evolves in a social context that contradicts or challenges the cultural world in which the I self has been forming the integration process may be extremely difficult. The need that the individual experiences to reconcile his social cultural influences may result in the formation of two distinct cultural selves (e.g., Mexican and Anglo) which may later evolve into a third integrated one (Mexican-American). It, then, follows that the individual's capacity to reconcile conflicting self-representations may rest upon his ability to fluctuate among his three selves without feeling guilt or distress over his ability to make use of his tricultural essence. However, this is not an easy task in a society that denies or fails to acknowledge or value a tricultural self-existence.

Influences on Tricultural Self Perceptions and Perceptions of Conflict

Many theorists have emphasized the importance of positive self-identification and its relationship to ethnicity and healthy adjustment. Parra and Mishra (2016) revealed that persons who acknowledge and value their tricultural essence were more likely to be satisfied. It has also been suggested that developing a "stable, autonomous sense of self" may be difficult for members from interdependent cultures given that societal norms of one culture may endorse ways of being that contradict some of the cultural values to which he has been exposed in his culture of origin, such as relational malleability (Yeh, & Hwang, (2000). Guillem, Cohon & Throne (2001) in their study on black identity of biracial individuals concluded that they are more likely to achieve psychological adjustment by positively valuing and exploring both sides of their biracial identity. Lay and Verkuten (1999) conducted a study on Toronto Canada with 63 Canadian born adolescents and 34 foreign born youths in order to examine, among other things,

differences in life experiences and its impact on ethnicity. Results obtained suggested an association between higher levels of self-esteem and positive evaluations of ethnicity. They concluded that crucial to the understanding of ethnic identity was the understanding of the manner in which relational and cultural context impact the individual's sense of self.

The Process of Adaptation in a Hostile Environment

Living in a world of prejudice whether subtle or overt may cause the individual who experiences it a partial loss of reality causing him to separate himself from his feelings, motivation, and cognition. Persons subjected to experiences of differential treatment on basis of their appearance (e.g., color of the skin) may develop reactive response patterns that determine their interactional style in a social environment that attempts to define them outside of the context of their tricultural or dual existence. The phenomena of invisibility and being voiceless are other components of a hostile environment that negates the right to be. Culturally diverse individuals frequently feel that they are not seen and that their voices are not heard. It is frequently assumed that the culturally diverse individual has adopted the worldview way of thinking of the majority when they may perceive themselves as indigenous outsiders who are trying to cope with a culture which endorses values that differ from those fostered in their culture of origin which determined who they are or were raised to be. Although, most culturally diverse populations dress, eat, function like the majority culture, there is a sense of disconnect and loss that permeates their interactions with those who have tried to erase and dehumanize their identity and have been responsible for the negative impact that intergenerational trauma and oppression has had on their lives. For example, Love (2016) reported that racial oppression and abuse to which people of color were subjected in the past has had and continues to have genetic (e.g., the trauma has been embedded in the DNA of Black people), multigenerational impact on African Americans.

Although, reactive styles to the process of marginalization and dehumanization vary in origin, causation, and in the boundaries, that define their diverse worldviews examining extreme reaction modes may prove useful. One of these reactive styles is the case of the "vendido" which is characterized by extreme responsiveness to the pressure of assimilation generated by the need for acceptance and ascendance. The vendedo (sold out) acts, thinks and reacts as the members of the majority group, identifies with them and rejects his culture of origin. For many decades, social groups such as teatro Campesino have attempted to develop awareness about the social-political impact that the vendedo has had in the economic and political systems in which Hispanics participate. The vendedo seems to have developed a character structure that leaves him estranged and cut off from himself. The conflicts between who he is and who he would like to be, the discrepancy between the ideal and the real self, his denial of his cultural existence and the unmet needs and fears that disconnected him from the experiences that gave meaning to his existence may have distorted his self-awareness in an effort to survive to his internal chaos and the threat of failure. This may, in part, explain why as the vendedo develops awareness of his troubled internal reality he may either become very depressed, further oppressing the part of him that seeks acknowledgment or may actively seek to define and protect his cultural duality

Coping Defense Mechanisms

Other manifestations of the emotional distress produced by conflicting worldviews and the negative impact of bias and prejudice in the person's self-perception include the development of defense mechanisms which constitute an attempt to cope with the emotional pain and discomfort produced by conflicting negative messages about his/her self-perception. Four different coping styles have been identified by the author.

According to Shapiro (1999) the mind is viewed as a self-regulating system in which consciousness is an active organizer and attitudes shape the individual's subjective experience. When elements of discomfort are introduced in the subjective world a need to resolve perceived threats is formed. That is, the individual who attempts to block anxiety, pain, or discomfort is likely to use attitudes that limit or distort self-awareness to protect him from risks that he considers inevitable. Such is the case of the death wish and psychological deaths defense mechanisms.

DEATH WISH

In the case of the developing child who has been raised in a dysfunctional social system (e.g., victim of prejudice and discrimination) being surrounded by rejection, physiological and/or psychological threat is likely to develop a character that aims to prevent punishment, rejection, and pain. This is accomplished by posing strict restrictions to his need for comfort, happiness, and validation. The restriction placed on his need to be validated by the community in which he functions (e.g., he does not believe, given his socio-cultural attributes, he meets the requirements for success and acceptance in the majority culture) results in the development of new but less conventional norms. The alienation to which he subjects himself creates tensions which are viewed as the price paid for personal validation and fulfillment of his need to belong. Giving meaning to an existence which may otherwise be ignored brings about attitudes of disregard for life itself. The pain underlying this process of self-deception contributes to intensify the need to terminate one's existence while simultaneously seeking gratification for validation and meaning. It is a defense mechanism which is experienced by some Hispanic delinquents or gang members. The internal processes previously discussed are activated to create an intense need in the individual to place himself in a position in which he is likely to be killed (e.g., antagonizing rival gangs when he is rather unprotected). His existence will be glorified through his own gang and those who share his anti-conventional way of confronting his social conflicts. He is, at times, viewed as a victim who died in defense of his group or as a brave, non-intimidated youngster. Additionally, putting himself in situations of danger the youngster will avoid the personal and family shame brought about by a suicide act.

PSYCHOLOGICAL DEATHS

Psychological deaths is a phenomena characterized by giving in to the pressures of prejudice and discrimination. The person opts to end his struggle to prove himself as an individual worth of respect and appreciation and internalizes the stereotypes attributed to his cultural group. That is, he no longer believes in himself or his capacity to be or achieve and conforms to a survival mode of existing. The individual's sense of intentionality, agency, and self-direction is diminished and results in self-estrangement that limits willful performance.

THE INCARCERATED SELF

The incarcerated self refers to the individual's attempts to repress culturally based personality traits, attitudes, or characteristics that are viewed as threatening to goal attainment. For example, an individual who experiences a need to passionately defend his view in a work-related situation opts to express his opinion in a matter of fact mode for fear of being ignored or disregarded if he reacts in ways that are culturally appropriate to him.

It is a process of cultural repression which causes discomfort but simultaneously dispels anxiety as the mind is actively involved in the organization of conscious experience.

Implications for Intervention

There are several points that need to be made before culturally relevant intervention models are proposed. It is important to point out that there is a need to:

1. Develop a knowledge base about fundamental differences in personality and psychopathology across cultures.
2. Construct a cultural knowledge base and break away from dominant modes of understanding, integrating, and relating that impede the use of differing conceptualizations, healing approaches and methods of intervention which are cultural context specific.
3. Develop cultural specific context models of human behavior
4. Develop theories that are not disconnected from the suffering of the culturally diverse
5. Develop or use interventions that symbolically interrupt the internalization of repressive forms of cognitive manipulation.

6. Break away from standard academic discourse and traditions which attempt to construct reality in a piecemeal fashion instead of deconstructing it to begin to understand it.
7. Determine how does oppression manifests itself in psychological ways and how psychological dysfunction looks like when it is or is not related to oppression.
8. Determine what healthy and unhealthy responses to oppression are. For example, an unhealthy response to oppression is the internalization of self-hate.
9. Explore how denial or attempts to block the impact of cultural oppression resonate in the development of the self.
10. Develop an understanding how the process to emerge free can be accomplished without becoming toxic or self-destructive.

Although, it is not within the scope of this paper to enumerate specific intervention strategies that have been proposed by this author, it is important to discuss the significance of adopting a culturally relevant intervention approach. This type of intervention is based on the need to untangle marginalization, dependency and oppression from the social structures that maintain it. This is done in order to help culturally oppressed individuals to discover his/her true self and to utilize his/her oppressive energy as an agent of liberation. This in turn, compels him/her to transform culturally oppressive environments, unchain his suppressed potential and recover the internal strength that was lost during the oppressive experience. Rather than building a new man in a new society, as Martin Baro once said, there is a need to recover the man that was lost during the cultural oppressive experience. That is, in order for the oppressed to achieve liberation he/she needs to develop his/her strength from the cultural forces that have been suppressed.

Five major interventions are suggested in the following pages. 1) Identification and processing of dynamic sources of conflict, 2) Restoring the healthy side, 3) Recovering and allowing the reintegration and reconstruction of the cultural self, 4) Promoting and allowing the formation of alternative realities, 5) Assisting the individual in resolving conflicts he/she will encounter in the process of becoming authentic and 6) promote reconnection and re-establishment with the cultural community.

Identification and Processing of Dynamic Sources of Conflict

In the process of becoming authentic, it is of outmost importance that the individual be able to identify, address and process the conflicts inherent in living in the midst of two very different cultural worldviews. The intent is to address the needs, doubts, and challenges that the individual had to endure for participating in a society which overvalues the worldview in which it was founded and underestimates and devalues his/her cultural worldview. In order to understand the essence of the Latino existence within a pragmatic society, it is important to examine the duality and contradictions between different fundamental principles, cultural traditions, morale, ideology, ethics, and belief and value systems. It then follows, the importance of identifying and assessing the impact of several dynamic sources of conflict. Facilitating understanding of behavioral patterns that resulted from perceptual/affective and cognitive dissonance is an important aspect of process identification. Having to live a pragmatic cultural reality that entered in direct contradiction with his cultural ideology is likely to have generated

not only conflict, confusion and doubts but a significant impact in identity formation that needs to be explored.

Restoring the Healthy Side

Healing involves the transformation of fatalism and emerging free from the integration of demeaning, invalidating stereotypes that led the culturally oppressed to function in a state of submission, dependency, annihilation and/or at the very least limited his capacity to function to the extent of his potential. In order to re-establish or restore the healthy side that was lost during the encounters with oppressive experiences, it is important to provide an atmosphere where the individual feels safe to be himself, to safely decompress and to allow his/her cultural essence to emerge. It is imperative to address the psychological scars resulting from displacement, discrimination, bias, racism and forced compliance as well as to continue to explore the political social context base for the forgotten or lost cultural self. It is also vital to help the individual acknowledge the importance of resisting the power of prejudice and challenging ideologies and social structures that fostered a state of marginalized dependence which led him to expect less than what he could achieve. Additionally, the individual to process the psychological wounding caused by the rejection experienced. Critical reflection that will assist the culturally oppressed individual in making sense of his/her environment and in removing blocks to positive integration without losing the cultural self.

Recovering and Allowing for the Reintegration and Reconstruction of the Cultural Self

In recovering, reconstructing and/or reintegrating the lost cultural self a process of de-identification needs to occur. Recycling, re-thinking, reconstructing lost cultural messages, re-encoding and integrating them to empower lost or hidden identities is part of the recovery process. This process also requires regaining the sense of self, purpose and meaning. Discarded identities are reclaimed by finding ways to re-construct the deconstructed self while simultaneously uncovering the suppressed potential. The psychologist allows for the ideological construction of a self that is deeper and more in tune with an internal reality by encouraging the individual to actively resist the introjections of negative designations aimed at reinforcing the stereotypes. It also assists by helping those who are disconnected with the cultural self to develop an understanding of how the rejected self-claims the right to be. Recovery of the lost self also entails regaining the internal strength that was lost during the suppressive experience. That is, have the culturally diverse individual reconnect with the parts that have been disowned, suppressed or made shame of in order to come to terms with his existence.

Promote and allow the formation of alternative realities

Another important step in the process liberation is to unlearn the stereotypes that have been integrated in the self. Deconstruction needs to occur to allow alternative realities to re-emerge, be cherished and valued in order to strengthen the cultural self.

Assist the Individual in Resolving Conflicts he/she will Encounter in the Process of Becoming Authentic

In the struggle for personal and psychological liberation the individual will encounter blocks to personal integration that he needs to resolve. It is important to help the individual explore and address the fears of deviating from an oppressive, social cultural context and to promote self-reflection to facilitate understanding of the process of transformation. It is also the role of the psychologist to help untangle the levels of interdependence to facilitate the ability to differ and break away from dominant modes of thinking and being that formed the base for his oppressive condition.

Promote Reconnection and Re-establishment with the Cultural Community.

During this stage, it is important for the transforming individual to move from being a passive bystander to active witnessing in the healing process and to culminate transformation by changing his present reality. When in doubt it will be beneficial to encourage him/her to re-imagine himself/herself in ways that he can transgress limiting normalized scripts. Fostering the development of a critical conscience can empower the individual to deal with conflict that stems from differences in daily life experiences and varying cultural expectations. However, it is also vital to help the individual to remain free without becoming toxic or self-destructive. When doubts and fears persist a psychological approach that repairs the wounds of the collective wellbeing such as lost rituals and social networking should be utilized.

Conclusion

In order to successfully emerge free from a hostile environment, it is important to change it by fostering the development of a critical conscience and actively working in promoting empowerment of the culturally oppressed. It is crucial to develop an awareness of how the self was shaped as a result of existing in a culture in which racial abuse and rejection shaped the psyche of the culturally oppressed. It is imperative to recognize how this process is embedded in the culturally oppressed way of perceiving, thinking and acting. The need to address the struggle to be free, conscious and aware in a society that has attempted to erase the essence of being cannot be overlooked. The importance of remaining strong without allowing the process to become toxic or self-destructive is essential for positive reconstruction of the self and for effective reconnection with the disowned parts of his cultural existence. Additionally, understanding the role that intergenerational trauma has had in the life of the oppressed is an important component of the recovery process. As the culturally oppressed grows stronger in his capacity for survival, in the use of critical analysis, in his sense of empowerment, in the development of new ideas and flexibility of action he/she will be able to determine his/her destiny thus facilitating the process of transformation and liberation.

In short, as Martin Baro(1994) once said, the development of theoretical models and methods of intervention that allow the individual to emerge free from existing social/psychological conditions that promote disempowerment is vital for the construction of a psychology base that is relevant and effective. Therefore, a call is placed for the development of

new cultural/context specific explanations of human behavior to promote the development of relevant and successful interventions for all.

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GRAMMATICAL FEATURES OF MEMORANDA: A BASIS FOR INSTITUTIONAL GUIDLINES

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ABSTRACT

This study basically evaluated the grammatical features of selected memos issued by officials of DepEd Nueva Vizcaya. It is an examination of sentence structure, voice of the verb, pronoun-antecedent agreement, language and mechanics. At a certain degree, this study is an assessment of the existing state of memo writing in the above-mentioned office. Moreover, it aimed at recommending guidelines and generic templates in drafting memoranda. Findings of this study revealed that in DepEd Nueva Vizcaya, apparently, the memos being cascaded were compliant with the set standard format as suggested by cited authorities. They, in fact, utilize formal language, varied sentence structure with a combination of both passive and active voice of the verbs. While the memos are very good in terms of formal language, there is still a need to strengthen and reinforce basic rules on memo writing especially in the areas of sentence structure, voice of the verb and spacing. Because there were varied writing styles on the memos which consequently led to the output's non-standardization, guidelines are hereby proposed and recommended.

Keywords: Memoranda, Discourse, Grammatical features

The Problem and Its Background

Rationale

Memoranda are often described as vital means of communication within an organization or business. Through them, policies/directives/information from top to bottom are disseminated. Since information dissemination must be as clear and accurate as possible, it is imperative that writers of memos should know the important features of writing these documents.

According to Hunt (2007), a successful memo possesses the following features: It should be written using short, simple, direct sentences; It should use a language that is clear and unambiguous, and, It should be written using the imperative form of verbs, and in the present tense. As format, style and content are crucial in conveying the information/message, it is therefore critical that memo drafters should always bear in mind the above-mentioned vital elements. Otherwise, the memos do not serve their purpose.

Writing memos in English can be a very tough job. This is especially true for non-native English speakers. In countries like the Philippines where English is considered only as a second language, grammatical lapses are common. Moreover, recent surveys reveal that the over-all English proficiency of Filipinos is fast declining (Tolentino, H., Cristobal, M., Hoggang, K. and Lascota, KD. 2009). For sure, this has repercussions not only on the speaking skills of Filipinos but also in their ability to write in English. That is why, proficiency and mastery of macro and micro skills and rules in grammar should be emphasized by language teachers in their classes and should be mastered by the students at an early stage because these skills are crucial as one communicates in oral and written form.

In order to address the above issues, an empirical study of the memos is therefore imperative, thus this study.

Research Objectives

This study examined the grammatical features of selected memos of DepEd Nueva Vizcaya. Specifically, it carried out the following:

1. Identify the linguistic features of memos in terms of:
 - a. Sentence Structure
 - b. Voice of the verb
 - c. Pronoun-Antecedent Agreement
 - d. Language
 - e. Mechanics
2. Assess the efficiency of the memos in terms of the given variables
3. Recommend guidelines in memo writing for DepEd, Nueva Vizcaya.

Scope and Delimitation

The study focused grammatical features of memoranda. For practical reasons, this study covered only the memoranda written by DepEd, Nueva Vizcaya officials written from January – December 2015 excluding those from DepEd Regional and Central office.

Theoretical Framework

This study adheres to the theory on Discourse Analysis which is based on the understanding that there is much more going on when people communicate than simply the transfer of information. To conduct discourse analysis, a researcher generally selects text - which connotes a wide range of possible data sources including transcripts of recorded interviews, movie scripts, advertisement, or a company's internal documents. It usually selects texts that are complete as possible. Dijk (1997) comments that in discourse studies, "analysts...want to include some other essential components such as who uses language, how, why and when". Analysis of discourse focuses on aspects that go beyond the syntax of language, the analysis of the context where it is being used, the grammatical structures that are employed as well as the stylistic structures, the interactional characteristics and the presentation performance. Dijk (1997) explains that discourse has three main dimensions: 1) language use; 2) the communication of beliefs; and 3) interaction in social situation.

Conceptual Framework

To some extent, this paper is a study on the grammatical features of memo writing in DepEd Nueva Vizcaya. Based on the researcher's initial survey, a number of memos fell short of features of a good document. If this is true for most of the issued memos, then it can be assumed that the current state of memo writing in the division needs to improve in terms of grammar. Hence, there is a need to pursue this study not only to identify the areas needing improvement but also to serve as stimulus for DepEd to formulate intervention initiatives that could enhance the current state. The diagram on the next page captures this aim:

Figure 1: Analytical framework of the study

The memos were analyzed based grammatical features in terms of sentence structure, voice of the verb, use of pronouns, language and mechanics reflected in the memos. The memos' strengths and weaknesses in terms of their grammatical features were emphasized to determine the areas needing improvement to establish guidelines towards an accurate and effective memo writing in DepEd Nueva Vizcaya.

Methodology

Research Methods and Design

This study is basically descriptive in design. It utilized both quantitative and qualitative data to describe and analyze the present state of memo writing in DepEd Nueva Vizcaya. This study was conducted in Nueva Vizcaya – a province that lies within the heart of Northern Luzon. It is one of the five provinces of Region II and one of the five provinces of Cagayan Valley. It is

geographically located at the southernmost part of the region and is often referred to as “the gateway to Cagayan Valley”.

Nueva Vizcaya houses a DepEd Division Office that oversees and administers 332 public elementary and 45 public secondary schools. The Division Office is subdivided into three clusters, namely: 1) The Office of the Schools Division Superintendent with the Budget Office, Accounting Office, Legal Services, Information Technology and Administrative Services; 2) The School Governance and Operations Division with the Education Facilities, School Management, Monitoring and Evaluation, Social Mobilization and Networking, Human Resource Development, and Planning and Research; and 3) The Curriculum and Implementation Division comprising of the Education Program Supervisors, Public Schools District Supervisors and District-in-Charge. It must be mentioned that the above enumerated units comprise the offices that issue memoranda for dissemination and these memoranda, comprise the corpus of this research.

The study analyzed 94 memos written by DepEd Officials in the division of Nueva Vizcaya for the fiscal year 2015 since they represent the most recent copies of memorandums cascaded to the field. The 94 memos represented the 25 units from the three divisions namely Curriculum and Implementation Division, School Governance and Operations Division and Office of the Schools Division Superintendent. Box-type memos cascaded from DepEd Regional office and Central Office were excluded as they have been written by authorities in the regional and national level and are on-boxed type memo.

Data Gathering Procedure

The initial step in gathering data was to secure the approval of the Schools Division Superintendent (SDS) to conduct the study. Then, the researcher reproduced the original copies of all memos written by DepEd Officials issued during fiscal year 2015 then categorized them according to type. Each of the memo was examined as to the grammatical features in terms of: 1) number of independent and dependent clauses and/or fragments to identify sentence structure; 2) voice of the verb whether active or passive; 3) proper use of pronoun-antecedent agreement; 4) language which are formal or informal; 5) mechanics in terms of its logo, font style and size, margin, indention, punctuations, spelling and capitalization; 6) organizational structure of the memos; 7) efficiency of the current state of the memos; and inter-rater reliability procedure to verify the correctness of the rating of the memos.

Data Analysis

This study employed both quantitative and qualitative analysis. Quantitative analysis primarily consisted of determining the frequency and percentage of the different quantifiable variables mentioned in the previous pages. In consultation with the statistician and panel of experts, a kind of scale (with frequency ranges) was adopted to serve as means of assessing whether or not the memos under study were Very Good (VG), Good (G) Average (A), Poor (P) or Very Poor (VP). This scale reflected the average percentage of each memo reflecting its adherence to set standards.

Proposed table below was used to evaluate each memo as approved by panel of experts. Note that the percentage reflected the efficiency of the memos.

Table 1: Qualitative Description of Memos' Efficiency with Respect to the Different Variables

Percentage	Mean Score	Qualitative Description
(For Sentence Structure, Verb Voice and Spacing)		
81-100	4.01-5.00	Very Good
61-80	3.01-4.00	Good
41-60	2.01-3.00	Average
21-40	1.01-2.00	Poor
20 below	1 and below	Very Poor

Efficiency of memos were reflected based on each memo's adherence to set standards with respect to the grammatical features such as the sentence structure, voice of the verb, use of pronouns, language and mechanics.

To get the efficiency rating of the structure of sentences and voice of verbs and spacing, the formula below was used.

$$\frac{\text{Number of errors}}{\text{Total Number of sentences/verbs}}$$

For the language used and mechanics particularly capitalization, punctuation and spelling, the number of errors were counted with corresponding efficiency score. The table below shows the rubric for its scoring.

Table 2: Rubric for Efficiency Scoring on Language Used and Mechanics

Number of Errors	Efficiency Score
1-2	5
3-4	4
5-6	3
7-8	2
9 or more	1

The mean efficiency score of each variable was computed to arrive at the qualitative description.

To validate the researcher's rating of the efficiency of the memos, the help of an inter-rater was sought. In cases where there was discrepancy of scores, the raters reviewed the scores and discussed to finalize the rating.

Apart from that, a qualitative discussion of the memos' organizational pattern was also done to substantiate the quantitative part. This was carried out by examining the paragraphs and comparing it with the organizational structure proposed by Navickiene, Kavaliauskene and Pevceviute (2013). Lexical and syntactical ambiguity were also analyzed based on Speech Act Theory. Further, samples of strengths and weakness were included for reinforcement.

Data Analysis and Interpretation

Grammatical Features of DepEd Nueva Vizcaya Memos

Sentence Structure.

Sentence structure refers to the number of independent and dependent clauses present in each sentence. The sentence may be simple, compound, complex, or compound-complex. Herman's Rule of Style 2006 emphasizes that sentences should be short and simple. Communications Specialists (1998) reiterates the use of simple sentence construction that is in the form of subject-verb-object. Bauer- Ramazani (2012) believes that clear writing demonstrates clear thinking that is why simple sentences must be used.

Pronoun-Antecedent Agreement

Pronouns take the place of nouns. In a paragraph, the role of pronouns is very significant since it is awkward to be repeating the nouns in the text. In this case, the agreement of a pronoun to its antecedent is very crucial since it provides a point of reference.

In the analysis conducted, only very few memos have used pronouns and only very few errors on pronoun-antecedent agreements have been noted.

Language

According to Bauer-Ramazani (2012), the language of memorandum is formal. Instead of contraction, prefer to use the long form. Still on formal language, Hermann's Rule of Style (2006) states that prefer the word "that" over "which", spell out numbers from one to ten, and use numerals in ages, percentage, monetary units, page numbers, tables, figures and unit of measurement. Further, it states that language should be simple and specific that is prefer the short word to the long word, the familiar to the fancy, the concrete to the abstract.

In the analysis of the memos, generally the language used is formal. There were very few errors in the form of the following: 1) Use of shortcuts such as c/o; 2) Use of symbols such as & and @, and 3) Use of obsolete/trite expressions.

According to Voss (2012), what counts as "formal" or "informal" is dependent on the organization's culture. That is why, paying attention to the audience and context is very crucial.

Mechanics. In terms of mechanics, the following are considered:

Punctuation.

On punctuations, there were noted errors on using period, semicolon, colon, hyphen and comma.

Capitalization.

On capitalization, there were few noted errors on capitalizing proper nouns.

Spelling.

Generally, the memos have observed correct spelling except for two which may be attributed to typographical error.

Efficiency of the Memos in the Given Variables

Table 3: Adherence of the Memos in Terms of Sentence Structure

Qualitative Description	Criteria	Frequency of Memos	Percentage
Very Good	81-100 % use of simple sentences	22	23.40 %
Good	61-80 % use of simple sentences	23	24.47 %
Average	41-60 % use of simple sentences	33	35.11 %
Poor	21-40 % use of simple sentences	9	9.57 %
Very Poor	0-20% use of simple sentence	7	7.45 %

The table shows the adherence of the sentences in terms of structure based on the given standard. Herman's Rule of Style 2006 emphasizes that sentences should be short and simple. Communications Specialists (1998) reiterates the use of simple sentence construction that is in the form of subject-verb-object.

The percentage score was derived by using the formula:

$$\frac{\text{Number of Simple Sentences}}{\text{Total Number of sentences in the memo}}$$

The study reveals that a little more than 35% of the memos belong to average with a percentage score of 41-60 % . Almost 25% of the memos are good with a rating ranging from 61-80 % and more 23% of the memos registered to be very good with a score of 81-100 % . However, almost 10% of the memos are found to be poor with percentage rating of 21-40% and more than 7% of the memos are categorized as very poor with a rating of 0-20%.

Table 4: Adherence of the Memos in Terms of the Voice of the Verb

Qualitative Description	Criteria	Frequency of Memos	Percentage
Very Good	81-100 % use of verbs in active voice	11	11.70 %
Good	61-80 % use of verbs in active voice	12	12.77 %
Average	41-60 % use of verbs in active voice	38	40.43 %
Poor	21-40 % use of verbs in active voice	19	20.21 %
Very Poor	0-20% use of verbs in active voice	14	14.89 %

The table shows the distribution of the 94 memos in terms of the verbs used.

According to Herman's Rule of Style 2006, Communications Specialists (1998), Bauer-Ramazani (2012), and Voss (2012), verbs used in sentences should be active. Non-phrasal verbs instead of phrasal verbs and action verbs instead of the verb “to be” are preferred.

Data gathered reveals that a little more than 40 % of the memos are good with a score of 61-80 %. More than 21 % of the memos are poor with rating of 21-40 %. Almost 15 % of the memos are very poor whose rating range from 0-20%. On the other hand, About 13% of the memos are

good with rating ranging from 81-100 % and only about 12% of the memos are very good with a score of at least 81-100 %.

It should be noted that the verbs analyzed are those that are found in the main independent clauses. The formula used to derive the rating is the formula below.

$$\frac{\text{Number of Simple Sentences}}{\text{Total Number of sentences in the memo}}$$

Language

Table 5: Language used in Memoranda

Qualitative Description	Criteria	Frequency of Memos	Percentage
Very Good	Used of none or up to two informal language	94	100 %
Good	Use of 3-4 informal language	0	0 %
Average	Use of 5-6 informal language	0	0 %
Poor	Use of 7-8 informal language	0	0 %
Very Poor	Use of 9-10 informal language	0	0 %

The table shows the type of language used in the memos analyzed. In general, the memos have used formal language which resulted to 100 % very good remarks. Only very few expressions about two or less were noted in very few memos.

According to Bauer-Ramazani (2012), in writing sentence, use formal language. Instead of contraction, prefer to use the long form. Still on formal language, Hermann's Rule of Style (2006) states that prefer the word "that" over "which", spell out numbers from one to ten, and use numerals in ages, percentage, monetary units, page numbers, tables, figures and unit of measurement.

Table 6: Proper Use of Capitalization

Qualitative Description	Criteria	Frequency of Memos	Percentage
Very Good	With only 1-2 errors on capitalization	63	67.02 %
Good	With 3-4 errors on capitalization	22	23.40 %
Average	With 5-6 errors on capitalization	7	7.45 %
Poor	With 7-8 errors on capitalization	0	0%
Very Poor	With 3-4 errors on capitalization	2	2.13 %

The tables shows the adherence of the memos to capitalization rules. The data reveal that about 67% of the memos were very good having less than 2 errors, and a little more than 23 % were good with 3-4 errors on capitalization. Less than 8% of the memos belong to average with 5-6 errors and less than 3 % of the memos were considered very poor with more than 9 errors.

Majority of the errors is capitalizing common nouns within sentences. Some memos have not capitalized titles while others have not capitalized proper nouns. Examples of which have been presented in the previous section.

Table 7: Proper Use of Punctuations

Qualitative Description	Criteria	Frequency of Memos	Percentage
Very Good	With only 1-2 errors on punctuations	69	73.40 %

Good	With 3-4 errors on punctuations	18	19.15 %
Average	With 5-6 errors on punctuations	2	2.13 %
Poor	With 7-8 errors on punctuations	3	3.19 %
Very Poor	With 9 or more errors on punctuations	2	2.13 %

The table reveals the adherence of the memos to punctuation rules.

There are a little more than 73% of the memos that are rated very good with 2 or less errors and about 19% of the memos are considered to be good with 3-4 errors. Less than 4% of the memos belong to poor with 7-8 errors while less than 3% of the memos belong to average with 5-6 errors and also less than 3% of the memos are very poor with 9 or more errors.

A Majority on the errors noted are on the use of period, comma and hyphen, examples of which were presented in the previous section.

Communication Specialists (1998) emphasizes that on punctuation, use proper comma to separate two independent clauses and parallel ideas while use a hyphen- to join compound modifiers. Online Handbook of Engineering Communication Program also reiterates the correct use of punctuations in writing memo. As a general rule, a sentence typically ends with a period.

Table 8: Correct Spelling

Qualitative Description	Criteria	Frequency of Memos	Percentage
Very Good	With 2 or less misspelled words	94	100 %
Good	With 3-4 misspelled words	0	0 %
Average	With 5-6 misspelled words	0	0 %
Poor	With 7-8 misspelled words	0	0 %
Very Poor	With 9 or more misspelled words	0	0 %

The table reveals the memos adhering to correct spelling.

All of the 94 memos are very good in terms of spelling. Only two misspelled words were noted: "Pubic" instead of "Public" and "entilted" instead of "entitled". These may be attributed to typographical errors.

Proposed Guidelines for Utilization

With the numerous standards discussed in the previous sections and considering the guidelines set by Navickienė, Kavaliauskene & Pevceviute (2013), Herrman's Rule of Style 2006, Communications Specialist (1998), Bauer- Ramazani (2012) and Voss (2012), and with the result of the efficiency rating of the 94 memos analyzed, a model of a memorandum that adheres to the standards set by the cited authors earlier is offered. The following ideas are emphasized.

1. Simple and short sentences are evident sentence structures. Use of too much modifiers is avoided.
2. The use the non-phrasal active form of the verb is observed. The subject is doer in the sentence. The pattern subject-verb-object is followed.
3. The verb agrees with the subject in number.
4. The pronoun also agrees with the antecedent.

5. Formal language is used. Trite/obsolete words are avoided. Numbers from zero to ten are spelled out. For anything greater than ten, and for ages, percentages, monetary units, page number, figures table numbers and unit of measurement, numerals are used.

6. Use of correct punctuation is observed. A sentence ends with a period, a fragment does not. Comma is used to separate two independent clauses and parallel ideas. Use of hyphen is observed in joining compound modifiers.

7. Capitalization of the first letter of the first word in a sentence and all other proper nouns is observed.

Research Summary

This study was conducted to determine the organizational structure and linguistic features of memoranda written by DepEd officials in Nueva Vizcaya.

The main tool used in this study was 94 memoranda written by DepEd officials representing the 25 units from three divisions in DepEd Nueva Vizcaya.

The memoranda were analyzed based on the standard cited by Navickiene , Kavaliauskene, & Pevceviute (2013), Herrman's Rule of Style 2006, Communications Specialist (1998), Bauer-Ramazani (2012) and Voss (2012).

The data were treated carefully and were grouped according to the qualitative description. Sample statements were also cited for reinforcement.

From the findings, a proposed a format that has been crafted to be the bases of the officials in DepEd Nueva Vizcaya in drafting memorandum.

Using the figures and data gathered from the memoranda, it was found that:

With regard grammatical features, the following were found to be prevalent:

1. Sentences structures range from simple, to compound to complex. Fragments were also evident in a number of memos.

2. The verb voice used was a combination of active and passive. Majority used the “to be” form of the verb.

3. Language used in memoranda was generally formal.

4. For the logo and seal used, majority used the DepEd NV Seal to the left and DepEd seal to the right.

5. Mostly, the memos adhered to capitalization rules. Notable errors were seen in capitalizing common nouns within sentences.

6. Majority of the memos were compliant to punctuation rules. One of the common errors was ending a fragment with a period. Also it was noted that commas were missing in stating parallel ideas or are misused when incorporating modifiers in a sentence.

7. Spelling was very good. Only two words were misspelled and may be attributed to typographical error.

With respect to the efficiency scores of the given variables, the memos were good at sentence structure and average at verb voice. The language was very good as well. In terms of mechanics, capitalization, punctuation, spelling and spacing were rated very good while indention obtained a good rating. A generic template was drafted and guidelines were offered based on the guidelines given by the cited authors and the efficiency scores of the memos.

Conclusions

From the study conducted, the following conclusions were drawn:

1. The memos written by DepEd officials in Nueva Vizcaya utilize formal language, varied sentence structure with a combination of both passive and active voice of the verbs.
2. There is a need to reinforce rules on memo writing especially on sentence structure, voice of the verb and spacing.
3. There were varied styles on memo writing used by the writers which means the outputs were not standardized.

Recommendations

From the conclusions made, the following recommendations are offered:

1. The memo writer should observe short simple sentences and use the active voice of the verb.
2. Consider memo writing as one of the skills tests in appointing an official in the agency.
3. A study on the compliance to memoranda written within the agency be made to measure the efficiency of the form, content and meaning conveyed in the memos.
4. A seminar-workshop be conducted to DepEd promotional staff and teachers and recommend the use of guidelines crafted by the researcher to capacitate them and standardize writing communication specifically memo writing.

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