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The Intra-Industry Effects of Proxy Contests

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ABSTRACT: This paper is the first study on the intra-industry effects of proxy contests. Using a sample of proxy contests from January 1988 through December 2008, we identify a striking cross-sectional difference in market reaction to the target companies. As much as 61% of the target firms have significant positive cumulative abnormal return (CARs) in the period (‒10, +10) around the announcement day, while 39% of the target firms have the negative CARs in the same event window. Moreover, we find that the stock market reaction to the target firms’ competitors is primarily driven by the target-related factors when the market reacts favorably to a proxy contest. In contrast, the stock market reaction to the competitors is mainly affected by the competitor-related factors when the market reacts unfavorably to the proxy contest. We further reveal that competitors experience a significant negative abnormal stock return when the target firms receive negative market reactions, while competitors have no significant abnormal return when the target firms receive a positive market reaction. Our findings enrich the corporate governance research by showing the impact of the target firms’ corporate governance change on the firms’ competitors.

KEYWORDS: proxy contest, intra-industry effect, competitive effect, systemic risk effect

JEL Classification: G14, G34
1. Introduction

A salient fact of the mechanism to mitigate the agency problem in the last decade is that there have been large increases in the proxy contests. There were 17 proxy contests per year during 1979 and 1994 (Mulherin and Poulson 1998) while there were 55 per year during 1994-2008 (Fos 2016). The market value of target companies rose from about 221 million from 1978 to 1984 (Sridharan and Reinganum 1995) to 1,629 million from 1988 to 2008 (see Table 1). The target companies are often high profile companies such as Motorola (2007), Yahoo (2008), Target (2009), Hewlett Packard (2009), DuPont (2015) and P&G (2017).

Over the years, researchers have study the accounting and market performance of target firms in proxy contests and conclude that proxy contests improve the target firms’ competitive performance (Dodd and Warner 1983; DeAngelo and DeAngelo 1989; Mulherin and Poulson 1998; Laudano 2004; Cohn et al. 2016; Fos 2016). An important implication is that the proxy contests potentially change the competitive landscape of the industries. However, it remains unclear how the investors interpret the information content of the proxy contests and react to the potential industry change? The intra-industry effects of these proxy contests have been overlooked. To the best of our knowledge, this is the first paper to explore the intra-industry effect of proxy contests.

Proxy contests potentially have two effects on the target firms’ competitors. On the one hand, a proxy contest mitigates the agency problem stemming from inefficient management (Borstadt and Zwirlein 1992). In the long run, the target firms’ performance will improve. A competitive effect exists whereby the target firms improve their profitability and seize more market share from their competitors (Borstadt et al. 1992; Fos 2016). Therefore, we would expect a negative stock market reaction to its competitors. On the other hand, the low efficiency or poor performances of the target firms (Austin 1965; Mukherjee and Varela 1993; Cohn et al. 2016) are often the bellwethers of a systemic risk shared by the target firms and the competitors. In line with this view, we would also expect the stock market to react negatively to the competitors of the target firms upon announcement of the proxy contests.

Using a sample of proxy contests between 1998 and 2008, we show that target firms, on average, experience positive risk-adjusted abnormal returns upon the announcements of proxy contests, consistent with prior studies. Interestingly, we find a striking cross-sectional difference in market reaction to the target companies. As much as 61% of the target firms have significant positive cumulative abnormal return (CARs) in the period (-10, +10) around the announcement day, while 39% of the target firms have the negative CARs in the same event window.
Next, we examine the stock market reaction to the target firms’ competitors. We segregate the competitors of the target firms into two groups: one group with positive market reactions to the target firms and another group with negative market reactions to the target firms. In each group, we conduct a regression of the competitors’ abnormal return on the target-related factors and the competitor-related factors. The regression result reveals when the target firms have a positive abnormal return, the stock market reaction to the competitors is primarily driven by the target-related factors. On the contrary, when the target firms have negative abnormal return, the stock market reaction to the competitors is mainly affected by the competitor-related factors.

We further explore how the intra-industry systemic risk effect might vary for different target sizes. For competitors with similar size as the target firms, competitors experience a significant negative abnormal stock return when the target firms receive negative market reactions, while competitors have no significant abnormal return when the target firms receive a positive market reaction.

Our findings contribute to the large literature on the proxy contests. While extant research finds that the market reacts positively to the proxy contests (Borstadt and Zwirlein 1992; Cohn et al. 2016), we find a negative market reaction to the target firms’ competitors. Additionally, we identify the role of size on the intra-industry effect of a proxy contest. In a broader view, our findings enrich the corporate governance research by showing the impact of the target firms’ corporate governance change on the firms’ competitors. The remainder of the paper is structured as follows: Section 2 provides background on proxy contests, Section 3 describes our data and variables, Section 4 provides empirical results and Section 5 concludes.

2. Background
The proxy contest research is not new; however, the intra-industry effects of proxy contests have not been examined in prior studies. Consequently, we review the major papers relevant to the development of this study under two headings: studies relating to (1) proxy contests and (2) the intra-industry effects.

2.1 Proxy Contests
Prior studies have shown that the proxy contest is a useful mechanism for keeping management accountable to shareholders. Consequently, target firms tend to outperform the market upon the announcement of a proxy fight even though their accounting performance tends to be poorer than average before the proxy contest (Borstadt and Zwirlein 1992; Mukherjee and Varela 1993; Fos 2016). Dodd and
Warner (1983) examine proxy contests for board seats between 1962 and 1978. They find positive and significant abnormal returns upon the announcement of these contests, although most of the time dissidents fail to gain control of the board. Dodd and Warner attribute the abnormal return to the improved corporate performance brought forth (perhaps prompted) by the proxy contests. Studying proxy contests during 1978-1985, DeAngelo and DeAngelo (1989) obtain similar results with abnormal returns in a range of 2.94% to 3.84% around the proxy contest announcement day. They show that proxy contests often result in management change even when the initial contest has failed. They find that stockholder wealth gains are most noticeable when dissidents can force the sale or liquidation of the firm. Mulherin and Poulson (1998) look at a longer period (1979-1994) and find that proxy contests create value, especially for firms that are acquired. They also find that even for firms that are not acquired, management turnover has a positive effect on shareholder wealth. Laudano (2004) surveys the research on proxy contests and concludes that “the cumulative research on proxy contests supports the contention that such contests are an effective tool for disciplining inefficient managers and implementing corporate changes.” He argues that proxy contests increase shareholder wealth regardless of their outcome. In sum, these studies suggest that proxy contests have a disciplinary effect on management. However, these studies offer little insight into intra-industry effects of proxy contests.

2.2 Intra-Industry Effects

Intra-industry effects have been documented for many major corporate events such as bankruptcy (Lang and Stulz 1992), dividends reduction or omission (Impson, 2005), stock split announcements (Tawatnuntachai and D’Mello 2002), stock repurchases (Otchere and Ross 2002), and accounting restatements (Gleason et al. 2007). Lang and Stulz (1992) study the intra-industry effects of bankruptcy announcements. They report that on one hand, there is the intra-industry effect when the bankruptcy conveys negative prospects of factors common to the industry. Simultaneously, however, there exists a competitive effect of bankruptcy when competing firms snatch a market share of distressed firms. Looking at the dividend reductions and omissions announcements of ten utility companies, Impson (2005) finds an intra-industry systemic risk effect in the electric utility industry in response to dividend omissions and decreases. Gleason, Jenkins, and Johnson (2007) find that some accounting restatements cause investors to reassess the financial statement information previously released by non-restating firms. Sometimes, the intra-industry effect can also be positive. Tawatnuntachai and D’Mello
(2002) show that favorable information conveyed by stock split announcements transfers to non-splitting firms within the same industry. Otchere and Ross (2002) study stock repurchases and find that share buyback announcements signal positive information about the values of both announcers and rivals. Intra-industry studies have also found that firm size is a key determinant of the market reaction. For example, Collins, Kothari, and Rayburn (1987) use firm size to proxy the amount of information and the number of informed traders when investigating the information content of prices with respect to earnings. They find that the size of the firm within the industry has a direct impact on the magnitude of the intra-industry effect. Gonen (2003) finds a positive relationship between the intra-industry effect of a corrective disclosure and the industry position of the firm measured by its relative size within the industry. Tawatnuntachai and D’Mello (2002) find that the interaction of the CARs of stock splitting firms with their relative size position in the industry has a significantly positive effect on the CARs of non-splitting firms. Gleason, Jenkins, and Johnson (2007) find that larger firms in an industry have more pronounced intra-industry effects due to revenue reinstatement. However, as the firm size increases, they have more resources to reposition themselves and thus convey less industry information. In extending this line of research, we examine how target firm size and competitor firm size affect the outcome of intra-industry analyses.

3. Data and Methodology

We obtain a list of proxy contests from the Security Data Corporation (SDC) database. The SDC database contains 737 domestic proxy contest initiations from January 1988 through December 2008. We then match the sample with the Center for Research in Security Prices (CRSP) database by CUSIP and Ticker Symbol and get 647 matches (470 by CUSIP and 177 by Ticker Symbol). For each firm, we obtained the number of shares outstanding and closing price at the end of the year prior to the proxy contest initiation to calculate the market capitalization. Table 1 reports descriptive statistics for the pooled sample of 647 proxy contest initiations between 1988 and 2008. There is a trough in proxy contest initiations between 2000 and 2004, and a peak toward the end of the period, with over fifty initiations per year during 2006-2008. While we are hesitant to draw any conclusions about the “typical” size of targets, we note targets are much larger during the 2005-2008 period than any other period, and especially versus the late 1990s (a period of great market return). We follow Lang and Stulz (1992) and use the primary four-digit SIC code in CRSP to identify the industry competitors for our target sample. We then use COMPUSTAT
to obtain company financial information. To study the effect of a proxy contest announcement on its industry competitors, we form an equally weighted portfolio of all firms in the same industry.

Abnormal returns are computed using standard event-study methodology following Brown and Warner (1985). Any non-trading event date has been converted to the next trading date. Market model parameters are estimated using days -301 to -46 relative to the proxy contest announcement. The daily abnormal returns are summed to get the cumulative abnormal return (CAR) from day $t_1$ prior to the proxy contest announcement to day $t_2$ subsequent to the announcement date.

4. Empirical Results

4.1 Market reaction to the target firms

In table 2, we report the target firm abnormal returns from t-10 to t+10 relative to the proxy-initiation day. They are statistically significant each day from t-5 through t+1 with the cumulative abnormal return (CAR) for the period (-5, 1) being 3.20 percent, significant at 0.1% level. This result is consistent with the possibility of leakage of a forthcoming proxy contest during day’s t-5 through t-1. The announcement date (t=0) shows an abnormal return of 1.15 percent and day t+1 shows an abnormal return of 0.55 percent. These are driven by the proxy contest announcement. If we focus on the window of (-10, 10), we see an abnormal return of 3.47 percent, significant at the 0.1% level. This is consistent with the abnormal return of 4.27 percent in the month of the proxy contest reported for a smaller sample from 1968 to 1987 by Ikenberry and Lakonishok (1993). In general, these results support the notion of the discipline role of proxy contests.

Further analysis in table 3 reveals that 392 (61%) target firms have positive CARs in the window of (-10, 10) around the announcement day, while 245 (39%) target firms have negative CARs during this period. The results suggest that such asymmetry may come from target firm characteristics differences as well as industry characteristics differences. Table 3 shows that target firms that experience negative CARs tend to have a lower Book-to-Market ratio, higher debt ratio, and higher prior stock returns than target firms that experience positive CARs upon the announcement of proxy contests.

4.2 Regression of the competitors’ CAR on the target-related and competitor-related factors

To examine the factors that may drive the market response to the competitors, we perform a regression analysis of the competitor’s CAR based on the target-related
factors and competitor-related factors. The ordinary least squares method is used to estimate the following model:

\[
\text{Competitor CAR in } (-10, +10) = \alpha + \beta_1 \text{TCAR} + \beta_2 \text{TMC} + \beta_3 \text{TBM} + \beta_4 \text{TDR} + \\
\beta_5 \text{TROA} + \beta_6 \text{CMC} + \beta_7 \text{CBM} + \beta_8 \text{CROA} + \beta_9 \text{CRUNUP}
\]

where TCAR is the target firm’s CAR during the period of (-10, +10), TMC is the target firm’s market capitalization on the last trading day of the year prior to the proxy fight announcement day, TBM is the target firm’s book-to-market ratio, TDR is the target firm’s debt ratio, TROA is the target firm’s return on asset, CMC is the competitor’s market capitalization on the last trading day of the year prior to the proxy fight announcement day, CBM is the competitor’s book-to-market, CROA is the competitor’s return on asset, CRUNUP is the competitor’s market-adjusted returns over days (-12m, -1m) of the proxy fight announcement day. Except for the market capitalization, the values are in the same fiscal year as the proxy fight announcement. Table 4 provides the result of the regression for the group of target firms with a positive market response and the group of target firms with a negative market response respectively.

For the competitors of target firms with a positive market response, among the target-related variables, the estimated coefficient for target CAR is 0.091 and significant. Estimated coefficients of target ROA (0.028), target debt ratio (0.025) and target book-to-market (-0.021) are significant. This suggests that the profitability, debt and the growth perspective of the target firms have an impact on the market’s anticipation of the competitors’ performance when the market responses positively to the target firms of the proxy contests. Among the competitor-related variables, the estimated coefficient of the competitor’s market capitalization is -0.005 and significant. The larger the size of the competitor, the less impact it has from the proxy contest. The estimated coefficient of the competitor’s market-adjusted run-up is -0.0411 and significant.

For the competitors of target firms with the negative market response, among the target-related variables, only the estimated coefficient for target ROA (0.023) is significant. Among the competitor-related variables, the estimated coefficient for the target market capitalization (-0.005) is significant. The estimated coefficients of the competitor’s ROA (-0.007) and for debt ratio (0.019) are significant. The estimated coefficient of the competitor’s market-adjusted run-up is -0.063 and significant.

In sum, the competitors of the target firms with positive CARs have been affected primarily by the target-related factors. On the contrary, the competitors of the target firms with negative CAR have been affected mainly by the competitor-related factors.
4.3 The intra-industry effect of the proxy contests

Next, we examine the CARs of competitors in the same industry when proxy contests are announced. Following the finding in Section 4.2, we divide the proxy target firms into two subsamples (target with positive CAR group and target with negative CAR group) and compute abnormal returns for competitors with similar size in each group respectively. We define similar size industry competitors as firms with market capitalizations that are within ±10% of that of the target firms in the same industry. We then form an equally-weighted portfolio of the industry competitors for each proxy contest firm. We identify 767 competitors for 129 target firms with negative CARs. For the target firms that have positive CARs, we find 995 competitors for 186 target firms. Alternatively, we define the competitors as firms with a market capitalization within ±5% of that of the target firms in the same industry; the number of competitors that match the target drops slightly. In Column B of Panel A, we see a total of 395 competitors for 95 target firms with negative CARs, and in Panel B, a total of 522 competitors for 146 target firms with positive CARs.

The intra-industry effect of the target group with negative CARs is reported in Table 5 Panel A. The industry competitors also experience significant CARs of -2.38% when the competitors are firms within ±10% of that of the target firms, and CARs of -4.13% when the competitors are firms with market capitalizations within ±5% of that of the target firms. These results indicate a significant intra-industry effect of proxy contests when target firms have negative CARs.

In Panel B of Table 5, we examine the intra-industry effect for the target firms with positive CARs. In contrast to the results in Panel A, we see no evidence of an intra-industry effect here. The daily abnormal returns for competitors in the same industry cluster around zero with no statistical significance during the event window. The positive abnormal return earned by the target seems to be limited to target firms only. Therefore there is no intra-industry effect.

The intra-industry effect merely appears when the target firms have negative CAR. Following this finding, in the later analysis, we focus on the competitors of target firms with negative CARs only. Prior studies suggest the importance of firm size on intra-industry effects (Gonen, 2003; Gleason, Jenkins and Johnson, 2008; Tawatnuntachai and D’Mello, 2002). We next explore how the intra-industry systemic risk effect might vary for different target sizes.
5. Conclusion

We explore the intra-industry effect of proxy contests. Consistent with prior work, we find that abnormal returns of proxy targets are positive upon the announcements of proxy contests. Further analysis reveals an asymmetry in market reaction to the proxy contest targets. The regression analysis shows that the market reaction to the competitors of the target firms with positive CAR is mainly affected by the target-related factors. On the contrary, the market reaction to the competitors of the target firms with negative CAR is primarily influenced by the competitor-related factors. We find that when there are negative abnormal returns for target firms upon the proxy contest announcements, the competitors in the same industry also experience significantly negative abnormal returns. In contrast, we find that the competitors in the same industry do not experience any significant abnormal returns when proxy contest announcements are associated with positive abnormal returns for target firms. Further analysis reveals that competitors experience largest negative intra-industry effects when the target firms are small or medium-sized firm within the industry.

References


Table 1
Summary Statistics for the Proxy Targets and the Competitors

Market capitalization = shares outstanding * closing price. Market capitalization is calculated on the last trading day of the year prior to the proxy contest and is in millions. The industry competitors are defined as the firms with same 4-digit SIC code. The sample is from 1988 to 2008.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Proxy contests</th>
<th>Market Capitalization Per Target Firm</th>
<th>Total Number of Competitors</th>
<th>Competitors Mean Number Per Event</th>
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</tr>
<tr>
<td>2006</td>
<td>50</td>
<td>2,810.7</td>
<td>5656</td>
<td>113</td>
<td>1704.2</td>
<td>222.8</td>
</tr>
<tr>
<td>2007</td>
<td>57</td>
<td>2,874.5</td>
<td>4259</td>
<td>75</td>
<td>1654.5</td>
<td>252.9</td>
</tr>
<tr>
<td>2008</td>
<td>63</td>
<td>2,808.8</td>
<td>3687</td>
<td>59</td>
<td>3695.2</td>
<td>320.4</td>
</tr>
</tbody>
</table>

Total Proxy contest Firms: 647
Mean Market Cap Per Proxy contest Firm: 1629.2
Median Market Cap Per Proxy contests Per Year: 31
Mean No. of Competitors Per Event: 76
Mean (Median) Market Cap Per Competitor: 1147.4 (107.4)
Table 2

Abnormal Returns of the Target Firms around the Announcements Days

The table includes all target firms of proxy contests in our sample. The abnormal return (AR) is the market model residual in percentage. Event day is the proxy contest announcement day. Market index is CRSP equal-weighted index. Estimation period ends 46 trading days before event date. Minimum estimation length is 120 trading days. Maximum estimation length is 255 trading days. Estimate method is OLS. Number denotes the number of abnormal returns available to compute the average abnormal return. The symbols $*, **, and *** denote statistical significance at the 0.10, 0.05, 0.01 and 0.001 levels, respectively, using a generic two-tail test.

<table>
<thead>
<tr>
<th>Day relative to proxy contest announcement</th>
<th>Average abnormal return for proxy contest firms</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>-10</td>
<td>636</td>
</tr>
<tr>
<td>-9</td>
<td>636</td>
</tr>
<tr>
<td>-8</td>
<td>636</td>
</tr>
<tr>
<td>-7</td>
<td>636</td>
</tr>
<tr>
<td>-6</td>
<td>636</td>
</tr>
<tr>
<td>-5</td>
<td>636</td>
</tr>
<tr>
<td>-4</td>
<td>636</td>
</tr>
<tr>
<td>-3</td>
<td>636</td>
</tr>
<tr>
<td>-2</td>
<td>636</td>
</tr>
<tr>
<td>-1</td>
<td>636</td>
</tr>
<tr>
<td>0</td>
<td>636</td>
</tr>
<tr>
<td>1</td>
<td>636</td>
</tr>
<tr>
<td>2</td>
<td>634</td>
</tr>
<tr>
<td>3</td>
<td>633</td>
</tr>
<tr>
<td>4</td>
<td>633</td>
</tr>
<tr>
<td>5</td>
<td>632</td>
</tr>
<tr>
<td>6</td>
<td>632</td>
</tr>
<tr>
<td>7</td>
<td>632</td>
</tr>
<tr>
<td>8</td>
<td>632</td>
</tr>
<tr>
<td>9</td>
<td>632</td>
</tr>
<tr>
<td>10</td>
<td>632</td>
</tr>
</tbody>
</table>

1 Out of the 647 proxy fight samples, some proxy fights have been dropped because they don’t meet the requirement of minimum 120 security returns in estimation period.
Windows:

<table>
<thead>
<tr>
<th>Period</th>
<th>N</th>
<th>Mean</th>
<th>Max</th>
<th>Min</th>
<th>Std</th>
</tr>
</thead>
<tbody>
<tr>
<td>(-10, -1)</td>
<td>636</td>
<td>2.22%</td>
<td>4.989**</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(-5, -1)</td>
<td>636</td>
<td>1.50%</td>
<td>5.295**</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(-5, 0)</td>
<td>636</td>
<td>2.65%</td>
<td>8.762**</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(-5, +1)</td>
<td>636</td>
<td>3.20%</td>
<td>9.673**</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(+1, +5)</td>
<td>636</td>
<td>0.32%</td>
<td>0.604</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(-10, +10)</td>
<td>636</td>
<td>3.47%</td>
<td>5.932**</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 3
The Financial Characteristics of Target Firms

CAR is the cumulative abnormal return in the period of (-10, +10) days of the proxy contest announcement day. Book-to-market is the ratio of the total book value of equity in the current fiscal year of proxy contest to the market capitalization on the last trading day of the year prior to proxy contest. Debt ratio is the ratio of sum of the long-term debt and the debt in current liabilities to the total asset. ROA is the ratio of the net income to the total assets. The cumulative return is the cumulative compound return from 12 months prior to proxy contest to 1 month prior to proxy contest. The units of market cap, book value and total assets are million. The significance test is Wilcoxon Test. The symbols $, *, **, and *** denote statistical significance at the 0.10, 0.05, 0.01 and 0.001 levels, respectively, for differences in two panels.

<table>
<thead>
<tr>
<th></th>
<th>N</th>
<th>Median</th>
<th>Mean</th>
<th>Max</th>
<th>Min</th>
<th>Std</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Panel A: Target Firms with Positive CAR</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CAR in (-10, +10)</td>
<td>392</td>
<td>0.09</td>
<td>0.14</td>
<td>1.32</td>
<td>0.0003</td>
<td>0.15</td>
</tr>
<tr>
<td>Book-to- Market</td>
<td>346</td>
<td>0.71</td>
<td>0.78</td>
<td>5.93</td>
<td>-17.80</td>
<td>1.41</td>
</tr>
<tr>
<td>Total Asset</td>
<td>349</td>
<td>280.39</td>
<td>3184.12</td>
<td>123339.0</td>
<td>1.07</td>
<td>10491.0</td>
</tr>
<tr>
<td>Debt Ratio</td>
<td>348</td>
<td>0.19</td>
<td>0.24</td>
<td>1.52</td>
<td>0.00</td>
<td>0.24</td>
</tr>
<tr>
<td>ROA</td>
<td>349</td>
<td>0.005</td>
<td>-0.07</td>
<td>0.31</td>
<td>-3.25</td>
<td>0.27</td>
</tr>
<tr>
<td>Cumulative Return</td>
<td>314</td>
<td>-0.096</td>
<td>-0.79</td>
<td>1.97</td>
<td>-0.95</td>
<td>0.41</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>N</th>
<th>Median</th>
<th>Mean</th>
<th>Max</th>
<th>Min</th>
<th>Std</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Panel B: Target Firms with Negative CAR</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CAR in (-10, +10)</td>
<td>245</td>
<td>-0.06***</td>
<td>-0.09***</td>
<td>-0.00002</td>
<td>-0.62</td>
<td>0.10</td>
</tr>
<tr>
<td>Book-to- Market</td>
<td>217</td>
<td>0.61***</td>
<td>0.74***</td>
<td>9.15</td>
<td>-2.13</td>
<td>0.84</td>
</tr>
<tr>
<td>Total Asset</td>
<td>217</td>
<td>465.98</td>
<td>3719.26</td>
<td>106434.8</td>
<td>2.73</td>
<td>13577.3</td>
</tr>
<tr>
<td>Debt Ratio</td>
<td>213</td>
<td>0.26***</td>
<td>0.26**</td>
<td>1.14</td>
<td>0</td>
<td>0.22</td>
</tr>
<tr>
<td>ROA</td>
<td>217</td>
<td>0.009*</td>
<td>-0.03*</td>
<td>0.83</td>
<td>-1.32</td>
<td>0.21</td>
</tr>
<tr>
<td>Cumulative Return</td>
<td>184</td>
<td>0.02***</td>
<td>0.05***</td>
<td>2.75</td>
<td>-0.83</td>
<td>0.47</td>
</tr>
</tbody>
</table>
Table 4

Cross-Sectional Regression Results for Competitors Abnormal Return

Ordinary least squares method has been used to estimate the following model:

Competitor CAR in (‒10, +10) = \( \alpha + \beta_1 \text{TCAR} + \beta_2 \text{TMC} + \beta_3 \text{TBM} + \beta_4 \text{TDR} + \beta_5 \text{TROA} + \beta_6 \text{CMC} + \beta_7 \text{CBM} + \beta_8 \text{CROA} + \beta_9 \text{CRUNUP} \)

Where TCAR is target firm’s CAR during period of (‒10, +10), TMC is target firm’s market capitalization in the last trading day of the year prior to the proxy fight announcement day, TBM is the target firm’s book-to-market ratio, TDR is the target firm’s debt ratio, TROA is the target firm’s return on asset, CMC is the competitor’s capitalization in the last trading day of the year prior to the proxy fight announcement day, CBM is the competitor’s book-to-market, CROA is the competitor’s return on asset, CRUNUP is the competitor’s market-adjusted returns over days (‒220, -20) relative to the proxy fight announcement day. Except for the market capitalization, the values are in the same fiscal year as the proxy fight announcement. The symbols $, *, **, and *** denote statistical significance at the 0.10, 0.05, 0.01 and 0.001 levels, respectively, using a generic two-tail test.

<table>
<thead>
<tr>
<th>Variable</th>
<th>Competitors of Target Firms with Positive CAR</th>
<th>t value</th>
<th>Competitors of Target Firms with Negative CAR</th>
<th>t value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intercept</td>
<td>-0.023</td>
<td>1.25</td>
<td>0.053***</td>
<td>2.78</td>
</tr>
<tr>
<td>Target Firm CAR in (‒10, +10)</td>
<td>0.091***</td>
<td>6.84</td>
<td>0.00770</td>
<td>0.30</td>
</tr>
<tr>
<td>Target Firm Market Capitalization</td>
<td>0.001</td>
<td>1.08</td>
<td>-0.00048</td>
<td>-0.37</td>
</tr>
<tr>
<td>Target Firm Book-to-Market</td>
<td>-0.021***</td>
<td>-5.02</td>
<td>-0.00016</td>
<td>-0.04</td>
</tr>
<tr>
<td>Target Firm Debt Ratio</td>
<td>0.025***</td>
<td>2.83</td>
<td>0.00641</td>
<td>0.58</td>
</tr>
<tr>
<td>Target Firm ROA</td>
<td>0.028***</td>
<td>2.96</td>
<td>0.023**</td>
<td>2.27</td>
</tr>
<tr>
<td>Competitors Market Capitalization</td>
<td>-0.003</td>
<td>-1.16</td>
<td>-0.005***</td>
<td>-4.84</td>
</tr>
<tr>
<td>Competitors Book-to-Market</td>
<td>0.001</td>
<td>0.48</td>
<td>-0.001</td>
<td>-0.32</td>
</tr>
<tr>
<td>Competitors Debt Ratio</td>
<td>-0.004</td>
<td>-1.03</td>
<td>0.019*</td>
<td>1.96</td>
</tr>
<tr>
<td>Competitors ROA</td>
<td>-0.005</td>
<td>-1.32</td>
<td>-0.007***</td>
<td>-3.43</td>
</tr>
<tr>
<td>Run-up in period of (‒220, -20)</td>
<td>-0.041***</td>
<td>-9.86</td>
<td>-0.063***</td>
<td>-12.17</td>
</tr>
<tr>
<td>Adjusted ( R^2 )</td>
<td>0.024</td>
<td></td>
<td>0.040</td>
<td></td>
</tr>
<tr>
<td>Number of Observations</td>
<td>7869</td>
<td></td>
<td>4839</td>
<td></td>
</tr>
</tbody>
</table>
Table 5
Abnormal Returns of the Competitors

For each proxy contest firm, we define its competitors as the firms with same 4-digit sic code and market capitalization within +/− ten percent (column A) or +/− five percent (column B) of that of the proxy contest target firm. Then we form an equal–weighted competitor portfolio for each proxy contest firm. The competitors are divided into two groups. In panel A, the firms are the competitors of the targets with a negative cumulative abnormal return in (−10, -1) and (−10, +10) day period around the proxy contest announcement day. In panel B, the firms are the competitors of the targets with a positive cumulative abnormal return in (−10, −1) and (−10, +10) day period around the proxy contest announcement day. The abnormal return (AR) is the market model residual in percentage. Event day is the proxy contest announcement day. Event study uses CRSP daily data. Market index is CRSP equal-weighted index. Estimation period ends 46 trading days before event date. Minimum estimation length is 120 trading days. Maximum estimation length is 255 trading days. Estimate method is OLS. The numbers in pair denote the portfolios’ number/the competitors’ number available to compute the average abnormal return respectively. The symbols $, *, **, and *** denote statistical significance at the 0.10, 0.05, 0.01 and 0.001 levels, respectively, for differences in two panels.

Panel A: Abnormal Return of the Competitors of the Target Firms with Negative CAR

<table>
<thead>
<tr>
<th>Windows:</th>
<th>Abnormal return for industry competitors (+/− 10%)</th>
<th>Abnormal return for industry competitors (+/− 5%)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Portfolio#/Competitors#</td>
<td>CAR</td>
</tr>
<tr>
<td>(−10,−1)</td>
<td>129/767</td>
<td>-1.12%</td>
</tr>
<tr>
<td>(−10, +10)</td>
<td>129/767</td>
<td>-2.38%</td>
</tr>
</tbody>
</table>

Panel B: Abnormal Return of the Competitors of the Target Firms with Positive CAR

<table>
<thead>
<tr>
<th>Windows:</th>
<th>Abnormal return for proxy contest firms(+/- 10%)</th>
<th>Abnormal return for industry competitors(+/- 5%)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Portfolio#/Competitors#</td>
<td>CAR</td>
</tr>
<tr>
<td>(−10,−1)</td>
<td>186/995</td>
<td>-0.36%</td>
</tr>
<tr>
<td>(−10, +10)</td>
<td>186/995</td>
<td>-0.27%</td>
</tr>
</tbody>
</table>
Successful Managerial Accounting Practices, the Antecedents and Consequences: Empirical Evidence from SMEs Ceramics

Phaithun Intakhan
Accounting Program, Faculty of Management Science
Lampang Rajbhat University, Thailand
Superkop_p@hotmail.com

ABSTRACT: The objectives of this research were to study managerial accounting practices of SMEs ceramics, to examine the influence of top management support and accountant competency on successful managerial accounting practices, and to test the influence of successful managerial accounting practices on decision making effectiveness. The data were collected from 107 accounting managers of SMEs ceramics. The data analysis is conducted with descriptive statistics to find percentage, mean, standard deviation, and inferential statistics analysis with structural equation model. The results showed that SMEs ceramics adaptation 3 highest managerial accounting practices for instance; cost volume profit analysis, cost behavior analysis, cash budget, budget for planning and operation control. The outcome of casual relationship analysis revealed that successful managerial accounting practices had the most direct effect toward decision making effectiveness and followed by top management support had direct effect toward accounting competency. Lastly, top management support had direct and indirect effect on successful managerial accounting practices through accountant competency. The results implied that manager should focus on building accountant competency in order to create successful managerial accounting practice and to get the valuable information for right decision making.

KEYWORDS: Managerial Accounting Practices, Decision Making Effectiveness, Top Management Support, Accountant Competency
1. Introduction

The global economic recession in the worldwide such as a sub-prime crisis in the US or a high public debt in European countries impact on business operations especially the industry emphasize on export for example; ceramics, textiles, and computers. Ceramic industry is the main industry of Lampang province and it is the mascot. At present, ceramic goods from Lampang are sold to the world. There are 249 factories or one third of the ceramic factories in Thailand. However, the ceramic sales are likely to decline because the market is fierce competition with imported goods from China and Vietnam.

The ceramic industry began to have problems operating on a continuous basis. Some businesses have to apply for loans from financial institutions to support their financial status and to repay short-term debt or some cannot adjust their business. Therefore, the ceramic business is going down a lot as the impact of the crisis as mentioned above. In addition, to affect the purchasing power of customers, the issue of operating expenses is likely to increase continuously. Specifically, energy costs are likely to be adjusted including the government’s policy is to release LPG, which is the main cost of the ceramic industry. The minimum wage is 300 baht, which directly affects the ceramic industry because ceramic factories require high proportion of workers. Consequently, increasing cost burdens for entrepreneurs. From the situation the ceramic industry must find a way to develop its internal work processes and consider the external environment. Internal workflow development has one purpose that is to obtain useful information for decision making. This affects the management and good performance. Research in the past said that management accounting practices are a part of the information system of the business. This will help the organization get information about costs, expenses, revenues and profits as the purpose of the management. In addition, management accounting practices are one of the factors contributing to organizational performance (Cleary 2015; Shoommuangpak 2011). This is because when the business has got useful information for the decision. It reduces mistakes in decision-making on various operational issues.

Decision Making is the primary function of a business process. Besides, it is the responsibility of the management to do it together and with other responsibilities by right decision. Choosing the best option from many choices to achieve goals and objectives of the organization’s goal, management must make decisions on issues and many management problems, including regular decisions, such as the amount of product produced each day, etc., or decisions that are not normal. This is not a frequent occurrence, such as the release of new products, canceling a production
One important factor that will help reduce decision errors is obtaining quality information to support decision-making. That is, the information must be relevant to the decisions that are timely and understandable (Garrison, Noreen and Brewer 2010). Therefore, management should focus on the information that will be used to make decisions, especially accounting data or accounting information. Management accounting is important because it collects information from the inside of a business, which is an essential and indispensable element in making decisions in situations that are frequent and situations are not frequent. However, the ways to achieve success in management accounting or factual factors that affect the application of technology, and management accounting practices. In the context of the ceramic industry, no studies have been conducted before. Combined with small and medium businesses, ceramics need to invest in machinery, equipment, and technology, rather than incorporating local wisdom into the production of Lampang ceramics. Accordingly, it is interesting to study internal components include: How does management accountability and accountant competency influence the success of the accounting practice? As well as how does the information provided by the management accounting system affect the decision making?

Ceramic small and medium sized enterprises can use the research results to make decisions on the application of accounting management practices. It is also used as a basis for successful managerial accounting practices to obtain quality information for decision making.

**Research Objectives**

1. To study the accounting management practices of ceramic small and medium businesses.
2. To test the influence of top management support and accountant competency on successful managerial.
3. To examine the influence of successful managerial accounting practices on the decision-making effectiveness.

**2. Literature Review**

**2.1 Top Management Support**

Usually, management support is a relatively educational concept. Most of them will study the concept of Organizational Support which is another process that motivates
employees to work willingly to achieve their objectives. Organizational support is what supports that make the organization reach its goals. If employees receive Organizational support as they want they will be loyal, which will be expressed in both psychological and behavioral, ready to sacrifice to dedicate their body and mind to the work and the organization they are responsible for, without coercion, and to give employees the feeling of belonging to stay with the organization. In this research applied the Organizational Support Theory (Eisenberger et. al. 1986) says that the organization’s support is of three dimensions: fairness, supervisor support, and organizational reward and favorable job condition. The support from the supervisor is one dimension. Therefore, the support of the management, which means to promote and motivate employees to work, is a morale boost, good understanding, reduce conflict, and emphasize on developing and improving the quality of accounting data (Rhoades and Eisenberger 2002). Therefore, in the organization that the management supports accounting the accountants and related agencies work willingly, the ability to perform effectively and efficiently, as well as to achieve success in the management accounting system.

Hypothesis 1 Management support has a positive influence on the accountant competency.

Hypothesis 2: Management support has a positive influence on the successful managerial accounting practices.

2.2 Accountant Competency

Accountant Competency refers to the ability to perform tasks assigned to success. Competency is assessed by the efficiency and effectiveness of the task. Accountant competency will complete the task of accountability. The quality of the accountant’s ability in this research includes the use of information technology, planning, coordination, evaluation, collaborative work, other human relationship in professional ethics, knowledge of accounting skills, communication skills (Abbasi 2013). If the accountant has the competency, he can help to contribute to the successful management accounting system due to the technique and practice of accounting management must use accounting professional, such as accounting knowledge, package, and calculation skills as well as other skills, such as thinking system, thinking reasonably. He can find solutions to work problems.

Hypothesis 3 Accountant competency has a positive influence on the successful managerial accounting practices.
2.3 Management Accounting Practices

Managerial Accounting is the accounting information for presentation. It is useful for users of information within a business to make decisions, planning, directing, and control so that limited resources are used for maximum efficiency, accuracy, and appropriateness by processing data as information to support operational activities and working in the organization to achieve the goal and appointed objectives. Management accounting practice refers to the application of management accounting techniques to the organization's achievement of objectives by focusing on efficiency and effectiveness of planning, directing, controlling, and decision making (Dean and Bowen 1994). These techniques and practices can be classified into 19 techniques consisting of (1) Customer Satisfaction (2) Standard Cost (3) Differential analysis (4) Budget planning and control (5) Flexible budget (6) Cash budget (7) Breakeven analysis (8) Variable and constant cost classification (9) Analysis of the investment budget (10) Financial Ratio Analysis (11) Cash Flow Analysis (12) Return on Investment (13) Transfer Pricing (14) Base Costing (15) Management Activity (16) Balanced Score making (17) Targeted Costs (18) Leading Organizations to Best Practice and (19) Economic Value Added.

So when an organization applies a management accounting technique, it provides useful information on planning, control and evaluation. The management decided correctly and it is good for the organization.

Hypothesis 4 Successful managerial accounting practices has a positive influence on the decision-making effectiveness.

3. Research Methodology

Sample population in this research was the accounting executives of ceramic small and medium businesses in Lampang province according to the list of 249 factories from Pottery Association. The returned questionnaires were total 107.

Research tools in this research were based on the study of textbooks, documents, and related research papers to create a closed-ended questionnaire consisting of 5 parts. The first part was a questionnaire about basic information of the sample. The second part was an introduction to establishment information. The third part was about management accounting practices, it is the choice of answer used or not used. The fourth part was questions about the top management support, accountant competency,
successful managerial accounting practices, and the decision-making effectiveness. It is estimated at 5 levels. The last part was other comments.

Data collection, the researcher collected data from questionnaires by submitting mail and some were self-collected. Time to collect data was for 3 months.

The data analysis has 2 parts. Part 1 is the analysis of the characteristics of the sample using descriptive statistics, frequency, percentage, and part 2, the analysis is based on the Structural Equation Model (SEM) to reduce errors that may be caused by multiple regression analysis and to enhance the accuracy of the analysis.

4. The Results of Study

4.1 Characteristics of Respondents

Most of the accounting manager were female 75 (70.1%), age more than 40 was 67 (62.6%), marital status 74 (69.2%), education level was bachelor degree or equal (72%), working experience more than 15 years was 67 (62.6%). Monthly salary was from 30,001 - 45,000 baht. Current job was 46 account managers (43%)

4.2 Features of the sample

Ceramic Small and Medium Business was partnership for 43 firms (40.0%). Capital in operation was over 5,000,000 baht for 51 companies (47.70%). The current employees were more than 90 for 52 companies (48.6%). The average annual income was more than 50 million baht for 52 companies (48.6%).

4.3 Management Accounting Practices for Ceramic SMEs

<table>
<thead>
<tr>
<th>Techniques and Management Accounting Practices</th>
<th>Use</th>
<th>Not use</th>
<th>Total</th>
<th>Order</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Customer satisfaction evaluation</td>
<td>68  (63.6)</td>
<td>39  (36.4)</td>
<td>107 (100)</td>
<td>5</td>
</tr>
<tr>
<td>2. Standard costing</td>
<td>67  (81.3)</td>
<td>40  (18.7)</td>
<td>107 (100)</td>
<td>6</td>
</tr>
<tr>
<td>3. Variance analysis</td>
<td>67  (62.6)</td>
<td>40  (37.4)</td>
<td>107 (100)</td>
<td>6</td>
</tr>
<tr>
<td>4. Budgeting for planning and control of operation</td>
<td>77  (72.0)</td>
<td>30  (28.0)</td>
<td>107 (100)</td>
<td>3</td>
</tr>
<tr>
<td>---</td>
<td>----------------------</td>
<td>-------------------</td>
<td>-------------------------------</td>
<td>-------------------------------</td>
</tr>
<tr>
<td></td>
<td>68 (63.6)</td>
<td>39 (36.4)</td>
<td>107 (100)</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

Table 1 shows that most of the small and medium sized ceramic businesses use the three most advanced accounting techniques and practices including Analysis of breakeven point (80.4%), variable and constant cost classification and cash budget (80.4%), and budget for planning and control (72%). Thai businesses still use traditional accounting techniques such as budgeting for planning and control, control the break-even point, the cash budget, full cost calculation, investment analysis, and standard cost. This is due to the fact that the company is aware of the benefits such as
the use of data from the standard cost of inventory valuation. Cost estimation done quickly while accounting techniques and practices were modern and complex such as cost of activity base. There are also quite few applications. This may be the reason for the complexity of the production process and the number of products was not so few. So small and medium enterprises do not use modern management accounting techniques, and another reason may come from the level of accountant knowledge. Based on preliminary data, most account managers still graduate in undergraduate studies. Therefore, there may be restrictions on the application of modern management accounting concepts and techniques.

4.4 Results of Hypothesis Test with Structural Equation

Figure 1 shows the results of the structural equations analysis. It was found that the successful managerial accounting practices has the direct influence on the decision-making effectiveness the most with a linear coefficient 0.731 and R² = 0.535, followed by top management support, which directly influenced the accountant's ability. The coefficient of the path was 0.704 and R² was 0.495. Success in management accounting practices has a path coefficient of 0.384; top management support has a direct influence on the successful managerial accounting practices. The path coefficient was 0.347.
Accountants’ competency and top manager support joint forecast successful managerial accounting practices was 0.456. Top management support indirectly influenced successful managerial accounting practices through the accountant competency with the path coefficient was 0.270.

**Table 2 shows the analysis results of direct effect indirect effect, and total effect**

<table>
<thead>
<tr>
<th>Dependent Variable</th>
<th>R²</th>
<th>Effects</th>
<th>Antecedent</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Sup.</td>
</tr>
<tr>
<td>Com.</td>
<td>0.495</td>
<td>DE</td>
<td>0.704</td>
</tr>
<tr>
<td></td>
<td></td>
<td>IE</td>
<td>0.000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>TE</td>
<td>0.704</td>
</tr>
<tr>
<td>Sus.</td>
<td>0.456</td>
<td>DE</td>
<td>0.347</td>
</tr>
<tr>
<td></td>
<td></td>
<td>IE</td>
<td>0.270</td>
</tr>
<tr>
<td></td>
<td></td>
<td>TE</td>
<td>0.617</td>
</tr>
<tr>
<td>Dec.</td>
<td>0.535</td>
<td>DE</td>
<td>0.000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>IE</td>
<td>0.452</td>
</tr>
<tr>
<td></td>
<td></td>
<td>TE</td>
<td>0.452</td>
</tr>
</tbody>
</table>

Note. TE = Total Effect, DE = Direct Effect, IE = Indirect Effect, N/A = Non Applicable, Sup. = Top management support, Com. = Accountant competency, Sus. = Successful managerial accounting practices, Dec = Decision-making effectiveness

From Table 2, the factors affecting the variables were found to have direct, indirect and total influence on the variables as follows.

1. Top management support had direct influence and total influence on the accountant competency of 0.704, had total influence on successful managerial accounting practices was 0.617, divided into direct effects of 0.347 and indirect influence. The accounting variables were 0.270 and indirectly affected. The effectiveness of decision making was 0.452 through variables of accountant competency and successful managerial accounting practices.

2. Accountant competency influenced directly to the success in management accounting practices was 0.384 and indirectly affected decision-making effectiveness through successful managerial accounting practices was 0.281.

3. Successful managerial accounting practices had direct effect on decision-making effectiveness was 0.731.

Based on hypothesis testing, top management support, accountant competency, successful managerial accounting practices towards the effectiveness of ceramic small and medium enterprises. The results of the tests are as follows.
Table 3 Results of Hypothesis Testing

<table>
<thead>
<tr>
<th>Research hypothesis</th>
<th>Coef.</th>
<th>t-stat</th>
<th>Conclude</th>
</tr>
</thead>
<tbody>
<tr>
<td>H1: Top management support has a positive influence on the accountant competency</td>
<td>0.704*</td>
<td>12.52</td>
<td>accept</td>
</tr>
<tr>
<td>H2: Top management support has a positive influence on the successful managerial accounting practices</td>
<td>0.347*</td>
<td>2.95</td>
<td>accept</td>
</tr>
<tr>
<td>H3: Accountant competency has a positive influence on the successful managerial accounting practices</td>
<td>0.384*</td>
<td>2.90</td>
<td>accept</td>
</tr>
<tr>
<td>H4: Successful managerial accounting practices has a positive influence on effectiveness of decision making</td>
<td>0.731*</td>
<td>14.74</td>
<td>accept</td>
</tr>
</tbody>
</table>

Note: * signifies statistically significant at the 0.01 level.

From Table 3, it was found that the top management support and accountant competency had a direct influence on the successful managerial accounting practices significantly at the level of 0.01. Besides, the top management support directly influenced the capacity building of accountants significantly at the level of 0.01. In addition, the successful managerial accounting practices directly influenced the decision-making effectiveness statistically significant at the level of 0.01.

5. Conclusions

Top management support has direct and indirect influence to the accountant competency and successful managerial accounting practices. Administrator plays an important role in the operation of all activities; specifically, policy formulation, monitoring, and control. Management support can be considered from materials and equipment, accounting software package, providing budget for training and development to maximize the accountant competency and other necessary things to drive accounting management techniques to achieve their goals. In addition, the focus on data and information obtained from management accounting practices. This will directly affect the involved people, such as accountants, to realize the importance of the job. Especially with the context of Thai society that has a high power distant. If management encourages the use of management accounting techniques, it will increase the level of success of the application in accordance with the research of Sunarni (2013) states that manager who provides time and resources with budget management and cost management will result in successful management accounting practices.
The accountant competency has a direct influence on the successful managerial accounting practices. Accountants must have the skills needed to perform many tasks, such as computational skill, report presentation, communication skills, and ability to think including skills in applying accounting technology in addition to the management accounting practices must have good knowledge of accounting, skills in presenting information to the management for decision making. Therefore, if the accountant has the competency it will influence the successful managerial accounting practices used by the entity. According to research by Ahid and Augustin (2012), mentioned that management accountants with knowledge of accounting skills, communication skills, Code of Conduct, and unique characteristics, such as the sort of work to be done clearly, solve problems in the work well affect the effectiveness of the work. However, the accountant competency will affect the effectiveness of work better if the accountant in the organization is satisfied with the work, the environment and technology that are conducive to the operation.

Successful managerial accounting practices has a direct influence on the decision-making effectiveness. Information obtained from the management accounting system is a useful and relevant to decision making. The characteristics of management accounting information include: Relevance to decision making, timely, and understandable. Therefore, when a business adopts management accounting techniques such as breakeven points, it will let the business know the number of sales units that will allow the business to break even or use a cash budget. It will make the business know the cash deficit or cash out of need in any month in order to plan and decide on a loan or invest more. It is according to the research of Wu et al. (2007) studied the perceived benefits of management accounting techniques, and found that executives perceive the benefits of information gained from the management accounts to use in planning, controlling, and decision-making at a high level. Then in addition, it is in the same vein with the research of Tillmann and Goddard (2008) argues that the information obtained from the management accounting practice is useful for sense-making of the administrators.

In summary, the management accounting practices allow the management to get accurate information and timely so that management can make the right decisions, reduce errors, and generate good returns for the organization in both the short and long term. This research is beneficial to ceramic small and medium sized enterprises in the application of techniques and management accounting practices that management should prioritize as well as direct support and indirectly through the development of accountant competency to have knowledge to be able to apply advanced techniques. However, the results showed that techniques and management accounting practices used by small and medium enterprises is still a traditional technique that emphasizes
control, modern techniques such as cost based activities and management activity are not used to create useful information for future decisions. Therefore, educational institutes or related organizations should educate about the appropriate techniques and management accounting practices for each type of business including there is also a training workshop for accountants to apply.

The results of the research are interesting issues that can be used as a guideline for future research. Top management support has direct and indirect influence on the successful managerial accounting practices. Therefore, future research should be studied the level of influence at each stage of management accounting practices. What role should management play? The accountant competency in this research is the overall skill and potential of the accountant. The future research should study about the competencies of management accountants directly in order to benefit the educational agencies in the production of personnel to meet the needs. Besides, this research uses the techniques and management accounting practices as a whole. Future research should focus only on techniques such as cost based activity, equilibrium assessment for more insights and from the research results; the level of application of modern techniques is minimal. Future research should identify why businesses do not apply modern administrative accounting techniques. This is the information for the relevant agencies.

Acknowledgments

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References


Contrasting Theoretical and Case-Related Thinking in Poverty Alleviation: A Framework Based on the Capability Approach

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ABSTRACT: The capability approach of Amartya Sen focuses on the freedom of individuals, their real opportunity to lead a life they have a reason to value. Within this framework poverty is not solely the lack of material goods, but the lack of valuable doings and beings one has the freedom to choose. The objective of present paper was to propose a minimum set of aspects to be considered by poverty alleviation initiatives on the basis of the capability approach; and to test this framework through a qualitative empirical analysis carried out in Hungary. The paper analyzed how were the proposed aspects of poverty alleviation reflected by various stakeholders of poverty reduction initiatives (decision makers, experts and civil activists). It first examined the general thinking of stakeholders about poverty, then it analyzed their opinion about a planned housing project for disadvantaged people in Szeged, Hungary. According to the results, the general thinking of stakeholders about poverty was in harmony with the aspects we proposed on the basis of the capability approach. However, stakeholders’ focus of attention shifted when they evaluated a given case instead of just thinking generally about poverty.

KEYWORDS: Poverty Alleviation, Capability Approach, Relation of Economics to Social Values, Human Development, International Linkages to Development

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The human development and the capability approach (CA) of Amartya Sen (1993, 1999) has gained significant attention in the theoretical and practical debates regarding poverty and poverty alleviation. CA provides such an open-ended approach that may be able – at least partially – to integrate the numerous aspects introduced by the various disciplines (economics, sociology, psychology, economic geography etc.) dealing with this issue (Lessmann 2011; Rippin 2015; Vizard and Speed 2015). The capability approach does not ask what people have, but rather what they can actually achieve. The approach refers to these real opportunities of people (i.e. the valuable doings and beings they have the freedom to achieve) as capabilities.

The objective of present paper is to suggest a framework of poverty alleviation (a set of minimum aspects to be considered) on the basis of the CA at the local level; and to test the practical applicability of this framework. We use in-depth interviews conducted with local decision makers, experts and representatives of civil society organizations to analyze how the suggested aspects emerge in the general thinking of stakeholders. Then we examine how the same aspects emerge in the stakeholders’ view when they evaluate a given case: a planned housing project for disadvantaged people in Szeged, Hungary. The novelty of our approach lies in (1) the integration of a set of multidisciplinary arguments into a coherent framework based on the capability approach, (2) the analysis of how theory is put into practice by contrasting the general and the case-related thinking of the stakeholders of poverty alleviation initiatives, and (3) carrying out empirical analysis on the basis of the CA in a relatively high income region contrary to the dominance of empirical knowledge stemming from low income settings.

In the first section we demonstrate the most important notions of the capability approach and it’s most relevant arguments related to the issue of poverty. In the second section we set up our analytical framework: the minimum set of aspects suggested for consideration in poverty reduction initiatives and programmes. We introduce our empirical results in the fourth and fifth chapters. First we analyze the general thinking of our interviewees related to poverty and poverty reduction, then we examine how these aspects emerge in their evaluative judgments about a given case. In the final section we summarize and draw conclusions.

1. Poverty as capability deprivation

The capability approach was originally developed by Amartya Sen. Later on many researchers contributed to the refinement of the theory. The related body of literature has grown exponentially in the last few decades. The CA is being used as an analytical
and assessment framework in various fields of social sciences, related to the topics of well-being, human development, poverty and social justice among others (Dang 2014; Robeyns 2006).

The capability approach separates the means of human development from its objectives (Sen 1995). It does not focus on the means the individuals possess, but asks what they can actually achieve with their means. Ultimately, it is not the possession of means that makes human life valuable, but what the individuals can do or become with the help of his/her means. This differentiation is substantial, because the linkage between possessing means and achieving functionings is not unequivocal. The ability to use the available means in order to achieve valuable doings and beings depends on different conversion factors (Robeyns 2005; Sen 1995). For example, despite the fact that someone has enough bread, (s)he may not be able to reach the functioning of being well-nourished, if (s)he is coeliac, for instance. So the fact that someone has the real opportunity to achieve valuable “doings and being” depends on two things: the available means and the conversion factors. The conversion factors can be manifold: personal (e.g. being allergic), social (prejudices against woman), or environmental (air pollution).

The capability approach focuses primarily on individuals’ achievable options, instead of the means or the actually achieved doings and beings. Paying attention to the alternative valuable options (choices) is important, because individuals may assign value to things they do not actually choose (but could). The core characteristic of the capability approach is its focus on capabilities, which refers to the individuals’ freedom to achieve valuable doings and beings (Robeyns 2005; Sen 1999). The capabilities of people show what kind of lives they have the freedom to lead. According to the capability approach human development is the expansion of individuals’ capabilities, in other words, the expansion of their freedom to lead a life they have a reason to value, to choose the kind of life they want to live (Sen 1999). For that reason poverty is not simply the lack of income, it means much more than that: being deprived of capabilities. In other words, individuals in poverty have less opportunity to achieve valuable doings and beings. In line with this, income just means for the capability approach that may (or may not) help to achieve valuable functionings (Robeyns 2006; Sen 1999).

With regard to poverty-related analysis, we have a number of reasons to concentrate on the set of individuals’ options, instead of income (Sen 1999). On the one hand, the effect of income on capabilities is not uniform: the conversion of income into valuable functionings is influenced by various conversion factors. For example: the same level of real income may imply different sets of capabilities for a healthy person and for someone who suffers from chronic disease, since the latter must spend a
(significant) proportion of her/his income to medicine and treatment. Therefore 'income poverty' does not inform as about all the relevant forms of social deprivation (Robeyns 2006). Going by several empirical studies, the relation between certain basic capabilities (e.g. living long and healthy life, being well-educated) and real income is not linear (e.g. Alkire et al. 2008; Ruggeri Laderchi 1997). Focusing on capabilities (real opportunities) does not mean that it is unnecessary to consider income-status, since income is basically means helping us to achieve our ends. But real income based evaluations with regard to poverty treatment are insufficient, because they leave several important sets of information hidden.

The capability approach leaves the questions of selecting and ranking valuable doings and beings open. Sen (2008) argues that these lists should be formed through open public debates. On the other hand, Nussbaum (2011) argues for a well-defined list of human capabilities. The 10 components of her list are the following: (1) Life; (2) Bodily health; (3) Bodily integrity; (4) Senses, imagination and thought; (5) Emotions; (6) Practical reason; (7) Affiliation; (8) Other species; (9) Play; and (10) Political and material control over one's environment (Nussbaum 2011). According to the literature of the CA, the set of capabilities vital for the analysis should always be adjusted to the aim of the given evaluation; one should not insist on a fixed (pre-defined) list (Robeyns 2005; Sen 2008).

Poverty-related studies and analyzes generally focus on particular basic capabilities (for example health and literacy). However, those culturally determined capabilities that give individuals the opportunity to participate in the life of the community or to appear at public occasions without shame should also be embraced by the evaluations (Sen 1999). In higher income countries, for example, the availability through internet or mobile phone are such capabilities. The capability approach pays special attention to individuals' ability to act as agents of change, their freedom to further their own ends (Robeyns 2005; Sen 1995). This is actually a special capability (freedom), which helps to achieve other valuable functionings. So the capability approach considers individuals as agents not as passive recipients (patients) of the development process.

2. The aspects of poverty alleviation in the light of the capability approach

The objective of this section is to suggest a framework on the basis of the CA, which comprises the minimum set of aspects needed to be considered in poverty reduction initiatives. We make an attempt to systematize various arguments of different social science disciplines (economics, sociology, psychology, economic geography) and to fit
them to the perspective of the capability approach. The CA-based poverty reduction concentrates primarily on the expansion of individuals’ capabilities. This general framework provides us the basis for specifying the aspects of poverty reduction that serve as a minimum set of information needed to be considered during poverty alleviation programmes – at least in the light of the capability approach (Figure 1.).

![Diagram of the framework of analysis focusing on capabilities](image)

**Figure 1.** The aspects of poverty alleviation in the light of the capability approach (own construction)

The outlined aspects jointly reflect on the important building blocks of the capability approach (capabilities, conversion factors, agency, open public debates). The aspects are largely interdependent and in most cases they are related to more than one building blocks of the CA. However, considering one aspect does not imply automatically the recognition of the other aspects, therefore it is necessary to highlight them one by one.

The first aspect is the recognition that, besides being passive recipients of the development programmes, people are also active agents. The capability approach attaches particular importance to people’s ability to lead a life they have a reason to value and considers this capability to be an integral part of well-being (Sen 1999). Accordingly, poverty reduction programmes should put particular emphasis on empowerment, the process
through which stakeholders are enabled to actively shape their lives and destinies and to manage without assistance. At the same time, this endeavour does not necessarily replace helping methods that are not empowering. In other words, we may have a good reason to give bread for starving people even though we cannot help them to become bread-winners themselves. Extreme poverty may often bring about situations, where stakeholders should be considered to be passive recipients as well. Still, in CA-based poverty alleviation empowerment remains a primary task.

The second aspect is the recognition of the poverty trap. This is closely connected to the empowerment process highlighted in the former aspect. It points out that people living in poverty can be hindered in many ways in actively shaping their own lives. According to the literature people living in extreme poverty are characterized by a number of behavioral patterns that diverge from the majority norms. For example, they use less preventive health care or their ability to manage their finances is impaired (Mani et al. 2013). Parents living in deprivation are less equipped to give their children a good start in life thus limiting their opportunities to flourish from the very start (Khumalo 2013). As a consequence of the peripheral situation, economic processes and power structures also restrict the spaces of action of these social groups (Timár 2014). Regardless of the starting point – be it the cultural differences coupled with income deprivation, insufficient education, poor health, territorial and ethnic segregation (Orfield and Lee 2005; Quillian 2013; World Bank 2015) – it is unambiguous that these factors interact with each other, which generates further aggravating circumstances. Therefore, in case of the extremely disadvantaged, the depth, length and multi-dimensional character of poverty manifests in poverty trap (Smith and Todaro 2012). Poverty reduction programs are often incapable of reaching those, who are unable to find their way out from the poverty trap without external assistance (Smith and Todaro 2012). Therefore the recognition of these groups’ helplessness is of key importance. This implies that poverty alleviation programs should implement interventions that break the vicious circle of poverty.

The third aspect draws attention to the importance of mental processes. Within the capability approach this is substantial for several reasons. On one hand, being a conversion factor, it significantly affects how the poor people are able to use their available means, or those provided them during the poverty alleviation initiatives. On the other hand, the capability approach criticized the preference-utilitarian thinking, which is dominant in contemporary economics, exactly by pointing out certain mental processes (Hausman and McPherson 1996; Sen 1999). According to this, in the long run people may adjust to their unfavourable circumstances, may cut back on their desires or resign to their fate. Therefore preference satisfaction hardly refers to their
well-being. Another way to approach mental processes – and the phenomenon of poverty trap – is ‘learned helplessness’, which has been used to interpret several social problems such as depression, various addictions, domestic violence or poverty. The gist of this phenomenon is that experiencing a series of uncontrolled negative events will enhance our expectations that the future events will also be unimpressionable. In this state decreasing motivation, emotional instability, passive, demoralizing behavior are observed, where the individual does not take steps to avoid the negative consequences even if it was possible (Peterson et al. 1993).

Hence, the mental processes of the poor, deprived and excluded are limited in several respects (World Bank 2015). Childhood poverty may eventually reduce adult cognitive capacity (Mani et al. 2013). The chronically poor tend to have decreased life expectations as well as lowered self-esteem (Shekhawat 2011). Poverty is associated specifically with unhappiness, depression, anger and stress which affect risk-taking and temporal preferences as well (Haushofer and Fehr 2014). Stress induces a shift from a goal-oriented to a habit-oriented behavior impeding the longer term strategic thinking (Vohs 2013). The extremely poor are unable to stick out if the benefits of their investments and efforts are likely to emerge on a longer time scale (Ladányi and Szelényi 2004). In case they attempt to, the result is often exhaustion thus eliminating all the previous results (Vohs 2013).

According to Mani et al. (2013) preoccupation with pressing financial concerns leaves fewer cognitive resources available for other tasks, those with monetary concerns lose their capacity to fully concentrate on problems. A recent review of 115 studies (Lund et al. 2011) highlighted that 79% of the studies found negative correlation between mental health and poverty (based on different indicators). This indicates the existence of a feedback loop in which the disadvantaged situation reinforces itself due to psychological effects and in most cases leads to detrimental economic behavior (Haushofer and Fehr 2014). All these could lengthen the process of escaping poverty or can even make it impossible. Therefore this aspect embraces the recognition of the reduced cognitive functions associated to poverty, the consideration of psychological aspects, as well as the importance of recreating self-respect and confidence.

The fourth aspect in our framework is the consideration of uniqueness. The capability approach emphasizes the diversity of conversion factors. The most important conversion factors that influence (limit) the use of different means constantly vary depending on individuals, societies, space and time. As Carr (2008) argues, the practice of poverty alleviation is greatly limited by a vision of poverty that fails to capture the locally specific causes of and solutions to the challenges that threaten human well-being. The recognition of this is essential, if during poverty reduction programmes we
address the capabilities (the set of actual choices) and not solely the means possessed
by the individuals. The link between low income and capability deprivation varies
among communities, families or individuals. This relation is strongly affected for
example by age, sex, social role or housing circumstances (Sen 1999). Therefore, a
single model cannot offer solutions for all the problems; programs adjusted to local
specialities are needed (Unwin 2004).

The fifth aspect we highlight is the importance of stakeholders’ participation. The
central focus of the capability approach is the extension of capabilities (valuable
opportunities). This necessarily raises the question: what can be considered valuable
for the individuals and for the communities. The capability approach argues that the
list of valuable doings and beings should be decided through democratic processes,
open public debates (deliberation) (Clark 2005; Sen 1999, 2008). What gives this
special importance is that poverty-related communication typically does not take place
among the poor, this is rather a topic for the middle-class (Aschauer and Málóvics
2012). At the same time, it is the most disadvantaged who may face the most serious
barriers in actually participating such social debates. It usually takes long years to
empower the extremely poor to be able to recognize and articulate their personal
problems, to formulate personal strategies for themselves, and on this basis to take
part in community strategic planning (Bodorkós and Pataki 2009; Newman and
Jennings 2008). Nevertheless, the difficulties of the practical implementation cannot
justify the rejection of deliberative participation (Bajmócy and Gébert 2014).

Open public discussions may also shed light on value choice dilemmas that would
not emerge in a decision making process, which builds on a fixed set of values – for
example Nussbaum’s list (2011). An example for the application of a fixed set of
values, is when “objective” external observers make policy proposals on how to improve
one’s circumstances. Public reasoning and participatory decision making have central
importance from the perspectives of both efficiency and justice (Sen 2012). One of
the biggest advantages of the capability approach is that it highlights the necessity of
value choices, makes them explicit, and draws attention to the importance of social
debates in ranking the values (Alkire 2007; Robeyns 2006).

Hence, this aspect emphasizes the importance of the cooperation with the stakeholders
and the significance of participatory decision-making. On the top of its intrinsic value,
public deliberation is also valuable as means in the capability approach. For example,
it can foster community members’ commitment towards collective decisions. The close
cooperation with the stakeholders, which also requires new roles and attitudes from the
researchers and supporters, improves the relationship of the participants and builds trust
Contrasting Theoretical and Case-Related Thinking in Poverty Alleviation (Málovics et al. 2014). However, all these advantages remain weightless theoretical expectations if participation is only symbolic.

3. Methodology and case description

The objective of our empirical research is to investigate how our capability-based framework fits the conceptions of the social actors who facilitate poverty alleviation processes. We first analyze whether the framework is in line with their general thinking and experience. Then we investigate their opinion about a particular case to be able to analyze the differences between their general and case-related thinking. We carried out 20 in-depth semi-structured interviews in Szeged, Hungary. We recorded then transcribed the interviews, and used the anonymised transcription for the purpose of the analysis. The main aspect with regard to sampling was the practical experience (potentially supplemented by theoretical inquiry) in dealing with poverty and poverty alleviation. We concentrated on three main groups: local politicians, experts and civil activists. Some of the interviewees belong to more than one category. In the sample the three categories were represented roughly in the same proportion.

We asked experts with different backgrounds, for example economists, sociologists and ecologists. The most important criterion was their practical linkage to the topic on the top of their relevant research experience. The civil activists in the sample directly experience the different forms of poverty during their everyday work. The interview consisted of three main parts. First, we asked the interviewees about the phenomena of poverty and poverty reduction in general. Then we turned to the local situation with regard to poverty and specifically to the Roma. Finally, we asked them about a given case: a planned housing project for disadvantaged people in Szeged, Hungary. We carried out so called ‘traveller’ interviews (Brinkmann and Kvale 2015). This kind of the interviews attempt to unveil the interpretations, stories of the respondents. The structure of the conversation is strongly shaped by the interviewees, s(he) is the one who introduces new topics, the interviewer only asks for more information in connection with topics that have already emerged. This ‘traveller’ approach let us to analyze the emergence of the aspects of our frameworks in an indirect way.

At the end of 2013 the Bishop of the local Roman Catholic bishopric announced the plans of a residential area primarily for the socially and economically disadvantaged Roma community. Going by the news, they would provide community centre, sports field, trainer, chapel and pastor on the top of new dwellings. Furthermore, following the construction, the church would contribute to the social integration of Roma people by the provision of social workers and the upgrading of human resources. According
to the media, the residential area would not necessarily serve exclusively Roma people, but the exact details of the plans were unknown. The idea of the residential area generated serious social debate and repugnance. One of the political parties started to collect signatures and organized a protest against the project. In their view the project is a type of positive discrimination and causes social injustice. The neighbourhood were also concerned. They posed the question how would this project differ from a former housing project accomplished in 1979; because today's segregate consists of the degraded houses of that project. Therefore, the issue of the planned housing project was of great collective interest, all of the interviewees had a clear opinion on the issue. (It was not built eventually.)

4. The appearance of the aspects of poverty alleviation in the general thinking of the interviewees

In this section we present the first set of our empirical results, which indicate how the aspects of our framework are reflected in the general thinking of the interviewees. During the analysis of the first aspect it clearly emerged that most of the interviewees are committed to one of the important messages of the capability approach, namely: considering the poor as mere passive recipients is insufficient. Empowerment should be an important objective, so that they become able to further their owe ends (I2-3, I5, I7-8, I10-14, I16, I18, I20).

‘... Don’t give them bread or let’s say, don’t give them fish but a fishing rod; possibilities in other words. I suppose that makes some sense.’ (I10)

We found that in case of a few interviewees the importance of empowerment partially or totally missed (I1, I4, I6, I9, I15, I19). However, on the whole, the mentality of the interviewees and their relation to poverty (often implicitly but) encompass the idea of empowerment.

With regard to the second aspect, we found that the majority of the interviewees clearly referred to the phenomenon of the poverty trap (I3-8, I10-15, I17-20).

‘So basically they put themselves into a survival mode, and exactly the strategic thinking, which characterises the middle and the upper class may melt away; and if it this goes on for years or decades and generations, it will narrow down the scale of potential solutions.’ (I14)

Considerable proportions of the interviewees presume that, on the one hand, a clear distinction can be made between those who did and did not become poor through
their own fault. On the other hand, this distinction should be considered through the tackling of the problem (I2-4, I7, I9-10, I12, I20). However, a number of respondents believe this approach is mistaken and impedes the problem solving process (I13).

'Because the truth is that according to my experience, programmes so far have not reached their goal, the community has not been adequately addressed, so they didn’t recognize the true willingness to help on behalf of the supporters. They didn’t get what they needed exactly, hence these programmes could operate only for a short while. It is a big question what we give in order to be able to escape poverty: fish or net. And so far they have been throwing mostly fish, and even when they gave net, they did it wrong as well.' (I11)

The third aspect (mental processes and cognitive functions) appeared during some of the interviews (I2, I8, I10-14, I20), but on the whole less often and with smaller weight than the previous aspects. Significant proportion of the interviewees did not mention it at all (I1, I3-4, I6, I9, I15-19).

'Poverty entails psychical things to which it is very easy to slump into … They don’t believe they can go for secondary schools or that they can find a proper job. So it is not just the material and opportunity sides which are important, but I think, the whole thing is about faith as well.' (I20)

'It is also an important influencing factor when they arrive to an extremely difficult life situation, from where there is no way out or they think there is no way out… simply a sort of psychical state evolves.' (I10)

The fourth aspect (uniqueness and heterogeneity) appeared in some form during most of the interviews (I2, I4-5, I7-8, I10-15, I17, I19). However, there was a proportion of the respondents where this aspect could not be identified (I1, I3, I6, I9, I16, I18, I20). Among those who touched upon this issue, some simply emphasized the uniqueness of each poverty alleviation challenges (I10, I13), while others highlighted the importance of problem solving at the local level and the significance of the subsidiarity principle (I2, I7-8, I12, I15, I19).

'I don’t think there is a panacea, but there are lots of immensely different situations and you should do something in these situations.' (I13)

'A usual problem is that they make decisions from above. If it is not rooted in the given community, it will not be a solution. And it is not sure, that the whole constellation is the same in Szeged as in Budapest or in Csongrád [cities in Hungary], or anywhere.' (I19)

The fifth aspect emphasized the importance of participation. The significance of tackling poverty at the local level and the principle of subsidiarity appeared in a few opinions (I2, I7-8, I12, I15, I19), which indicates that the respondents attached importance to
getting familiar with the specific local conditions and cases. Significant proportion of them consider community engagement to be important, but to different extents (I1-2, I4-6, I10-14, I16-20). Although many of the interviewees reckon that the involvement of stakeholders is important, they see its practical implementation problematic (I2, I5, I11, I15, I20). It is also telling, that most of them used the word ‘involvement’ instead of ‘participation’.

‘What is very important is that it is not enough to simply involve the members of the community, but the whole process should be based on joint planning; so you can’t do anything without them, because it won’t work out.’ (I14)

According to a few opinions, in case of involvement poor people will keep on asking for more and more unceasingly (I8, I15, I20); they will be unable to judge their situation correctly (I11), and building up direct relationship with the community is not a viable option (I8). Others mentioned that emphasis should be put on methodological issues before their involvement (I2, I6, I12), in order to avoid the abovementioned problems, which could put the members of the community into a pretentious position. In case of a few respondents the importance of stakeholder participation did not appear as an issue (I3, I7-9, I15).

On the whole the poverty reduction aspects formulated on the basis of the capability approach were reflected by the general thinking of the interviewees with regard to poverty. Their approaches embrace the idea of empowerment. The recognition of the poverty trap also characterizes the general thinking of most of the respondents. However, we could detect interviewees making distinction between those who became poor through their own fault and those who could not help it (thus deserve help). So – using Gans’ (1990) terminology – the categories of the ‘deserving’ and ‘undeserving’ poor appeared. This suggests that although they theoretically accept the circular characteristic of poverty, they do not necessarily draw its practical consequences.

It was spectacular how the importance of the mental processes was much rarely mentioned than the other aspects. In many interviews this issue did not emerge at all. The aspect of uniqueness received smaller emphasis than empowerment or the poverty trap, but higher than the mental processes. Finally, most of the interviewees attach great importance to participation (more precisely involvement), but regarding its method and depth opinions were heterogeneous.
5. The appearance of the aspects of poverty reduction in the case-related thinking of the interviewees

In this section we present the second set of our empirical results, which indicate how the aspects of our framework are reflected in the case-related thinking of the interviewees. For this purpose we use the case of a planned housing project in Szeged, Hungary (introduced in detail in the methodology section). This provides an opportunity to contrast the abstract (theoretical) thinking about poverty to the situation when we need to express our opinion about a given case (where we may have personal experience, may be emotionally committed either in a positive or a negative sense). Should these two diverge, that would have significant implications for poverty reduction programmes.

With regard to the first aspect we found that the interviewees clearly expressed their doubts about the contribution of the planned housing project to the future well-being of its prospective dwellers (I3, I7-9, I13, I19, I20). Significant proportion of the interviewees had the opinion that the project would not provide a way out for the dwellers in a long run, unless it would be combined with other elements (I1, I4, I10, I12, I14-17). Others think that the residential area could contribute to the well-being of the Roma people, however they also emphasise the need for a complex programme. These interviewees are positive about the prospects of the programme (I2, I5-6, I11, I18).

‘If this housing project is not simply about providing dwellings, but it also involves community services, social workers continuously present, education programs etc. then it can definitely contribute [to their well-being]. So its ability or inability to contribute depends on the programme design.’ (I5)

The second aspect – the recognition of the poverty trap – received more emphasis in the case-related than in the general thinking. According to the majority of the respondents, the housing project will not provide an opportunity for escaping poverty (I3-4, I7-10, I12-17, I19, I20), due to the reproduction of the segregation. Some of them highlighted that segregation may have positive aspects as well beside its numerous negative effects. For example, the dwellers of the segregate support each other (I5), it provides retaining force (I11), and so it serves as a sort of community network (I13). However, most of the interviewees clearly expressed that the spatial separation first of all produces a detrimental ambience for its dwellers (I2-4, I7, I9-10, I12, I14, I20).

‘I don’t state that the intention are not good, they obviously want to solve the problem, and they obviously think that this is the way to do that. But I see many reasons why they shouldn’t solve it this way, because this seems so be a solution only in short term, but in the long run the segregation will re-generate the problems.’ (I7)
The third aspect – the importance of considering mental processes – was hardly mentioned in the case-related parts of the interviews. Respondents referred to this issue in connection with the housing project seldom (I1, I2, I11).

“…This training shouldn’t be a formal one at the beginning. … I could imagine some kind of completely atypical training, which could give people back the motivation, at least to some extent, to break out of poverty.’ (I11)

’For those who are not motivated to escape the given situation, other types of programmes are needed. Not poverty reduction programmes, but medical programs. To put it clearly, mental conditions should be tackled in these cases.’ (I11)

The forth aspect – the recognition of uniqueness and heterogeneity – appeared in all the interviews, at least to some extent. However, just few of them highlighted explicitly that solutions should be fitted to the given situation (I2, I5, I10, I13-14).

’I’m not sure, what we need there are houses equipped with indoor plumbing, gas, drainage, bathroom and everything. Better and safer than the current houses, but which are in line with their life conditions, existential situation, income and their capability to take care of their families.’ (I2)

’… I really think that we can’t save the time and energy to figure out what, where and how the dwellers want.’ (I14)

With regard to the fifth aspect – the importance of participation – various opinions emerged. The ideas about participation in connection with the housing project were much more diverse than in case of the general thinking. There were different views about the necessity and the actual prospects of participation.

According to most of the interviewees some sort of participation will occur during the programme (I2, I5-6, I10-11, I13, I16-18). Some of the respondents would primarily concentrate on the methodology of involvement, since it may have significant effects on the success of the process (I1, I5-6, I12, I14). Five of the interviewees believed that community members would not be involved into the planning process (I1, I9, I12, I14, I20). However, three out of these five consider the involvement of the community important in general (I1, I12, I14).

’If this project comes true than I think they will involve the community members sooner or later for two reasons. Without engagement they would simply be unable to carry out the whole thing. On the other hand, the initiators of the programme have comfortable understanding with the leader of the local Roma self-government, so this way they can reach the community. So there will be involvement.’ (I16)

’To go there and tell that I have really figured it out [how to solve their problem] just does not work. They will see the problem entirely differently than we.’ (I17)
If somebody hits the rock bottom, than it’s not surprising, s/he won’t see too far. So the set in which s/he looks for possible solutions will be very limited.’ (I7)

'I wouldn’t ask them, that’s for sure' (I8)

According to these findings, empowerment and the recognition of the poverty trap gains increased importance when it comes to case-related thinking. On the other hand, the consideration of mental processes hardly appeared during the evaluation of the housing project. The specific features of the project naturally emerged during most of the interviews, since the respondents had to form opinion about a given case. However, very little definite ideas emerged about why and how the specific features of the project in question should be considered. The opinions regarding participation were really scattered; much more diverse than in case of talking about participation in general.

A number of connections can be identified among the opinions that appeared alongside the different aspects of our framework. Most of the interviewees believe in such programmes that strive for the expansion of stakeholders’ real opportunities (let it occur through their passive or active role). In line with this, the opinions indicate that the respondents are aware of the existence of the poverty trap.

On the other hand, the theoretical knowledge about the poverty trap does not necessarily go together with the acceptance of its implications. The division of the poor to ‘deserving’ and ‘undeserving’ clearly appeared in the interviews. This may also bear a relation to the fact that the consideration of the mental processes and cognitive functions hardly appeared.

A further example for the interrelation of the opinions emerging alongside different aspects occurred with regard to the issue of participation. Those who are in favour of the active participation of the community (either to smaller or larger extent) formulated very similar arguments about the consideration of uniqueness and heterogeneity: the importance of subsidiarity or the recognition of the specific local circumstances and habits.

Conclusions

In this paper we proposed a minimum set of aspects to be considered by poverty reduction initiatives on the basis of the capability approach of Amartya Sen. In the CA one should focus on the real opportunities of the poor (their so called capabilities) and not solely on the means they possess. The differentiation of valuable options from means and the conversion factors served as a basis for highlighting the 5 aspects we analyzed in-depth in the paper:
1. the recognition that poor people are both passive recipients and active agents;
2. recognition and acceptance of poverty trap;
3. consideration of the mental processes and cognitive functions;
4. consideration of uniqueness and heterogeneity; and
5. the importance of stakeholders' participation.

In our empirical research we tested how our theoretical framework fits the practice. We carried out interviews with people who deal with poverty or poverty alleviation on the ground (be they experts, civil activists or local politicians). We contrasted how the interviewees think about poverty and poverty reduction in general and in connection with a given case. On this base we can conclude the following:

(1) The main message of the capability approach (focusing on what people can actually achieve instead of what they have) is in line with the various knowledge and experience of the interviewees – both in their general and case-related thinking. The main goal of poverty reduction was reported to be the expansion of capabilities (real opportunities) rather than the provision of means. We found that our framework developed on the basis of the capability approach fitted to the numerous opinions emerging during the interviews.

(2) We found that the interviewees agree more on the ‘what’, than on the ‘how’ of poverty alleviation. The relative the importance of the five aspects for the interviewees varied significantly. However our framework made it easily recognizable and explicit, how much importance do respondents attach to the different aspects and what presumptions and value-commitments they rely on. For example, although most of the interviewees highlighted the importance of poverty trap, some of them distinguished between the categories of ‘deserving’ and ‘undeserving’ poor. Or we identified diverse opinions regarding the extent and method of participation.

(3) The mentality of the interviewees somewhat changes when they turn to the evaluation of a given case (in present paper the residential area built for the disadvantaged Roma community in Szeged) from the general. The relative weight of the aspects changes, some of them receive increased attention while others become neglected. However, the degree of this shift in the thinking varies significantly among the respondents. For example, some of the interviewees considered stakeholder participation to be very important in general, but in case of the housing project they thought that the participation of the Roma people was rather difficult. Therefore, we may suppose that in most cases the general principles of poverty reduction programmes will not work out completely or with their planned weight. Therefore, the endeavour to gain feedbacks whether practical implementation follows the aims and values set out originally (and what can be the effects of a possible divergence) is essential.
The fact that the main message of the capability approach and also the five proposed aspects of our framework can be detected in the thinking of the stakeholders involved in the fight against poverty does not imply that the five aspects are always present jointly. It has also become clear that even stakeholders’ own poverty handling principles are not necessarily echoed during case-related thinking. In our opinion this confirms that the fight against poverty is a terrain where keeping ourselves away from our values and prejudices is extremely difficult (if possible). Therefore, the challenge is to develop programmes, where these issues could be identified and openly discussed. The importance of the capability approach lies exactly in this. It makes values and presumptions explicit and calls for their open public deliberation.

References


Success of Community Management Based on the Collaboration: Lesson Learned for Environmental Crisis Solutions

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ABSTRACT: World change influences the changes in the economy, society, environment, way of life, culture, and traditions into slavery of capitalism, materialism, and consumerisms including modern trends all have a great impact on the country’s development. This is why “Society has problems and the development is not sustainable” while Ban Thung Sri Community, Moo 3, Thung Sri Sub-district, Rong Kwang district, Phrae province, Thailand has been accredited by various institutions in community management in a variety of dimensions until the community is successful. When the study was conducted, the Lesson learned of community management for environmental crisis solutions, which the community believes is a sustainable solution to the environmental crisis and driven by community strategies. This can be an example that other communities can apply concretely.

KEYWORDS: Community Management, Collaboration, Environmental Crisis Solutions

1. Introduction

World change impacts on the economy, society, environment, lifestyle, culture, traditions, rituals, and beliefs as well as good things. Lack of connection is a crisis
that most communities are facing. Many communities have collapsed because of the
development of new forms, destroying the traditional foundations. (Naowavathong et. al. 2008). Thailand is likely to receive culture and prosperity in science and technology from the foreign countries to develop the country more and more respectively. It can be said that Thai society today is dominated by Western ideas and wisdom. It is a slave to capitalism, materialism and consumerism and modern trends that comes from the Western world and has a global influence which causes social problems. The economy and the environment are inevitable with the situations around the world are changing fast. These have all contributed to the country’s development in every way. This is why “Society has problems and the development is not sustainable” (Kamolpratuengkorn 2016). Capitalism has also resulted in rapid change and caused the living of the people to be more comfortable. The development of this approach also affects the well-being of people in all levels of society, including cultural decline, lack of good relationship, and the values of living in luxuries in the consumer society. Moreover, family and community institutions are weak and cause many social problems (Wongsrikaew et al. 2556).

However, the development of the country to sustainable balance from The 10th National Economic and Social Development Plan in Strategy 2 states that priority is given to strengthen existing capital both the social capital, economic capital and the resources of natural resources and the environment to be more and more linked to the development. The social capital building will be the main basis. It is needed to start from the quality of people to have a moral with public consciousness and knowledge of change leading to strong community development, mutual support within the community and between communities and the power of the country. The community can manage and utilize economic capital, social capital, natural resources capital, and environment in a balanced way, in harmony with the traditions and culture of the community in order to strengthen the social intimacy between people inside and outside the community. According to the strong integration of people in the community, in addition to the ability to prevent and solve difficult and complex problems, while community management refers to the creation of process science and the action to the village or community that has the knowledge to manage their own community by using a powerful community plan as a development tool following the process of community empowerment (Naowavathong et al. 2008)

One of the interesting communities is Ban Thung Sri Moo 3, Thung Sri Sub-district, Rong Kwang district, Phrae province, which is accredited by various institutions for community management in a variety of dimensions until successful. For example, being a prototype community for local solid waste management. There are administrators,
community leaders, involved officials and people participate in community solid waste management which won the first runner-up in the tropical program reducing the heat by our hands organized by the Environmental Institute Foundation and Toyota Motor (Thailand) Co., Ltd. In the year 2014 Ban Thung Sri Moo 3 was awarded the village of non-burning prototype to fight the northern fog from the Department of Environmental Quality Promotion. In the year 2012 the community was awarded the first winner of the 80th Annual 80th Community for Waste Recycle Contest organized by the Department of Environmental Quality, Ministry of Natural Resources and Environment. Moreover, there are also projects at Ban Thung Sri Community, such as Organic fertilizer / compost from local raw materials, the project of agricultural tourism and integrated waste management, establishment of community culture centers and folk museums, the promotion of the use of bio-organic fertilizers and the reduction of the use of chemical fertilizers in agriculture, project for setting up savings enterprise for organic fertilizer production, Community Waste Fund Project, Spa project with earthworms. These are the use of waste more and more.

Therefore, the researcher is interested to take the community management lesson to solve the environmental crisis to find the factors that affect the success of community organization and lead to the prototype community of Ban Thung Sri Moo 3, Thung Si Sub-district, Rong Kwang district, Phrae province.

2. Research Objectives

1. To disseminate the success stories of communities in solving the environmental crisis that led to the prototype community of Ban Thung Sri Moo 3, Thung Sri Sub-district, Rong Kwang district, Phrae Province.

2. To propose a community management model to solve the underlying environmental crisis of Ban Thung Sri Moo 3, Tung Sri Sub-district, Rong Kwang district, Phrae province.

3. Research Methodology

The research was designed using qualitative research by 1) studying and analyzing data from secondary sources. 2) Field research to obtain primary data by in-depth interview to find answers to the differences in opinions. The interviewees were interviewed by the researchers. The interviews were conducted in the form of unstructured interviews consisted of provincial administrators and district administrators. Local leaders were the mayor of Rong Kwang District Municipality, Sub-district Headman of Thung
Sri Sub-district, Village Headman, Village Committee and people in the village of Thung Sri Moo 3, Thung Sri Sub-district, Rong Kwang district in Phrae province total 30 people. Data were analyzed the results to discuss the implications of the concepts and the related research by analyzing content and presenting it in a descriptive way.

4. Research result

The context of Ban Thung Sri Moo 3, Thung Sri Sub-district, Rong Kwang district, Phrae province originally, the regime used the common system. There was water management by the marshal system. The leader of the mines will be the leader in all aspects because he had been chosen from the person who is knowledgeable both way of life in the world and Buddhism. Be fair and Dhamma is a main of fellowship. Thung Sri Temple is the center of the meeting with a total of 376 people. There are 114 households. The majority of the populations is agriculturists for 66 families. At present, some villagers go to work in other communities and bring the culture of extravagance to the community. Young people began to have the social trend according to current tastes society. In addition, there is also a lack of pride in the value of local wisdom. There is also a continued migration to work which causes labor shortage in the community. The current problem is that the water source for agriculture is not enough, high cost of production, shortage of markets for agricultural products, pesticide residues from agriculture, income is not balanced with expenditure. Moreover, there are no secondary and supplementary occupations. There are no documents in the land, health problems with toxic residues in the body, and does not care about health care.

The results of the study revealed that Ban Thung Sri had a process of starting from thinking together between leaders and people in the community. In the beginning there were only 10 people whom this group called themselves. “Good Promoters” talked about problems in the community. This is a problem caused by increased waste. While local communities and local organizations are not able to effectively manage their living and the change in society has made people in the community more comfortable living by buying other consumer goods into the community. This causes garbage problem in the community. Beyond the issue of garbage, the Good Promoters also brought other problems occurred in the community to participate in the discussion. The smog problems caused by burning the remaining produce from agriculture, burning weeds, and burning waste have caused pollution in the community. There are health problems caused by the use of chemicals in the production and consumption. It causes chemical residues in agricultural products in soil, water and air, as well as chemical accumulation.
in the community environment. The problems that occur also affect the quality of life in the community. In the economy, the income of the people in the community is not enough for living. They borrow and have the debt causing the household have debt. In society, people in the community lack of love and harmony, ignore each other because life must survive to ignore the people around. Not accepting the opinions of people in the community with each other cause of conflict and social disparity of the community. This is because the income level of the people in the community is different. While the problem occurred it also directly affects the environment of the community. That creates a critical environment and the community is unlikely to live.

Discussion of the Good Promoters is the brainstorm to solve community problems with the initial talk of a few people. The basic idea is that to solve problems one at a time may not permanently solve community problems. It is based on the holistic view to solve the problem. In the beginning, the Good Promoters will spend a lot of time talking about issues and resolving community problems and think that the people in the community should participate in the comments. Therefore, the group has provided a place to be a meeting place of the community. It is a gesture of confidence in the community that community collaboration can solve problems tangibly. After having the meeting place, the Good Promoters have shown the community a common problem. There are many obstacles to solve the problem. Only people in the community cannot solve the problem so it should be based outside the community such as the government sector, educational institution, and network partners for creating the learning process to take place in the community by training and collecting data both the original knowledge existing in the community and new interdisciplinary knowledge are integrated and continuous to prevent disruptions.

Learning will focus on the problem of community to make a plan to solve community problems. The plan includes: Experimentation, improvement, and extension such as organic vegetables, biological fertilizer, worm fertilizer, et cetera. The problem is to learn to plan the community. It is a solution to the problems of the community. The community of Thung Sri has set goals to solve problems in order to reduce inequality, reduce the conflict of people in the community, and back to the natural way. The solution to the problem is to cultivate and create public consciousness for people in the community to see the importance of others and the suffering of the community to raise awareness of problems, find solutions to common problems together and create the benefits, use benefits and receive benefits of sharing in the community.

However, solving the problems of Ban Thung Sri Community will be concrete and consistent. It is important to define a community strategy with the process of community collaboration to be the direction to fix and develop with the management
of their own community. In addition, the community also needs to have some support from outside the community to help and support. Then the community can be successfully driven. The case of Ban Thung Sri determined the vision of the community is “Community management systematically leading to the excellent agriculture”. The target is that the people in the community have good health, good household and community economy, and the community environment is good. The results of the study can be written as a community management model to solve the environmental crisis prototype of Ban Thung Sri Moo 3, Thung Sri Sub-district, Rong Kwang district, Phrae province, as shown below.

Figure 1. Lesson learned of community management for environmental crisis solutions of Ban Thungsrı, Moo 3 Thungsrı Sub-district, RongKwang District, Phrae Province.
At present, Ban Thung Sri Moo 3, Thung Sri Sub-district, Rong Kwang District, Phrae Province, the community management was initiated by the combination of people in the village and between the villages at the district level and provincial level to strengthen the community to think about learning to practice. There is the process of learning and knowledge management in a variety of ways. This is a good way to live up to the wisdom and culture of the community with prudence and discretion. There is virtue, morality, love, generosity, harmony, selflessness, commitment to develop self and others. It is the invocation of the philosophy of sufficiency economy of King Bhumibol Adulyadej of the Thai people. This is the main activity of the people in the community from the beginning. “Explosion from inside” to seek solutions to move to a happy balance and self-reliant. The community can manage and utilize social capital from the existing natural and environmental resources that are linked to the traditions and culture of the community. The strong combination of people in the community can prevent and solve difficult and complex problems. It also helps the community to develop the future of the community following the strategy of strengthening the community and society to be a solid foundation of the country.

5. Conclusions

The results of the study found that the holistic approach to problem solving can solve the problem of community permanently. It is consistent with Mahidol University (2011), which states that synthetic thinking to look at the holistic image as a new concept or concept frame through a systematic thinking process capable of understanding the relationship between things that is an important element of the system. As a result of the pattern summary applying a variety of scenarios or situations, or multiple perspectives, in an overview of the community, the problem elements, and cause of problem, this will lead to the concept of a concrete solution. While managing on a cooperative basis is an important element in driving the community’s problem-solving to goal concretely because the collaboration creates a different perspective through the learning process. Incorporation of existing knowledge into the community with new knowledge gained from outside the community through experimentation, improvement, and extension are the creation of success both short term and long-term in accordance with the National Assembly of National Voluntary Health & Social Welfare Organization (1997). It is a formal process which is committed to working together in the long term toward the crisis-related mission or important and complex social issues. This is a joint decision and resource allocation through performance activities to meet the common needs. It is also consistent with Brown.
A.D. (2006), a specialist in collaborative research at the University of North Carolina, has identified two goals for work and collaboration: 1) Short-term cooperation is a collaborative process that works together to solve the facing problems immediately. 2) Long-term cooperation is a collaborative process that is used when developing or changing things. The partnership must continue to be sustainable, as Hutchings, P., et al. (2017) state that community management widely criticized, but the concept of community management is still important in modern management to adapt to the increasing demand. External support agencies must be ready to accommodate more and more ongoing support in order to lead to the success of the community.

Ban Thung Sri, Moo 3, Rong Kwang District, Phrae Province, has set the solution to the problem of reducing the economic disparity and to reduce the conflict of community members, and return to the basis of living with nature to make members have a good idea and think for the collective, awareness of problems and solutions. It is consistent with Pratuangboriboon, N. (2017) who states that the importance given to people in the community from individual, group and latent populations together with network partners, organization / agency both public and private sectors in the area creating norms of a community through collaborative design, make people learn in the community to develop the potential of the person, Organization / Club / Party to create a practice plan, operational guidelines, agreements or rules for all parties acknowledge and act appropriately in accordance with the duty of good citizens of society. This will increase the chance of problem management and reinforce the work in various tasks to achieve the goal.

However, the success of community management is critical to establishing a community strategy. The strategy is to lead the way to achieve the goal accurately and the thought of sharing from the members. The vision is clear with targeted objectives and missions that demonstrate community driven approaches to be true through the process of analyzing weaknesses, strengths, opportunities and barriers of the community, as Akaraborworwn. C. et al. (2009) described that strategic planning is the methodology used as a measure of performance in various aspects. It represents the vision, mission, and purpose in order to be aware of and understand in the same direction. A system that monitors the success of a strategy by measuring performance for the right decision adjust to work to help to learn what strategies are available, how to achieve the mission and respond to the benefits of the community. Haeberling F. (2009) states that the local community is about encouraging and supporting the community leading to growth by all members have the opportunity to comment on what is going on in their community. It is an important way of presenting the vision of the community as defined in the strategy. Ban Thung Sri, Moo 3, Rong Kwang District, Phrae province
has set the vision of community as “Community Management Systematically to Smart Agriculture,” which aims to provide the community to have good economy, community members have good health and good environment. The community believes that the mentioned strategy is a sustainable solution to the environmental crisis.

6. Suggestion

1. Other community should bring Lesson learned of community management for environmental crisis solutions of Ban Thung Sri, moo 3 Thung Sri Sub-district, Rong Kwuang District, Phrae Province apply to consider differences in the context of the community.

2. It should be learned from other successful communities in community management for comparison, composition analysis, and the factors that lead to the success of the community. This is a new knowledge to solve the environmental sustainability of the community.

References


Does Helping Others Really Pay off?  
An Overview of Individual Leadership  

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ABSTRACT: This article examined the relations between transformational leadership and employee efficiency and profitability. Transformational leadership is the most efficient style of leadership when it comes to organizational change necessary to gain competitive advantages. We found out that building vision about what an organization and its members need to do, is extremely important and it provides meaning and purpose in work and consequently leads to higher levels of individual and organizational efficiency and profitability. Also, we discovered that it is not enough to communicate vision, it is necessary to find the proper meant to build it. Employees that took part in this study declared that they actively communicate vision, but a large proportion failed in building it and in generating purpose. Although scoring high in inspirational motivation, the participants involved in the study could not get others to fully visualize the organization’s strategic outcomes, thus generating a possible lack of involvement in ensuring organizational success. The findings in this article provide useful information for managers and leaders regarding the key elements that allow employees to better use their abilities in performing their work. Also, the findings provided relevant information about the people’s willingness to be an active part of the strategic implementation process and their willingness to influence and help others understand their role and contribution for the organization.

KEYWORDS: Leadership, organizational change, creativity, strategy, competitive advantage
1. Introduction

Everybody wants to be successful, from individuals in their working career to the organizations in which their work. Success is a powerful motivator, it offers individuals purpose in their work and it drives them to become more efficient and to surpass others; for companies it is their reason for existence and the main force behind their long term sustainable development. But how can we measure success? Is it enough to refer to one’s earning, whether an individual or an organization? Or is it more to how we measure and relate to success? I think that earnings are not enough. For an organization, profits are not necessarily the main measure of success. Its survival, especially in times of change and uncertainty can be considered success. An increase in productivity and performance can be considered success and maybe more important than profit. From an individual’s point of view, success not only means to earn more, but also to become better at what you are doing and provide more value for the organization in which you are working in. Also, success for an individual means to positively influence others to become better and brake their own personal boundaries. This article focuses on the individual’s influence on others and on the implications that this influence generates. In order to achieve this, certain aspects regarding transformational leadership were analyzed on employees from various working areas, with the intent to better understand their impact on others at work.

Leadership is a key issue that influences the long term development of an organization, as it focuses attention forward and develops an organizational culture and system which allows individuals to best use their core competencies in order to achieve success (Morden 2007, 331). According to studies (Singh 1990) the main characteristics of transformational leadership are, first of all, a strong empowering attitude aimed at making others feel highly appreciated and important for the organization, thus conferring purpose and trust in their work, not being afraid to take risks in order to gain significant outcomes and the ability to form and conduct efficient teams with a clear communication of mission, vision and strategic goals and an excellent balance and confidence in front of calamities.

Leadership is responsible for giving people direction, alignment and commitment (Drath et al. 2008). Strategy is behind the development of sustainable competitive advantages by setting goals and telling everyone where the company is going. The last part is extremely important by giving everyone in the organization purpose and direction in their work. Thus, leadership is paramount in providing and maintaining the desired direction. But, in order for the strategy to be effective, everyone needs to know where the organization is heading and needs to help others in better understanding and following this direction. Also, maintaining the desired direction
means that every member of the organization needs to align their system of beliefs, structure and processes. This is where leadership does its magic by having the ability to build a system of common values that sets employees in the same direction and makes them work together towards a common goal. Finally, leadership is what provides commitment to keep the set direction until success is obtained. Implementing a new strategy implies change, and change is always regarded with doubt as it is associated with uncertainty. For this reason, people need to be fully committed to the organizational goals and need to overcome every problem while keeping focus on their destination (McGuire & Rhodes 2009, Alkhafaji 2003, 17). Every transformational change within the organization needs to be based on a clear measurement of the end results. People need to visualize where they are going and quantifying the result allows them to better understand their role within the organization. Also, it is recommended to use at maximum what already exists in the organization, due to the fact that it ensures stability and sends a message that the work done before was useful (Carter et al. 2005, 411).

Transformational leadership is most effective style of leadership, being centered on motivating individuals to achieve more than they would have ever expected, to continually enrich their capabilities and to place the interest of the organization beyond their own (Hitt et al. 2004). Transformational leaders develop and communicate vision with the intent of making employees aware that they need to achieve valued organizational outcomes. Such leaders present high levels of emotional intelligence, allowing them to have a very good understanding of themselves, excellent intrinsic motivation and empathy, all of these becoming useful assets when it comes to guide and support others in overcoming their limits (Hitt et al. 2007). Transformational leaders have an extraordinary capacity to mobilize masses and to achieve large scales changes in a relatively short span of time generating crucial reforms for their organizations (Singh 1990). They achieve this by using symbolic gestures and emotional arguments, by demonstrating optimism and enthusiasm, setting a personal example and stimulating exploration of alternatives and new perspectives (Macey et al. 2009, 134).

In order to form an efficient transformational leadership learning context, organizations must design and implement a series of actions that refer to forming a compelling positive vision aimed at generating more value, provide formal training for its members, ensure the active involvement of the learner to rise retention, spread the core values and beliefs of the new culture, provide feedback for the learning process, use positive role models and encourage support groups where problems can be aired and discussed and redesign the systems in order to better fit the new way of thinking and working (Schein 2004, 305 -308).
Transformational change implies changing the organization’s culture, its beliefs, values and behaviors leading to a new way of doing things with a high possibility that not everyone is clear about the reasons behind these changes (Hannagan 2002:182). Successful use of transformational leadership aimed at ensuring organizational change generated by implementing the new competitive strategy implies envisioning, activation, support, installing, ensuring and recognizing (Hussey 1998). Envisioning is the process of developing a coherent view of the future, by blending the view of the external objectives that is correlated with internal abilities and competencies relevant for those opportunities. Activating implies a good communication and spreading of the vision in order for others to understand, support and share that vision. In order for the activation to be successful, it needs to be supported by motivating and inspiring people to go beyond their limits and to achieve things that they would never thought it possible. Installing and ensuring are two of the most technical stages of transformational leadership. Installing implies the use of specific management instruments such as plans, budgets, critical path analysis or Gantt charts in order to ensure that nothing is overlooked and everything is coordinated. Ensuring implies the constant monitoring and controlling of the installing process with the objectives to meet certain standards and to get the desired results. Finally, recognizing is aimed at individuals and it may be positive or negative, depending of the results, and should be used in order to ensure progress and the overall success of change.

2. Empirical research and findings

The purpose of this articles is to analyze certain aspects related to transformational leadership and to observe their impact on other individuals in the organization. In order to achieve this a preliminary research was conducted on employees from different Romanian companies, based on questionnaire comprised of items regarding their behavior at work. Approximately 40 valid answers to the questionnaire were gathered and statistically analyzed using IBM SPSS Statistics.

One of the hypothesis of the research was that by motivating others, the result of this active motivation by every member of the organization, will lead to an increase in efficiency. Thus, the research was, first of all, aimed at the degree in which an individual contributes to the proliferation of vision and appropriate symbols to others and to the degree in which makes others feel significant at their work. The results showed that a large proportion of the respondents (81,1%) frequently communicate to others the goals and responsibilities of their work, but fail in their efforts, only 48,6% stating
that they are able to build an attractive vision on what it can be accomplished, an,
more, even a smaller percent of the respondents (45,9%) are able to find meaning in
their work. The result are extremely interesting, due to the fact that individuals are
willing to motivate others and to loudly state what it can be done, but, for some reason,
are unable to form that important vision in one’s work, vision that is paramount in
generating meaning and purpose.

The next step in the research was to find valid and significant correlations (the
statistical significance coefficient needs to be smaller than 0,01 or 0,05, dependent on
the situation, and the Pearson Correlation coefficient above 0.39) between motivating
others and the company’s efficiency and profitability. Although, only half of the
respondents managed to form vision and meaning in their work and in that of others,
in those companies a valid correlation was observed between forming a vision and
employee efficiency (the value of the Pearson's linear correlation is 0,504 and the value
of the significance coefficient is 0,001) and profitability (the value of the Pearson's
linear correlation is 0,476 and the value of the significance coefficient is 0,003). In
terms, this leads to a high level or organizational efficiency and profitability. Also, a
valid correlation was observed between finding meaning to one's work and his work
efficiency (the value of the Pearson's linear correlation is 0,457 and the value of the
significance coefficient is 0,004). When analyzing the link between purpose in one's
work and his profitability it was discovered that the correlation is not valid, thus it
cannot be said that employees who find purpose in their work will generate more profit.
Furthermore, nor valid statistical correlation was discovered between communicating
what can and needs to be done in employees’ work and their efficiency or profitability.

Another hypothesis of this study refers to the implications of intellectual stimulation
over an individual’s efficiency and profitability. Nearly 80% of the respondents stated
that they get others to look at problems from different points of view in order to
identify the best solution. Also, 70% of the respondents declared that they determine
others to actively search new, innovative, ways to analyze problems and over 80%
are getting others to rethink ideas that were unquestioned before. These result were
surprising, as they show a willingness from individuals to think out of the box and to
act beyond the traditional limits of thinking. But, the research could not find any valid
correlation between the above and efficiency or profitability, neither at an individual
nor organizational level. Thus, although the respondents have shown high scores in
terms of intellectual stimulation the findings so far could not reveal any influences
on personal or organizational profitability.
Conclusion

Speed and the constant need for adaptation are two of the main challenges that companies face nowadays. It is no doubt that the company’s intellectual capital has becomes the most valuable asset in its efforts to constantly adapt and gain competitive advantages. We set out in our research to analyze the implications of transformational leadership over others, especially in terms of efficiency and profitability. To achieve this, two characteristics of transformational leadership, namely inspirational motivation and intellectual stimulation were taken into consideration.

The findings of our research have revealed that individuals pay great attention to communicating, using simple words, what needs to be done and what can be done. This creates the premises for the development of an organizational culture in which every member of the organization is involved in making others aware of the importance of their work. But, as we could see before, only half of the participant in the study actually managed to form a vision about what needs to be done. Although creating a strategic vision of the company’s organizational objectives leads to an increase in efficiency and profitability, employees find it hard to achieve success in forming that vision. One possible explanation is that, while they communicate about what needs and can be done, individuals cannot visualize their destination and cannot form a mental path of their journey to achieve the set objectives. This could explain why the same employee cannot help others in finding meaning and purpose in their work and in absence of these elements, individual and organizational performance cannot be achieved.

Innovation and creativity are not an exception from the rule, but actually the rule. Successful adaptation is not possible without the ability to think out of the box, to question everything or to look at problems from different perspectives. The vast majority of the individuals that took part in our study declared that the frequently encourage other employees to look and situations from different points of view and to be creative in analyzing problems. However, we could not identify any valid statistical link between these elements and efficiency or profitability. It is possible that individuals, despite their willingness to be innovative or creative, to lack the support necessary to success. It is not necessary to want to be creative or innovative if the environment in which you work in does not support this, or if the solutions are not put into practice. At this point we cannot explain without a doubt why creativity and innovation does not lead to efficiency and profitability, but these aspects will be considered for further research.

From a theoretical perspective, the implications of the findings presented in this article add more value to the scientific field related to leadership in general and transformational leadership in particular, but the main use of the finding are related
to management practices. Although certain aspect of the research need to be further analyzed, and the study expanded on a larger statistical population, we can state that managers need to support employees in their efforts to actively contribute to organizational long term development and that employees need to support others in their work by offering them a clear vision on what needs to be done and by empowering others in order to better use their specific abilities and competencies.

References


Mobility and Regional Competitiveness in the Digital Age

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ABSTRACT: Digitalization is one of the key drivers of accelerated change in our everyday lives, both on an economic and social level. With solutions enabled through ICT technologies, we are more connected than ever on the global scale. In this next chapter of globalization, we currently experience significant transition in the structure of industries, consumer behavior and how we collect and manage data. This transition requires a shift in mindset, as we need to reevaluate the key factors of competitiveness, in order to prepare ourselves for rapid and presumably disruptive changes. These changes, however, mean to ease our everyday lives in the long run. The presence of an advanced regional infrastructure is a crucial factor in enhancing the competitiveness of regional economies, hence the opportunities in mobility in the digital age need to be revised. The aim of the paper is to systematize the key connections between digitalization, mobility and regional competitiveness while mapping potential challenges in the topic as well. KEYWORDS: regional competitiveness, digitalization, globalization, regional mobility, urban mobility

1. From Globalization to Digitalization

Globalization is a phenomenon which influenced norms, traditions of society and facilitated the emergence of a complex and interactive global economy (Lengyel 2010, 32). Initially, the key drivers of globalization were the trade and exchange of
material goods, however today, the significance of immaterial assets has increased. Knowledge, information and data can be considered as core drivers of growth and development (EC 2017b, 6).

With advancements in technology, the presence of digitalization has changed the course of globalization. Digital solutions, platforms, flows have become widespread around the globe. Actors of economy and communities of society became able to communicate more efficiently by reaching more people at a lower cost. This means that global competition is open not only for multinational organizations, but to individuals as well (Manyika et al. 2016, 1). The rapid growth in terms of communication means that data flows are higher, information, knowledge and ideas are more accessible around the globe and value creation can be more efficient, even exponential (Manyika et al. 2016, 2).

**Table 1. The Past and Present of Globalization**

<table>
<thead>
<tr>
<th>Aspect</th>
<th>Period of Globalization</th>
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<tbody>
<tr>
<td></td>
<td>20\textsuperscript{th} Century</td>
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<tr>
<td><strong>Main value category</strong></td>
<td>Tangible flows of physical goods</td>
</tr>
<tr>
<td><strong>Networks</strong></td>
<td>Flows mainly between advanced economies</td>
</tr>
<tr>
<td><strong>Flows</strong></td>
<td>Capital- and labor-intensive flows</td>
</tr>
<tr>
<td><strong>Infrastructures</strong></td>
<td>Transportation infrastructure is critical for flows</td>
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<tr>
<td><strong>Core actors of innovation</strong></td>
<td>Multinational companies drive flows</td>
</tr>
<tr>
<td><strong>Transactions</strong></td>
<td>Flows mainly of monetized transactions</td>
</tr>
<tr>
<td><strong>Dissemination of Knowledge</strong></td>
<td>Ideas diffuse slowly across borders</td>
</tr>
<tr>
<td><strong>Technology Transfer</strong></td>
<td>Innovation flows from advanced to emerging economies</td>
</tr>
<tr>
<td><strong>Global Interactions</strong></td>
<td>Global supply chains</td>
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*Source: Own construction based on Manyika et al. (2016, 5) and EC (2017b, 10)*
While the 20th century is described with the flow of physically tangible goods, the drivers of the 21st century are intangible data and information. In the past, these flows occurred between developed countries and economies or multinational companies, however today, the competition is more open, as developing countries, emerging economies, SMEs or individuals can also create high added value and be visible on a global level. There is a transition from labor-intensive flows to knowledge-intensive flows (Manyika et al. 2016, 1).

Nowadays, digitalization has become a popular buzzword throughout the globe. We are experiencing a shift in our lives from both economic and social aspects in this current phase of globalization (Kovács 2017a, 823, Kovács 2017b, 971, Manyika et al. 2016, 1). Digitalization triggered a worldwide phenomenon, commonly referred to as the Fourth Industrial Revolution. This revolution is characterized by technology-oriented solutions in all industries, the dependence on data flow and the crucial presence of communication networks (Kovács 2017a, 825).

We are surrounded by a smart environment in which people are always connected to the Internet via smart devices (Yoon 2017, 75). With this, our existence is present in the material and virtual world simultaneously, which is a radical change in the world (Schwab 2017, 1). The definition of geographical proximity, consumer behaviors, strategic visions, legal regulations, mainstream concepts need to be reevaluated, as change is rapid, like never before (Lengyel 2009, 14). A transition in how we think about the structure of economy, society and the status of environment and policies is necessary. The flow of capital, human resource and technology has reached a next level (TWB 2002, 3). We are also more connected and networks around the globe have become more complex (Lee and Vivarelli 2006, 2). Meanwhile, the national economies have a decreasing potential, while the role of regions, cities, individuals is continuously increasing (Lengyel 2010, 55). With all of these facts taken into account, we can establish that digitalization is a transformative process (OECD 2017, 3).

Our economy and society are difficult to be imagined without a supportive digital environment as it currently highly relies and builds on the solutions and opportunities brought by digitalization (Piccinini et al. 2016, 55). Technology, a fundamental driver of efficient operation has also become a trigger for novel innovation and a basis of disruption as well (WEF 2016a, 3). Through this potential disruptive impact, several challenges need to be addressed on a global scale. From the perspective of economic actors, a crucial challenge is to understand the changing needs of their customers and how they communicate with them. The traditional paradigm of companies providing either products or services is ultimately challenged. Customers expect to gain personalized, relevant experience beyond this traditional paradigm with the help
of technology. Customers increasingly prefer to be able to rapidly access products and/or services if required, rather than being owners in the long-run (WEF 2016a, 4). With the revealed opportunities granted by digitalization and solutions provided by technology, new challenges also rise, as we are entering a domain that remains mostly unexplored by mankind.

2. Regional Competitiveness in the 21st Century

The concept of regional competitiveness is a highly debated topic among academics, policymakers, consultants, politicians, planning experts and actors of economy (Dijkstra, Annoni and Kozovska 2011, 3, UN-HABITAT 2013, 7). It is also one of the most discussed topics of today (UN-HABITAT 2013, 1). The interpretations of regional competitiveness can be grouped into two main categories (Huggins et al. 2014, 256). Through the interpretation of the first group, competitiveness cannot be defined in case of territorial units, it can be recognized only in the case of enterprises. Those who agree with this statement, competitiveness is only discussed on a microeconomic level (Lengyel 2010, 101). Through the interpretation of the second group, competitiveness is a valid definition related to territorial units as well. The popularity of the concept has risen by the fact that by globalization, nations, regions, cities also compete on a global level for resources, capital or talent, as enterprises do. This latter group claims that competitiveness can be interpreted on micro- and macroeconomic levels as well (Lengyel 2010, 104). In this paper, the idea of competitiveness is recognized both on micro and macro levels.

There are numerous ways to define competitiveness. The standard definition is the following: “competitiveness is defined as the ability of a region to generate, while being exposed to external competition, relatively high income and employment levels. In other words, for a region to be competitive, it is important to ensure both quality and quantity of jobs” (EC 1999, 10).

Based on the definition of Annoni, Dijkstra and Gargano (2017, 2), “regional competitiveness is the ability of a region to offer an attractive and sustainable environment for firms and residents to live and work”.

Based on the definition of WEF (2016b, 4) “competitiveness as the set of institutions, policies, and factors that determine the level of productivity of an economy, which in turn sets the level of prosperity that the country can achieve”.

We can see that these definitions focus on productivity, high levels of income and employment and the presence of attractive and sustainable economic and social
environments, hence competitiveness is more than a single dimension, it is to be interpreted as a set of hard and soft dimensions that are interconnected with each other (Lengyel and Rechnitzer 2013, 422, Huggins et al. 2014, 256). It is also important to highlight that competitiveness is an ability and not a condition.

With digitalization gaining more dominance with every day, it was inevitable to embed competitiveness in a digital context. The IMD (2017, 19) has come up with a definition of digital competitiveness, which “is defined as the capacity of an economy to adopt and explore digital technologies leading to the transformation in government practices, business models and society in general. In this way, firms increase the opportunities to strengthen future value creation”. This definition also focuses on interpreting competitiveness as an ability and also incorporates the significance of adaptation skills in a future-oriented manner. This reevaluation was necessary as economy and society both experience dynamic changes and disruptions at the same time. Digitalization needs to be taken into account to be able to measure the adaptation of new technological solutions. These solutions can contribute in a valuable way to increase productivity and the overall quality of life (IMD 2017, 18-19).

The main framework of the IMD World Digital Competitiveness Ranking consists of 3 key factors: knowledge, technology and future readiness (IMD 2017, 20). The first factor, knowledge consists of 3 sub-factors: talent, training and education and scientific concentration. From the aspect of the knowledge factor, the creation, dissemination and practical implementation of knowledge are key determinants of competitiveness. The creation and maintenance of a valuable talent pool is crucial as well as the establishment of digital strategies. The knowledge factor represents the inevitable infrastructure that serves as a basis for digital change, academic and professional exploration (IMD 2017, 20).

The second factor, technology consists of 3 sub-factors as well, these are: regulatory framework, capital and technological framework. From this point of view, an open, enabling legal, political and regulatory framework acts as a foundation to create an accessible flow of ideas and innovations. It is also key that the industry also acts as drivers of change though innovation and investment in the future (IMD 2017, 20). The third factor, future readiness is built up of 3 sub-factors: adaptive attitudes, business agility, IT concentration. This factor considers, how the uncertainties of technological change affect the attitudes and behavioral patterns of economy and society. Future readiness is flexibility and agility in a changing global environment (IMD 2017, 21).

It is an accepted concept that advanced regional transport systems positively contribute to the agile operation of regions and cities, as transportation (Kiel, Smith and Ubbels 2014, 81). The high-level state of these transport systems is necessary for the
flow of goods, services and people, so in an indirect way, they have an effect on the competitiveness of the territorial unit (EC 2017a, 6). This is why it is important to highlight and reflect on the new opportunities and challenges related to urban mobility.

3. The Future of Urban Mobility

Urban transportation and mobility are popular research topics of today, as this industry faces rapid and dynamic changes on a daily basis due to digitalization. The expectations and opportunities residing in this industry are huge, however there are numerous concerns, challenges that need to be addressed and consumer behaviors that need to be mapped in order to maximize the potential of the transportation sector (Piccinini et al. 2016, 63). Urban mobility is an important factor in most territorial units’ everyday lives, as it is an enabler of access to either resources or destinations (Piccinini et al. 2016, 55). The integration of digital technologies into mobility solutions is expected to partially or fully solve current problems while being aligned with megatrends of urbanization, consumer behavior changes and sustainability (Piccinini et al. 2016, 55-56). Benevolo, Dameri and D’Auria (2016, 15-16) lists a number of challenges regarding urban mobility, which can be viewed as challenges as well:

- reducing pollution,
- reducing traffic congestion,
- increasing people safety,
- reducing noise pollution,
- improving transfer speed,
- reducing transfer costs.

The planned reduction of environmental, safety and congestion problems will be realized through new sensor and connectivity solutions, information exchange systems. By implementing this, vehicles will also become smart devices that will be able to communicate with each other and will be able to process and analyze data of their surrounding environment swiftly (Piccinini et al. 2016, 56).

Litman (2017, 6) emphasizes that the target objective is to increase the accessibility in urban areas. He defines accessibility as “the ease of reaching goods, services, activities and destinations, which together are called opportunities. It can be defined as the potential for interaction and exchange” (Litman 2017, 6). Based on this idea, we can state that contemporary mobility is a multidimensional concept. It consists of vehicle technology
solutions, as these are fundamental from the aspect of travel. It consists of intelligent communication systems, as connected vehicles gather and analyze real-time data flows from their environment in order to make optimal and efficient choices. Offering new services and business models are also integral parts, as consumer behaviors are in a transitionary phase. Ridesharing, bikesharing even through mobile applications is a more and more common thing. These new solutions contribute to making the transport system broader and easily accessible for consumers (Jeekel 2017, 4305). The existing paradigm is shifting from products themselves to mobility as a service (MaaS) (Goodall et al. 2017, 114).

Digitalization is surely forming the stage of urban mobility. The overall goal is to create a system of travel experience that is smooth, cost-effective, punctual and safer than current transportation systems (Piccinini et al. 2016, 55). However, new challenges have risen that need to be solved. These challenges can be grouped into several categories. Challenges related to regulations and government relate to the permissiveness of legislations regarding the introduction of new types of mobility services. Challenges are present regarding social attitudes as well. Conditions of ownership, safety need to be strengthened so the growth and framework of sharing economy can be solidified. Challenges arise from technology development as well, as early results of testing new types of transport directly influence how the market will change in the future. This affects future investments and the attitude of stakeholders. Threats also appear when it comes to cybersecurity and the protection of data. The establishment of renewed, contemporary communication standards and protocols is necessary, and personal information that can be used for identification needs to be protected (Corwin et al. 2015).

Conclusions

Nowadays, digitalization a key driver of change from an economic and social perspective. With the spread of technology-related solutions, our society is more connected globally than ever before. We currently experience a significant transition in the structure of industries, consumer behavior and how we collect and manage data. Due to this, a shift in mindset is required. We need to reexamine the key factors that drive competitiveness, in order to be prepared fast and disruptive shifts in our lives. The aim of the paper was to systematize the key connections between digitalization, mobility and regional competitiveness, while mapping potential challenges in the topic as well. We are in complex environment, where there are a lot of uncertainties
related to industrial disruption and change and there is a need for testing possible future mobility scenarios. The possible opportunities and threats need to be debated on an academic, industrial and governmental level as well. In the age of digitalization and there is a need for a multidisciplinary discussion on the future of our economy and society on a global level. This study serves as a basis for a broader future research and identifies how digitalization, competitiveness and mobility are connected in a complex and interactive way.

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A Critique on the Social Justice Perspectives in the Works of Friedrich A. Hayek

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ABSTRACT: Given that the academic work of Friedrich Hayek has received eminent accolades (including the 1974 Nobel Memorial Prize in Economics Sciences) and has been well recognised and widely referenced, this paper reviews the denial of the concept of social justice in many of the academic economic theory papers written by the renowned British-Austrian economist. The paper therefore effectively provides a critical analysis of some of Hayek’s socio-political and economic theories relating to this issue. It attempts to do this by adopting the perspective of an objective and analytical economist with reference to and by examining the content of three of Hayek’s well known economic texts, namely The Road to Serfdom (1944); Law, Legislation and Liberty (1973-79) and the Fatal Conceit Conceit: The Errors of Socialism (1988).

KEYWORDS: social justice, economics, Friedrich Hayek

1. Introduction

Friedrich August von Hayek (who was also commonly referred to as F.A. Hayek) was an Austrian-British economist and was well known for his staunch defence of classical liberalism (Birner and van Rip 1994). Hayek was born in Vienna, Austria in 1899 and the majority of his perspectives were derived from theories and philosophies from the Austrian School of Economics (Birner and van Rip 1994).
The primary basis of the Austrian School of Economic Thought is centred around the concept of methodological individualism which entails the ideology that the motivations and actions of individuals drive social phenomenon (Boettke and Leeson 2003). The origins of the Austrian School of Economic Thought began in Vienna during the late-19th and early-20th century and was largely developed through the work of Carl Menger, Friedrich von Wieser and Eugen Bohm von Bawerk (Shumpeter 1996).

In theoretical terms the Austrian school of economics promotes liberalism and laissez-faire-economic ideologies which are premised by the notion that there is optimal economic performance when government interference in economic transactions and activity is limited and minimised (Meijer 1995).

2. The Road to Serfdom

In this book written by Hayek between 1940 and 1943, he critically attacks many theories supporting socialism through attempting to provide evidence that socialist concepts are factually incorrect and that the foundational principles underpinning socialist ideologies are also false and unrealistic. In fact, one central theme of ‘The Road to Serfdom’ relates to Hayek’s core belief that government control and involvement in economic decision-making through central planning inevitably and dangerously promotes the emergence and dominant prevalence of tyranny and totalitarianism (Ebeling 1999).

‘The Road to Serfdom’ was published in 1944 and was to be the second volume of Hayek’s treatise titled ‘The Abuse and Decline of Reason’ (Chester 1946). Through the text, Hayek outlines how an oppressive society in which citizens have lost their freedom results when principles supporting classical liberalism and individualism are not supported or allowed to exist which can then promote tyranny and allow for the emergence and dominance of dictatorships, as well as the serfdom of individuals (Hayek 1994).

The text has been credited for popularising and helping to provide evidence to validate the implementation of theories promoting market libertarianism (Ebenstein 2003). In addition through ‘The Road to Serfdom,’ Hayek argues that centralised planning enables the preferences of a small minority of people to be prioritised and imposed which is comprehensively undemocratic and impinging on the freedoms of individuals.
because for example, it removes money and property from individuals achieve and pursue centralised objectives and outcomes (Hayek 1994).

This paper highlights how although “The Road to Serfdom” doesn’t provide an in-depth critique on the theory of “social justice”, the text does outline some arguments on the concept that are incorporated in some of Hayek’s later written works. Accordingly, Hayek proposed that it wasn’t possible to develop detailed definitions for social utility functions. This was due to Hayek’s view that in modern societies individuals have varying preferences with regard to their likes and dislikes. Such conditions are therefore not conducive for the formulation of a well defined social utility function. This is thus provided as an explanation as to why Hayek believed a well defined social utility function couldn’t exist in advanced societies but may be more prevalent in less developed societies. The underlying notion premising this being that more members of a “primitive” society were more likely to have a similar ordering of their like and dislike preferences as a direct result of conformity with implicit taboos or strong coercion.

It is also highlighted that Hayek’s reluctance to support the concept of there being a need for “social justice” derived from his insistence that the knowledge possessed by individuals within modern, open societies is fundamentally local, meaning that they have limited, if any understanding of the preferences of others. This point seems to be based on the central notion that the diverse and varied preferences of a large number of members belonging to a specific communal group or society are unlikely to be known by any single mind, thereby making it rather impossible to develop a social utility function.

The paper continues with its analysis of Hayek’s critique of “social justice” by discussing his perspectives on the ideas of a “fair wage” and “just price”. This is said to be covered in Chapter Eight of “The Road to Serfdom”. According to Hayek, what most people refer to as “fair wage” or “just price” is generally either the wage that would exist in the absence of monopolistic exploitation, the return which people in the past had come to expect to receive or was the customary price or wage. He expanded further by saying that the development of customary wages often brought about by the state of the economy being rather stationary was largely incompatible with the dynamic nature of most capitalist societies. Hayek believed that it wasn’t necessary for wages to derive from “monopolistic exploitation”. He also emphasised that fluctuating wages can help in facilitating social improvements within capitalist economies, despite the fact that they aren’t always equitable.

In this respect, it can be rationally identified that Hayek made reference to the reality that workers are often vulnerable to the dynamic conditions of their relevant labour market. Consequently according to Hayek, the wages that workers earn doesn’t always
correspond to their individual efforts, despite this being the predominant trend. This is exemplified by how swift fluctuations in demand can displace specialised workers who have made significant investments in the development of specific competencies and skills sets (Chester 1946).

3. Law, Legislation and Liberty

The ‘Law, Legislation and Liberty’ was written by Hayek in 1973 and contained three volumes including ‘Rules and Order’ (Volume 1), ‘The Mirage of Social Justice’ (Volume 2) and ‘The Political Order of a Free People (Volume 3). Through the text Hayek proceeds to build on and develop further the economic and philosophical concepts that he first discussed in some of his earlier works including ‘The Road to Serfdom’ (Friedman 1998).

In ‘Law, Legislation and Liberty’ Hayek asserts further support for free market ideologies and argues strongly for the protection of individual liberty of citizens. In addition, Hayek proclaims that instead of being a passive actor the role of the state (namely governments) should be to protect the practices and the norms of a free and ordered society (Hayek 1976). Hayek also discusses in the text that social institutions are purposefully instituted products of preferred and deliberate design. He further asserts that social institutions can often be associated with either of two distinct forms of order, namely spontaneous order and a created order (an organised organisation).

Within the second volume of ‘Law, Legislation and Liberty’, subtitled ‘The Mirage of Social Justice’ Hayek discusses the issue of “social justice” further. In this, Hayek asserts that the conceptual framework associated with “social justice” is largely based on primitive perspectives of viewing social and natural phenomena (Hayek 1976). More explicitly he attacks what he denotes as the “primitive” notion that people deliberately act behind the scenes to attain certain results according to specific intentions they may have. He contends that the propagation of such false ideas leads to the wrong belief that unintentional and spontaneous outcomes within the market derive from deliberate actions taken. Hayek therefore dismisses the possibility that there could be any intentional ‘treatment of groups and individuals by society’ and argues that the responsibility for the organisation of the society falls on no-one. This denial of the concept that the “personification” of society was feasible, was a repeated theme in much of Hayek’s work.
Hayek also proposed that the inclusion of “social” as an adjective introduced ambiguity in relation to the terms that it was applied to. He clearly stated that the use of the adjective “social” such as when referring to the “social state of law”, the “social market economy” and “social justice” served no useful purpose and often induced confusion into arguments of political discourse. This stance means that what Hayek has outlined contradicts the work of many post World War Two West German scholars such as those from the Freiburg School, with whom Hayek shared similar perspectives on various economic policies as well as comparable views on capitalism (Ebenstein 2003).

4. The Fatal Conceit: The Errors of Socialism

Through “The Fatal Conceit Hayek: The Errors of Socialism” which was published in 1988, Hayek critiques the “social justice” perspective of those belonging to the middle left and left schools of political thought. Hayek achieves this by discussing some problematic interpretations of the concepts of “social justice” and “society”, as well as by critically analysing the use of “social” as an adjective in various phrases and terms. Specifically he presented 167 examples of how the inclusion of the adjective “social” changed the meaning of nouns that were associated with it.

In ‘The Fatal Conceit: The Errors of Socialism’, Hayek states that societal traditions which valued and placed appropriate emphasis and focus on private property contributed to further development, growth in trade and civilisations. In addition, it also led to the formation of an extended order and the eventual progression of modern capitalist structures and systems (Polyani and Stiglitz 1944). Hayek also attempts to highlight in ‘The Fatal Conceit Hayek: The Errors of Socialism’ the inaccuracy of the underlying belief of socialist thought that the greatest efficiency can only be achieved through purposefully designed modifications (Hayek 1991).

Furthermore, Hayek asserts that the need for dispersed knowledge in modern economies means socialist or statist economies can’t be efficient (Hayek 1991). In ‘The Fatal Conceit: The Errors of Socialism’ Hayek also outlines that because modern societal and economic processes including associated traditions and customs contributed to the current order and required for growth and continuation, major modifications to such processes that try to control it are destined not to be successful or effective because they are unsustainable and impractical for modern economic and social systems (Hayek 1991).

“The Fatal Conceit: The Errors of Socialism” reiterates the differences between Hayek’s perspectives and more Ordoliberal ideologies. The text also contains a more indepth
discussion on the “personification” of society. In addition, it serves to outline Hayek’s belief that the key to ensuring more productivity within a society is to secure more people with varying skills and abilities rather than simply promoting a larger population per se, although the former can still be attained through achieving population growth.

Another clear point that is made by Hayek through the text is that to solve the economic calculation problem, price signals are essential because they represent the only means to facilitate each economic decision maker to convey dispersed or tacit knowledge interchangeably to each other (Ebenstein 2003). In the ‘The Fatal Conceit: The Errors of Socialism’ Hayek therefore presents some his rationale for supporting free market economic policies and set outs his main arguments against socialism. So in summary, Hayek strongly asserts that socialism has been flawed from its beginnings and is wrong in a logical, factual and practical sense as evidenced by the extensive failure of many socialist principles in numerous examples across the world. Consequently one of the major conclusions of this piece of work by Hayek is the false belief propagated by socialist thinking and similar ideologies that “man is able to shape the world around him according to his wishes.” (Hayek 1991).

Conclusion

In terms of an overview, one predominant trend associated with Hayek’s work is that when Hayek focuses on the consistency and similarities between social and individual preferences, his arguments principally centre on issues associated with the plausibility of a social welfare function. It can also be reiterated that the economic concept that volatile demand factors determine the market price of final goods, forms the basis of Hayek’s economic argument which denies any correlation between the efforts exerted by workers and the wages they earn.

Some potential inconsistencies in Hayek’s arguments relating to the concept of “social justice” are thus highlighted. One of the major criticisms that can be put forward is that Hayek’s assertion relating to there being no evident link between the effort exerted and the reward attained isn’t always correct and maybe too simplistic to be applied to contemporary markets. To establish these points there appears evident examples where efforts are taken to acquire information in order to maximise returns, such as in the case of large firms who often carry out very thorough marketing activities and research to find out details about consumer preferences so that they can best cater to meet this demand.
Another problematic issue that is brought into focus is the invalidity of Hayek’s contention that within capitalist economies, outcomes eventuate due to the various decisions of numerous independent entities, all of whom act without having deliberate intentions in mind. The logical counter argument against this therefore includes the fact that in reality there are countless situations within markets where there are monopolists who have a dominant position and therefore can set wages or the price of a product, however they like.

The other inconsistency that was highlighted in the paper was the reluctance demonstrated by Hayek in his earlier works to make normative statements relating to what constitutes a good society. This was largely premised on his belief that it is unrealistic to assume that unanimous consensus could be reached as to what defines a society as being socially just. However as analysis of some of Hayek’s later works (e.g. ‘The Fatal Conceit: The Errors of Socialism’) shows, it appears Hayek contradicts his earlier stance by including normative assertions about social welfare. Examples provided include the higher importance Hayek affords to fertile women as opposed to women without children, along with the superior status allocated to Physicians compared to their patients.

References


An Investigation on the Perspectives of Parents on the Impact of the Western Teachers’ Values and Cultures on Developing their Children’s Character and Morality

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ABSTRACT: The purpose of this study was to investigate the impact of the Western teachers’ values and cultures on the Emirati students’ character and morality in the international schools that implement the British curriculum from the Emirati parents’ point of view. As this study followed a mixed method approach, a total of forty nine parents answered the questionnaire of the study in the quantitative part. While in the qualitative section, ten Emirati parents were interviewed in semi structured interviews to get deeper insights. Quantitative data suggested that the majority of parents believed that parents are the best teachers of character (mean of 1.55) and social skills are more important for their children than academic skills (mean of 1.73).

The qualitative data revealed that the UAE national students are influenced by the values and the cultures of their Western teachers in various ways. According to the Emirati parents, Western teachers who act as role models for their children have influenced their children positively as well as negatively. The results also demonstrated that there is an immense gap in the Western teachers’ knowledge about the UAE culture as their Western values and cultures are different from those in the UAE; therefore, this situation needs to be underlined to ensure that the Western teachers’ teaching and practices do not contradict what the Emirati students are expected to learn.

KEYWORDS: character, character education, Western teachers, values, culture
OMAR: An Investigation on the Perspectives of Parents

Introduction

Schools usually aim at providing students with good education, improving their academic success and having less behavior issues. Character education can be used as an effective tool to achieve those targets. It is worth noting that before defining character education, one should realize that it can be referred to, in different terms, such as moral reasoning, moral values education, religious education, civic education and the teaching of virtues. Conversely, it can be seen that educators and parents believe that it is crucial to educate children to adhere to the morals and values of their societies. Henceforth, one of the most important aims of schools is to develop children’s character, intellectually and morally through values-based atmosphere in order to be good moral members in their communities.

The current mixed methods study explored the opinions of the Emirati parents on the effect of the Western teachers’ perspectives and cultures on the Emirati students’ morality and character development. Basically, there exists a large percentage of Emirati children attending international schools that follow different international curricula, mixing with a variety of students from different backgrounds, different nationalities and different cultures. In addition, they are taught by Western teachers coming from various Western countries who are grounded in their own values and cultures. As a result of this situation, many questions begin to emerge that need to be answered;

a) Are the Emirati students in the international schools, directed by Western people, getting the right moral education and guidance?
b) What kind of values do the Western teachers teach them?
c) Do the Western teachers’ backgrounds and cultures influence the UAE youth’s morality?
d) To what extent do they influence the UAE children? Are the Western teachers’ effects positive or negative?
e) Do these teachers have sufficient awareness of the UAE culture, heritage and values?
f) Are all Western teachers good role models to be followed by the UAE national students?

The UAE leaders believe that education is a fundamental element for economic and social development; therefore, attention has been drawn to all issues related to education, mainly the students. On the other hand, as previously mentioned, the Arab’s perspectives on the Western culture vary from one to another, including the UAE society in which some of them encourage the Western cultures’ influence in general
and see it as a tool for development while others consider it as a threat to their own country’s values, heritage and culture (Mrabet 2000).

Currently, Emirati parents increasingly opt for international private schools, due to their good reputation. Moreover, fluency in English language is highly appreciated as it is one of the UAE market requirements as it is mainly the language of communication in most places of work. In international schools, teachers from the West are the majority with a small number of Arab teachers are hired to only teach three core subjects. All the rest of the subjects are directed toward the type of curriculum that schools follow. On the converse side, Emiratis are keen on raising their children in an Islamic Arabic school environment which unfortunately is not provided by most of the international schools. Interestingly, the Islamic Arabic values in the international schools are only taught through the three core subjects and the rest of other subjects are taught in English and directed toward the British curriculum.

The Role of Parents in Character/Moral Education

Although a teacher’s significant role in character education is paramount, the parents’ role is not of less importance. According to Henson (2001), “parents and teachers are united, but their roles are disjointed in the development of character” (p. 50). Since the number of children with behavioral problems and other attitude issues continues to be on the rise, character education is becoming a necessity (Brannon 2008, 59). However, the most profound effect on children’s character comes firstly from their families. Most of the disruptive behaviors such as bullying are affected or caused by the students’ family background, economic circumstances and lack of parental guidance (Barton 2004; Haycock 2006). Berkowitz and Bier (2005), emphasized that in order to develop the personality of a child, the role of his parents should be effective. It is believed that the major influence on children’s characters comes from the family and the surrounding environment including, social, behavioral, moral and even academic development (Berkowitz & Grych 1998; Lickona 1983). It can be seen that children develop their character through living in a loving and caring family that teaches them the core values, for example, the meaning of love through experiencing different types of love that they experience within their families.

Methodology

This study followed a mixed method approach in which the quantitative findings support the ideas of the qualitative part as they explain figures and implications that are produced quantitatively.
The Settings

Since the main aim of this research is to investigate the influence of Western teachers’ cultures on Emirati students’ character development from the perspectives of the Emirati parents, three British Schools in Abu Dhabi were sampled to collect the data required for this study. The targeted schools were K-12 schools, including kindergarten to grade twelve. The schools selected are broadly homogeneous as in addition to the local students; 60% of students were from different nationalities such as, American, British, Asian, French, Canadian and German.

The research instrument

The data of the mixed method study was collected from a variety of sources including, questionnaires and semi-structured interviews for 49 Emirati parents who have children in the international schools implementing the British curriculum.

The Parent’s Questionnaire (CEQ-P)

To determine the perceptions of parents towards the development of their children’s character, a written questionnaire was developed. This questionnaire is called the Character Education Questionnaire Parent (CEQ-P). This questionnaire was adapted from Mathison (1998), the (School as a Caring Community Profile (SCCP) developed by T. Lickona and M. Davidson (2003) and research by Milson and Mehlig (2003). CEQ-P contained 26 statements and a four point Likert Scale was used: important =1; somewhat important=2; not important=3; not sure=4.

The questionnaire investigated various components such as:

- What character traits the parents viewed as most important.
- The parents’ perceptions of CE in their children’s school. Parental support for the character and moral development of their children.
- The parents’ perceptions of their children’s teacher’s efficacy in teaching and modelling the right character.

A consent form was provided to the participants to sign before answering the questionnaire’s questions. The questionnaire was translated into Arabic to make it easier for the participant who did not understand English and to avoid any possible misconstruction.
**Semi Structured Interviews:**

The researcher interviewed 10 parents in semi structured interviews and asked them about their opinions with regards to the effects of the Western teachers’ backgrounds and cultures on their children’s character and morality.

**Data Analysis and Findings**

*Parents:* As concerned parents who participated in this survey, the gender distribution was fairly balanced with females accounting for 51% and males accounting for 49% as seen in Table 1.

<table>
<thead>
<tr>
<th>Gender</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>24</td>
<td>49%</td>
</tr>
<tr>
<td>Female</td>
<td>25</td>
<td>51%</td>
</tr>
<tr>
<td>Total</td>
<td>49</td>
<td>100.0</td>
</tr>
</tbody>
</table>

A significant majority of parents who participated in this study speak Arabic at home (87.8%) with only 12.8 per cent of them speaking English (see Table 2).

<table>
<thead>
<tr>
<th>Language</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arabic</td>
<td>43</td>
<td>87.8</td>
</tr>
<tr>
<td>English</td>
<td>6</td>
<td>12.2</td>
</tr>
<tr>
<td>Total</td>
<td>49</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Most of the parents who participated in this questionnaire were either mother or father representing 91.8 percent of all participants. Step mothers and fathers accounted for just 6.1 percent of parents who participated in the survey as in Table 3.

<table>
<thead>
<tr>
<th>Relationship</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mother/Father</td>
<td>45</td>
<td>91.8</td>
</tr>
<tr>
<td>Stepmother/Stepfather</td>
<td>3</td>
<td>6.1</td>
</tr>
<tr>
<td>Other</td>
<td>1</td>
<td>2.0</td>
</tr>
<tr>
<td>Total</td>
<td>49</td>
<td>100.0</td>
</tr>
</tbody>
</table>
In terms of parent’s education, the majority of parents had at least a college degree. This represented 53.1 percent of all participants. Parents with only high school level of education accounted for 22.4 per cent as seen in Table 4.

One of the sub-questions for this study was to evaluate Emirati parents’ perception of the influence of Western teachers. Incidentally, this paper evaluated the extent to which parents considered character traits to be important to their children, their role in character education, what they consider to be the role of teachers’ in students’ character education, and the role of the larger environment in the in the education of character.

In the second part of the questionnaire, parents were asked to respond to a number of statements on a 5 point Likert scale. Items 14 and 15 were recorded to make these positive. Principal Components Factor Analysis with an oblimin rotation revealed 2 factors accounting for 56.27% of the total variance. The loadings of the items are shown in Table 5. Reliability analyses were performed on the items as shown in the above table. An initial Cronbach alpha of 0.39 was obtained on the “Me” scale. Items 17, 26, 10 and 13 were removed to obtain an alpha of 0.64. The remaining items were summed to create a scale called “Me”. An initial Cronbach alpha of 0.29 was obtained in the school scale. Items 25 and 22 were removed to obtain an alpha of 0.62. The remaining items were summed to create a scale called “School”.

### Table 4: Level of Parent’s Education

<table>
<thead>
<tr>
<th>Level of education</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than High school</td>
<td>7</td>
<td>14.3</td>
</tr>
<tr>
<td>High school</td>
<td>11</td>
<td>22.4</td>
</tr>
<tr>
<td>College degree</td>
<td>26</td>
<td>53.1</td>
</tr>
<tr>
<td>Masters</td>
<td>3</td>
<td>6.1</td>
</tr>
<tr>
<td>Others</td>
<td>2</td>
<td>4.1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>49</strong></td>
<td><strong>100.0</strong></td>
</tr>
</tbody>
</table>

### Table 5: PCA loading of items onto two factors (parents)

<table>
<thead>
<tr>
<th>Factor 1 “Me”</th>
<th>Factor 2 “School”</th>
</tr>
</thead>
<tbody>
<tr>
<td>6. Parents are the most important teachers for character development</td>
<td>11. I leave the moral education of my children to the Islamic Studies teacher.</td>
</tr>
</tbody>
</table>
7. I believe social skills are more important than academic skills
8. I teach my children to respect all people.
9. I tell my children, “If someone hits you, you may hit them back.”
10. My family sits together to eat dinner and talk three or more times each week
11. I think children imitate what they see on television.
12. I am able to control my children’s behavior
13. I encourage my children to be tough. I think it is important.
14. My children are having trouble getting along with other children.
15. My children often get into fights with other children.
17. I model the character traits I want my children to have.
18. I believe children need character education in school.
19. I think learning about good character (such as respect and responsibility) will improve my children’s grades.
20. Parents participated (or would likely) participate in character education training activities.
21. Teachers in this school model the character traits (like respect and caring) they want the children to learn.
22. When I walk into my children’s school, it feels inviting and safe.
23. Teachers in this school seem to like each other and help each other.
24. Teachers in this school show respect for the parents.
25. Teachers in this school show respect for the parents.
26. I volunteer at my children’s school.

### Preference of Traits

The extent to which parents considered the importance of certain traits to their children were evaluated. The following Likert scale was used to calibrate responses: 1-Important, 2- Somehow important, 3-Not important, 4-Not Sure.

Table 6 below shows the extent to which parents considered the above character traits to be important. As expected, a majority of the parents considered most of the above character traits as either very important or important (with means of 1.2 or less). There were several exceptions though with character traits such as caring (with means of 1.10), integrity (with means of 1.24), hope (with means of 1.18) and justice with means of 1.12) registering as ‘not important’ and or ‘not sure’ by a small minority of parents.
Table 6: The importance of traits according to parent

<table>
<thead>
<tr>
<th>Trait</th>
<th>Mean</th>
<th>SD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caring</td>
<td>1.10</td>
<td>0.368</td>
</tr>
<tr>
<td>Empathy</td>
<td>1.20</td>
<td>0.41</td>
</tr>
<tr>
<td>Honesty</td>
<td>1.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Kindness</td>
<td>1.22</td>
<td>0.42</td>
</tr>
<tr>
<td>Perseverance</td>
<td>1.08</td>
<td>0.28</td>
</tr>
<tr>
<td>Respect</td>
<td>1.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Humility</td>
<td>1.06</td>
<td>0.24</td>
</tr>
<tr>
<td>Citizenship</td>
<td>1.04</td>
<td>0.20</td>
</tr>
<tr>
<td>Fairness</td>
<td>1.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Integrity</td>
<td>1.24</td>
<td>0.66</td>
</tr>
<tr>
<td>Love</td>
<td>1.102</td>
<td>0.31</td>
</tr>
<tr>
<td>Self-control</td>
<td>1.18</td>
<td>0.39</td>
</tr>
<tr>
<td>Obedience</td>
<td>1.08</td>
<td>0.28</td>
</tr>
<tr>
<td>Courage</td>
<td>1.10</td>
<td>0.31</td>
</tr>
<tr>
<td>Hope</td>
<td>1.18</td>
<td>0.63</td>
</tr>
<tr>
<td>Justice</td>
<td>1.12</td>
<td>0.60</td>
</tr>
<tr>
<td>Loyalty</td>
<td>1.8</td>
<td>0.28</td>
</tr>
<tr>
<td>Responsibility</td>
<td>1.04</td>
<td>0.20</td>
</tr>
<tr>
<td>Tolerance</td>
<td>1.08</td>
<td>0.28</td>
</tr>
<tr>
<td>Trustworthy</td>
<td>1.08</td>
<td>0.28</td>
</tr>
</tbody>
</table>

Parents and Character Education

Table 6 below displays how parents perceive their role in the process of character education. The questionnaire was coded as follows: 1-Important, 2-Somewhat Important, 3-Not Important, 4- Unsure; therefore, the lower the mean the higher the level of parental agreement to the statement and the extent to which it is considered
important. The majority of parents were of the opinion that: parents are the best teachers of character (mean of 1.55), social skills are more important than academic skills (1.73). Majority of them also teach their children how to respect their peers and adults With regards to other variables, there was generally a moderate level of agreement and attachment of importance. Families converging together in the family house was moderate at (1.94); similarly, ability to control children’s behavior (1.88) and teachers being able to model character generally received average agreement from parents. The majority of parents disagreed with the idea that they taught children how to revenge (2.90). The same was also recorded for variables such as: children having trouble with other children (2.61) and children getting into fights (3.10). Similarly, majority of parents also disagreed with the notion that they taught their children to be threatening (3.06) or even smacked their children (2.59). They also disagreed with the idea of leaving the teaching of morality only for Islamic studies (2.92) as in Table 7.

### Table 7: Parents Character education

<table>
<thead>
<tr>
<th></th>
<th>Mean</th>
<th>Std. Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parents are most important teachers of character</td>
<td>1.55</td>
<td>0.50</td>
</tr>
<tr>
<td>Social skills more important than academic</td>
<td>1.73</td>
<td>0.91</td>
</tr>
<tr>
<td>Teach children respect</td>
<td>1.65</td>
<td>0.48</td>
</tr>
<tr>
<td>If anyone hits you hit him back</td>
<td>2.90</td>
<td>1.04</td>
</tr>
<tr>
<td>Family sits together to eat</td>
<td>1.94</td>
<td>0.77</td>
</tr>
<tr>
<td>Leave moral to Islamic studies</td>
<td>2.92</td>
<td>0.84</td>
</tr>
<tr>
<td>Children imitate television</td>
<td>1.79</td>
<td>1.15</td>
</tr>
<tr>
<td>Able to control children behavior</td>
<td>1.88</td>
<td>1.18</td>
</tr>
<tr>
<td>Children have trouble with others</td>
<td>2.61</td>
<td>1.15</td>
</tr>
<tr>
<td>Children get into fights</td>
<td>3.10</td>
<td>1.08</td>
</tr>
<tr>
<td>Encourage children to be tough</td>
<td>3.06</td>
<td>0.97</td>
</tr>
<tr>
<td>Spank children</td>
<td>2.59</td>
<td>1.31</td>
</tr>
<tr>
<td>I model character</td>
<td>1.69</td>
<td>0.80</td>
</tr>
<tr>
<td>Children need character education</td>
<td>1.80</td>
<td>0.96</td>
</tr>
<tr>
<td>Character educ. Improves grades</td>
<td>1.46</td>
<td>0.50</td>
</tr>
</tbody>
</table>
Parents participate in character training | 1.41 | 0.50
Teachers model good character | 1.91 | 1.75
Children school feels safe and inviting | 1.63 | 0.93
Teachers like each other | 1.51 | 0.87
Teachers show respect for parents | 1.41 | 0.50
I volunteer at my child’s school | 1.88 | 1.42

The Interviews

Ten parents of students studying in the three sample schools were interviewed to investigate their perceptions on the Western teachers’ impact on their children’s morality. The interviewees’ responses and perspectives were classified into three categories; parents’ perceptions on the school’s effectiveness, their perception of the teachers’ role in developing their children’s character and their role as parents in enhancing their children’s morality and good character.

Summary of the Findings

The research question aimed at the parents’ perceptions on the influence of the teachers from the West on their children’s morality and character development. Forty parents agreed that they have the biggest role in developing their children’s character; this opinion supports the quantitative result which showed that most of them supported the opinion that parents are the best teachers of character (mean of 1.55). Parents were in congruence that teachers’ values and background have a major influence on students’ morality and character development. Furthermore, they expressed their discontent of the fact that their children are gradually westernized as a result of the teachers’ impact; therefore, for the parents, some of the teachers from the West could not be considered the right role models for their children.

A Thematic Discussion of the Major Findings

A thematic discussion of the research findings was conducted to explore the perspectives of the Emirati parents on the impact of the Western teachers on the Emirati children in the international schools.
• **Emirati Parents Perceptions of the Influence of the Western Teachers on Children’s Character**

The discussion of the findings pertinent to parents’ perspectives was addressed from two aspects; the first one is the positive effect resulted from the positive influence of the Western teachers’ values on their children and the second is the negative influence. Through answering the parents’ questionnaires, the question that stated that, “teachers are able to model character” generally received an average agreement from parents. On the other hand, findings of the analyses of the interviews showed that three parents expressed their satisfaction toward the Western teachers’ positive effect on their children. They believed that their children had gained good values and morals as a result of their influence; such as respect, responsibility, and self-discipline, which are highly required in any society. Therefore, they became better individuals with superior qualities.

On the other hand, seven participants were unhappy with the Western teachers being their children's role models because their perception was that these teachers had different values and dissimilar cultures to what they have in the UAE. These parents were very adamant and simply believed that teachers from the West could not understand that the local Emirati culture since it is different from the Western culture. This finding is supported by Ladson-Billings’ (1994) study in which this author found that teachers who do not have cultural awareness usually deal with all students as if they are all the same, ignoring their cultural differences, so they do not consider cultural sensitivity as an important component of their job as teachers.

• **Parents’ Role in Students’ Moral /Character-Building**

In terms of the parents’ role in helping their children build and develop good character, the results of the study revealed that the way of living is changing gradually; therefore, most of the parents do not spend enough time with their children. Due to the fact that parents are busy in their work, they do not sit down as a family to eat with their children family more than two to three times a week. This situation indicates that the time that parents provide their children with guidance and supervision is inadequate.

In this study, findings gleaned from the analyzed data revealed that children spend a lot of time watching television (TV) and playing computer games instead of spending their time with parents. This, unfortunately, leads to a discord between children and families. Parents should pay additional consideration to this important matter and they should not forget that they are the first educators and the first role models of their children; hence, they have to spend ample time with their children to provide
guidance and supervision. The findings of the parents’ questionnaires revealed that 41 parents believe that they are the best teachers of character, with a mean of (1.55), as they believe that social skills are more important than academic skills (1.73). Similarly, it was also revealed that the parents’ ability to control their children’s behavior is moderate at (1.87). Conversely, there seems to be a contradiction between what the teachers said and what the parents said. Teachers claimed that for cultural reasons, parents teach their children to hit back if they are struck, while 44 of parents disagreed with the idea that they teach children revenge, at (2.90).

Findings of the study also revealed that the parents were unhappy with the fact that they sometimes feel completely ignored from their children’s schools; therefore, they cannot be involved in their children’s school’s activities. Taking into consideration the importance of having a solid relationship between teachers and parents, schools should discuss issues related to children’s development with the parents. Schools and parents should draw a shared vision of working on certain ethical values collectively, to help students reinforce positive character. In fact, there is an agreement among all of them that these schools do not provide them with adequate opportunities to be involved in school’s activities that help in fostering positive character among their children; they believe that the problem of the lack of communication between the school and the parents can be solved if schools pay enough attention to translating the school’s letters and news into Arabic.

**Implications for Practice**

Parents believe that not all teachers from the West can act as good role models for their children. Therefore, they have suggested that teachers should receive continuous induction and orientation on the Emirati culture, so their acts do not contradict the UAE values. There is a lack of parental involvement in their children’s school life. Thus, parents’ should be more engaged in activities arranged for their children. They should cooperate with the teachers to promote children’s character in a positive way.
References


Prospective Teachers’ Perceptions: 
A Critical Literacy Framework

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ABSTRACT: The education of Aboriginal youth is, in some respects, in crisis. Aboriginal communities in Ontario (Canada) are as a group currently experiencing marginalization within the education system. As such it is imperative that efforts be made to better understand the system to improve the success rate for Aboriginal youth. The Ontario First Nation, Métis and Inuit Education Policy Framework (2007) has committed to “improve achievement among First Nation, Métis and Inuit students and to close the gap between Aboriginal and non-Aboriginal students” (5). English and Language Arts teachers (K to 12) are compelled to consider how the policy discourse of the 2007 Aboriginal Policy Framework implicates upon the socio-political and socio-historical currency of literacy in their instruction. Consequently, this qualitative study examined one component of a large-scale project, in the tradition of grounded theory, including the implications of Aboriginal education policy discourse on literacy instruction as it applies to over 200 prospective teachers enrolled in a Teacher Education Program in Ontario, Canada. Participants identified two themes that they believed Aboriginal students would find most challenging, including: (i) tension with provincial curriculum and, (ii) feelings of misrepresentation.

KEYWORDS: Aboriginal students, critical literacy, education policy
1. Introduction

The education of Aboriginal youth is, in some respects, in crisis. Aboriginal communities in Ontario (Canada) are as a group currently experiencing marginalization within the education system. As such it is imperative that efforts be made to better understand the system to improve the success rate for Aboriginal youth (Cherubini 2010; 2014). The Ontario First Nation, Métis and Inuit Education Policy Framework (2007) has committed the Ministry to serving the needs of this quickly growing population. As identified in its Framework (2007), the Ministry of Education will work to “improve achievement among First Nation, Métis and Inuit students and to close the gap between Aboriginal and non-Aboriginal students” (p.5). The policy Framework recognizes that Aboriginal epistemologies reflect traditional knowledges and values (Kavanagh 2005).

According to Aikenhead and Michell (2011), it is imperative that teachers demonstrate the ability to understand and incorporate learner-centered instruction in an Aboriginal context; in so doing, classroom teachers can include curriculum-related material that endorse and respect Aboriginal students’ community understanding over individual interest. There have been several educational reforms in Ontario focused specifically upon Aboriginal student engagement in public schools, particularly over the past thirty years. Yet, in many instances, Aboriginal students’ epistemic practices are not necessarily represented in the standardized provincial curriculum and their learning preferences and unique needs are generally not being addressed by the well-intentioned mainstream teachers in public schools.

For secondary school English and elementary school Language Arts teachers, it is particularly imperative to account for the Ministry of Education policy discourses related to Aboriginal education in Ontario in terms of the Aboriginal literature selected for their students and the pedagogical practice they employ to deliver the material. Significant to these considerations is the fact that Aboriginal content and literature have not held a prominent place in public school classrooms across Canada (Preston 2016). English and Language Arts teachers are compelled to consider how the policy discourse of the 2007 Aboriginal Policy Framework implicates upon the socio-political and socio-historical currency of literacy in their instruction. Literacy, in these terms, implies a more general understanding that recognizes the centrality of reading and writing, but also the other means that students perceive and make sense of information considering their circumstances and experiences.

Among those positioned to speak of Aboriginal students’ experiences in mainstream public schools are prospective teachers themselves who complete teaching-practicum
assignments in a variety of classrooms throughout their teacher education. Their collective interpretation and insight are often overlooked in the literature; in this instance, prospective teachers provided first their anticipated perceptions of the educational experiences of Aboriginal students and on perspectives related to critical literacy. The subsequent secondary phases of the same research study will focus on the same sample of study participants and examine their actual experiences in the classroom.

2. Methodology

This study examined the implications of Aboriginal education policy discourse on literacy instruction as it applies to over 200 prospective English and Language teachers enrolled in a Teacher Education Program in a mid-sized University located in southern Ontario, Canada. Participants were provided with a link to the consent form at the beginning of the electronic survey. They simply inferred their consent by agreeing to complete the questionnaire. Given that this was an anonymous questionnaire, participants’ completion and return of this survey indicated their consent to participant and thus no further personally identifying details were required.

The qualitative data was subjected to a systematic coding process in the tradition of grounded theory (Charmaz 2000; Cherubini 2007). Each qualitative response was considered a textual whole and examined as an independent text at first. Key words and phrases were further distinguished into more elaborate observations (Strauss & Corbin 1990; 1998). The text of each response was read and coded by theme. Patterns and codes between themes and within responses were factored (Creswell 1998). Descriptors distinguished the specific properties of each theme and were subsequently grouped to formulate preliminary categories. Categories were compared, and the respective relationships between categories were examined. In line with the description of process from Glaser and Strauss (1967), constant comparison further compared codes and categories for commonalities. The categories were modified and reconceptualized throughout the data analysis.

3. Findings and discussion

The presentation discusses one component of the large-scale study (electronic survey) that was administered prior to participants’ practice-teaching assignment; namely, prospective teachers’ perceptions in the context of Aboriginal education policy and
teaching practice that have implications for the literacy engagement of Aboriginal students. Prospective teachers identified two key themes that they believed the Aboriginal students in their classroom would find most challenging, including: (i) tension with provincial curriculum and, (ii) feelings of marginalization and misrepresentation.

3.1. Tension with provincial curriculum

In respect to the first theme participants expressed concern that, as one individual stated, Aboriginal students will struggle with “standardized testing and classroom accommodations” because these are not necessarily epistemically aligned to these students’ learning styles. A different participant noted their concern that Aboriginal students “will be facing issues of trying to relate to a curriculum that is not built for all cultures.” In these instances, and in others, participants noted that the Aboriginal students in their classrooms may be frustrated with a provincial curriculum that is reflective of a Eurocentric focus. They cited, time and again, how the “contradictive narratives” of the social science, history, and English curriculum could in fact be a barrier to Aboriginal student engagement. One participant stated that they worried that the Aboriginal students in their primary and junior classrooms (grades one to three) would be challenged by “conforming to the Westernized curriculum.” This is certainly an intriguing insight since there seems to be an inherent assumption that for students to succeed and successfully adapt to educational practices and expectations, they in turn are expected to conform. This may imply that from this beginning teacher’s perspective, and in the reflections of several others, student success is not so much focused upon their personal and intellectual development but more so on their ability to conform to a set of expectations that may not necessarily be aligned to their epistemologies.

A different research study participant stated that “the Aboriginal students will have difficulties connecting to the activities taught in my placement classroom because the Ontario curriculum supports Westernized culture and values…the curriculum is very set in Western culture.” Here too the prospective teacher positions the curriculum as this rigid body of knowledge that will be relatively inaccessible to Aboriginal students (see also, Neeganagwedgin 2013). The research participants were especially concerned with creating a learning environment whereby Aboriginal students may “not see themselves within the classroom or curriculum and not know where to go for help.” Aboriginal students are believed to have competing interests with the provincial curriculum, and as a result, will have difficulty seeing themselves in the cultural and
social fabric of their classrooms and schools – a finding that has been previously identified in the research literature (Cherubini 2014).

Consistently throughout the data, prospective teacher participants indicated their anxiety with having to resolve the differences between the curriculum they will address in their classrooms and the epistemologies and worldviews of Aboriginal students. While they also cited their recognition of the significance of developing the critical thinking capacities of all students, they nonetheless distinguished the provincial curriculum as a genuine obstacle in the development of Aboriginal student consciousness. Another individual wrote, “Aboriginal students will be faced with the challenge of analyzing and relating to literary works describing post-colonial life.” The research participants perceive the curriculum, and the theoretical lens assumed to complement the knowledge, as adversely impacting upon Aboriginal students’ ability to interpret the literary frames of reference presented in provincially-funded public schools.

3.2 Feelings of marginalization and misrepresentation

In terms of the second theme, most prospective teachers cited, like this participant, that Aboriginal students will have “difficulty finding representation of themselves in the materials used in class (like novels) as well as those teaching them (the educators).” Prospective teachers shared their apprehension that the Aboriginal students in their classrooms would struggle with “dealing with histories and lessons that are heavily influenced by western colonialism and western discourse.” The prospective teacher participants were uneasy with the possibility that Aboriginal students “might lack a sense of identity in a classroom that is filled with non-Aboriginal students,” and as another participant wrote, “I believe that they [Aboriginal students] will find the stereotyping and erasure of their history…the most challenging.” The prospective teachers are apprehensive about delivering a pedagogy and curriculum that does not intersect with Aboriginal students’ sense of self, and moreover, with their feelings of belonging in mainstream classrooms (see also Milne 2016).

There is some indication across research study participants’ perceptions that they are uneasy about addressing issues related to misrepresentation with respect; however, one might also suggest that such a respect borders on caution. One participant stated that Aboriginal students will struggle, particularly in circumstances where they are the visible minority in the classroom, with “having their history overlooked in discussions or having it misrepresented and simplified in a way that makes them feel unwanted and unimportant…seeing their stories being told by those who are not connected
to Indigenous communities.” The prospective teachers sense the disconnect that the Aboriginal students may experience in public school classrooms that marginalize their worldviews, traditions and knowledge. Another participant identified the challenge for Aboriginal students to feel “a sense of community” in public schools since, as they stated, there is “a lack of representation of their culture and history” across school communities. For these reasons, and several others related to this theme, the prospective teacher participants expressed their views that “stereotyping can be a major concern” for Aboriginal students (see Vetter & Blimkie 2011). They noted that even in instances when their intentions as student-teachers are genuine, there is the fear that they will misrepresent Aboriginal knowledges, customs and traditions and, as a result, marginalize the Aboriginal learners in the classroom. In this case, several study participants stated that they will only contribute to “the discrimination [directed at Aboriginal students] from other students from different cultures…. Alienation by the classroom and the school because they have not properly integrated other teaching styles that accommodate Aboriginal students.”

4. Conclusions

The results of this initial phase of the study point to the fact that the prospective teacher participants understand the place and proximity of public education policy as it relates to teaching and learning, and just as noteworthy, are nervous about enacting their literacy practice in the context of the policy objectives.

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Evolution of Educational Management and Its Impact on Society

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ABSTRACT: It is recognized that education is the field with the oldest history throughout the science perimeter. Education has been a special concern and a major concern for all social categories throughout history. The ultimate goal of education has been and remains to ensure the inner peace of man in all circumstances of life. Beyond the information received, man needs to know what to do and how to do in the context of a correct understanding of reality. The hope of people lies in the good education they provide to every citizen. Through this education, each person must be prepared to live a complete life and to be able to fulfill all the kinds of activities he needs in life. In this sense, it is very important for education to have clear objectives; without this objective, the whole educational process being inefficient. This article highlights the evolution of educational management over the course of history and its impact on society. At the same time, some recommendations will be presented for the effective use of the fantastic potential of the company.

KEYWORDS: management, education, evolution, society, school

The cumulative systematization of knowledge and experience has led in all fields, including education, to the emergence, formulation and consolidation of science. Scientific systematization induces coherence, rigor and structure, ensuring a better communication.
The main models of approach and interpretation in management science and their progressive outline over time, presented by O. Nicolescu (1993, 46-48), E. Mihuleac (1994, 161-168) and I. Petrescu (1993, 14-20), are:

“Classical School”: highlights the role of human resources in providing, organizing, deciding, coordinating, controlling activities, achieving higher returns, predominantly applied in the economic field. (The primary merit of the classical school is the substantial contribution to the shaping of management science, the delimitation of managerial and organizational functions and the development of scientific management principles).

“School of Functional Management”: outlines a system of knowledge, principles, and theories applicable to the achievement of managerial functions as essential dimensions but with the minimization of the human factor. (The advantages of this school are the rigorous division of tasks into compartments, which gives them autonomy. A disadvantage of this school is the underestimation of relations between compartments.)

“Empirical School”: is concerned with compliance with normality as a key to efficiency, profit growth, productivity, as well as management’s concern for objectives, decentralization, motivation, competitive climate. (Empirical management emerged with the division of labor and human livelihood in organized groups. The advantage of this school is that it is based on studying reality, successes and failures, offering the possibility of choosing a technique, methods in comparable situations. The disadvantage of this school is that, in the conditions of a changing environment, it has many risks).

“School of Human Relations”: puts in the center of leadership problem solving by using interpersonal relationships, group collaboration being a priority in relation to individual activity. (Representatives of this school have introduced behavioral elements in management theory in an integrating aspect. One of the basic theses of the School of Human Relations is the idea of a participatory system designed to replace the authoritarian management and control system developed by the classical school.)

“School of Social Systems”: insists on the role of subsystems in the organization, which are then integrated around objectives, decisions, the dominant role of communication networks, motivation, and continuous stimulation. (It treats relationships in terms of social relations. It is the dominant current in contemporary management theory).

“Behavioral System”: promotes the thesis of adapting people to the specifics of an organization and work, using psychological, sociological concepts and methods, emphasizing the role of organizing, coordinating, motivating / motivating, evaluating functions. (Through this school it is desired to train the personality to express through appropriate behavior within society).
“Quantitative School”: highlights contributions from other exact disciplines for the introduction of quantitative methods and techniques in the coordination and organization of the educational system. (This school is characterized by the rigorous approach to management phenomena and processes, by increasing the degree of substantiation of decisions using the mathematical and statistical tools. The essence of this school is the presumption that techniques and statistics can be used to improve managerial decision-making and problem-solving. The main merit of the quantitative school is to provide a substantiation of decisions and actions).

“Decision Theory School”: By using operational research, it reports management to the selection of several possible variants of a particular course of action. (The decision-making process consists of a series of distinct phases between which there is no simple, sequential relationship. At present, in the complex society in which we operate, characterized by the manifestation of a multitude of contradictory economic and social factors, the process of substantiation, implementing high-performance decisions - in all areas of activity and at all hierarchical levels - is an objective necessity.)

“School of Communication Systems”: sees the manager as a communications center to receive information, store, process and coordinate. (An advantage of this school is the promotion of modern communication methods. A disadvantage for this school is the risk of losing sight of material, human and financial resources.)

“Systemic Orientation”: describes management as a system of programs and methods of analysis to ensure high quality, with the interdisciplinary, analytical and synthetic explanation of processes and relationships, with the rational use of methods, languages, relationships. (This orientation is a synthesis of previous schools, being a result of increasing complexity. The basis of the ideas of this school is the concept of a system, which represents an ensemble of elements organized on the basis of interdependent links, whose functioning allows the achievement of some objectives).

“The Japanese Model”: Sums up more rules for achieving efficiency, performance: human-centered leadership and human relationships, emphasizing the role of training, culture, competence, value of people and their proper assessment, quality control. (With in this school, greater attention is paid, both at the company level and at the level of the organization of collectivism, to the detriment of individualism, which explains the important role of belonging to a community, a socio professional group, the cultivation of the resulting successful sentiment from joint activities, putting group interest sahead of the individual.)
“Modern Leadership School”: emphasizes as a priority idea the anchoring of managerial research in the field of concrete practice in order to provide managers with effective practical methods (Joita 2000, 19-20).

Regarding the evolution of the educational management, the specialists in the field distinguish several types of management, differentiated by the ability of the management acts to influence the educational process: linear, corrective, situational and investigative.

- **Linear management** is considered to be most appropriate for the activities of an educational unit, because the succession of the stages and their passing presents a very logical internal logic and an extremely precise temporal succession, dictated by the educational calendar. Within this type of management, the influence of the subjects is direct, the intermediate links are small or completely missing. Under such conditions, the means of process optimization are easy to mobilize, and the operating staff is largely highly qualified.

- **Corrective management** is also very important for the leadership of the school unit. Due to the large number of random factors influencing the results of the act and the educational process, there is a need for corrective measures at each stage. These are meant to optimize the interrelations in the educational process, which ensures the expected results.

- There is often a **situational management** in schools. School leadership is sometimes in the face of situations that they have not foreseen or that occurs unexpectedly. Thus, the manager is called upon to solve the problems that “cold” and may pose crisis situations.

- **Investigational management** implies a prospective attitude in the governing body of the school unit. This type of management is required at least in two situations: when circumstances call for a rapid research into the factors influencing the system, a situation followed by the need for an immediate decision; and when a broad foundation of a school decision is needed (Gherguț and Ceobanu 2008, 664).

In view of the above, one can say that the success and performance of a society depend on its education. Certainly this education means a lot of effort and it imposes many sacrifices.

Throughout history, each of the existing schools has contributed to the development of society, laying the foundations for contemporary management. The evolution of educational management therefore has a decisive role in changing society.
The school has been, is and will always be the environment in which the person involved in the educational process grows and educates properly for the requirements and the needs of society. School is the present and the future of the ever-changing society.

The priority action of the education system, as a component part of society, is to form man to be able to cope with real life. Therefore, Galina Martea (2013, 75) said: “Every man’s work must be seen as a value and an investment for himself and for the whole society.”

At a time when everything evolves rapidly, generating permanent changes, education must be an essential goal of society. In this respect, John Dewey (1907, 19-44) mentioned that: “An ideal school must reflect an ideal society.”

The level of development of a society depends to a large extent on capitalizing on human capital and investing in its development. Currently, school is the basic element that reflects the development of a society. The educational system, therefore directly highlights the level of living, culture and development of society.

In view of all this, the following must be taken into consideration:

- People’s integration into society is much easier and quicker when they are trusted.
- A person’s effectiveness depends more on the sense of responsibility and less on the control to which that person is subjected.
- Avoidance of uncertainty must be a constant of a society that is considered normal.
- As there is a fantastic potential to inform, educate and organize different activities within society, there is also a potentially harmful potential.

One can therefore notice a radical change in the way we communicate, how we inform, how we learn, how we negotiate, how we work. It all depends on how we use this fantastic potential we have.
References


Promoting EFL Learners’ Writing Skills through Assigned Tasks

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ABSTRACT: Writing as a work of art and a form of connection has become the framework of our world’s communication, business, job-opportunities, and foreign language education. In their early struggles with major skills, English as a Foreign Language (EFL) students describe the process of writing as problematic and complicated. Yet, throughout time as their academic tasks become more demanding and enquiring and with the assistance of their teachers, these language learners can become writing connoisseurs. This paper tried to explore if these students can overcome the writing difficulties by engaging in assigned activities. The data were collected through a case study carried out with third Year LMD students using questionnaires administered to the learners, informal interviews, discussion classes and assessment of students’ feedback from the assignments. Findings demonstrate that the suggested techniques have helped the learners’ promote their writing aptitudes and nourish their motivation to write in the target language.

KEYWORDS: EFL Students, assigned tasks, writing difficulties, improving the writing skills
1. Theoretical Scope

Writing as a major productive language skill is viewed as a strong means that allows the transmission of knowledge and ideas (Diamond 1999). Today, with the internet explosion, more communication is taking place in the written than in the spoken form, and developing good writing habits has become a must. In academic settings, EFL learners need to rely on writing to an unprecedented extent because they know that its mastery offers them massive merits such as becoming effective language learners, being equipped with teaching career readiness, and having access to the best salaried jobs, etc. This viewpoint is clearly illustrated by Glazier (1994, 3) who asserts “Being able to write in English is essential in college, and it probably will be an asset in your career.” Yet, it has been observed that standards for great writing among these EFL students have declined. Throughout time, as these learners approach the end of their training, this decline is getting steeper. This situation requires then, prompt actions to offer our students possibilities to improve their writing skills. This is well explained in Conley’s words (2007, 4):

“If we could institute only one change to make students more college ready, it should be to increase the amount and quality of writing students are expected to produce.”

Also, it should be acknowledged that being skilled at writing is very demanding and requires a lot of efforts, as claimed by Godfrey (2016,1):

“Writing well is not a natural gift but something that needs to be learnt and practised. You may struggle at first because the style and content of writing for university is new to you but you will improve steadily and may even start to enjoy it.”

To highlight the quality of academic writing, Godfrey (2016, 3) continues explaining:

“Successful writing is precise, clear and to the point. This means that you do need to use more formal vocabulary but not overly complex words or sentences.”

In EFL contexts, many learners describe the task of writing as an annoying exercise and uneasy situation, since they will be corrected and criticized by their teachers, as described by Hamp & Heasley (2006, 2):

“Few people write spontaneously and feel comfortable with a formal writing task intended for the eyes of someone else. When the “someone else” is the teacher,
whose eyes may be critical, and who indeed may assign an individual assessment to the written product, most people feel uncomfortable.”

Another issue faced by EFL learners in their written expression courses is the notion of time limit which is discussed by Chanderasegaran (2002, 14) as follows:

“A problem to be expected in the writing classroom is that some students take much longer than others to write the required parts of the essay. Many never finish their writing in class.”

Thus, successful writing requires hard work and intensive practise as contended by Lagan (2002, 14)

“Because writing is a skill, it makes sense that the more you practise writing, the better you will write.”

To help these students overcome their writing difficulties, this paper aims to provide some guidelines through a case study carried out in the department of English at the University of Oran 2 in Algeria and which presents some teaching techniques in the form of assigned tasks that have been developed into successful practice and effective writing. The strategy of assigned tasks undertaken in this research work is viewed as demanding and stimulating. It also helps students develop a much wider knowledge of the language and the topics dealt with, which can make them more autonomous and confident. In this sense, Shih (1986, 1) maintains:

“It is argued that such instruction develops thinking, researching, and writing skills needed for academic writing tasks and does more realistically than does traditional instruction.”

2. Problem Posing

This study attempts to meet the following objectives:

• Explore the current problems faced by 3rd year LMD students in their written expression classes
• Help these students overcome the writing difficulties
• Suggest some teaching techniques and put them into practice to encourage effective writing.
This research addressed the following basic research questions:

1. Can assigned tasks improve EFL learners’ writing abilities?
2. Can EFL learners’ writing motivation be increased through assigned tasks?

It is hypothesized that:

1. Crafting specific assigned activities can help EFL learners enhance their writing skills.
2. Developing useful assigned activities may raise the students’ interest and elevate their writing motivation.

3. Research Methodology

3.1. Participants
71 third year LMD EFL students from classes of approximately the same writing proficiency level (based from the students’ grades from the previous tests) at the department of English at the University of Oran 2 in Algeria took part in this research. The learners were assigned every two weeks in-class writing tasks, individual projects about various topics, and take-home written assignments.

3.2. Data collection tools
A qualitative approach was adopted and data were gathered from questionnaires administered to the students at the beginning and the end of the research, informal interviews conducted with the participants, discussion classes and the assessment of assigned work. After each assigned work, the corrected pieces of writing were returned to the learners accompanied by elaborate and detailed comments and advice, then the tasks were corrected in the classroom. By the beginning of the second semester, the students’ written products in all activities increased in length and the number of constructive and correct ideas, but diminished in the number of errors.
4. Results and Discussion

4.1. Positive Effects of Assigned Tasks on Learners’ Written Abilities

4.1.1 The Students’ Questionnaire

It is found that 95% (68) of the learners reported that they gained profit from these techniques, mainly the incorporation of various tasks. They acknowledged that the range of topics they worked on, the intensive homework and projects, classroom discussions, and the detailed remarks they found on their assignments raised their motivation, and enthusiasm to write in the target language. The students’ responses demonstrated that:

- They learnt clearly how to follow the key stages of the writing process.
- They became more aware of error correction and fluency in writing.
- They have become critical in their writing and analytical in their way of thinking.
- They noticed that their language mistakes were better stressed.

4.1.2 Informal Interviews and Discussion Classes

Data from Informal interviews reveal that 94, 37% (67) of the respondents explained that they developed the notions of collaborative skills and classroom engagement through pair work and the discussions and debates they launched in their classrooms.

4.1.3 Assessment of Assigned Work

The number of mistakes made by the learners fell by 60% in the post assignments compared with the departure of practiced activities, which implies that these graduate students showed a considerable progress in terms of writing accuracy.

4.2. Positive Effects of Assigned Activities on Learners’ Motivation

Most of the learners 77,46% (55) responded that they became accustomed to surf the Net searching for interesting topics to write about, joined the university library looking for interesting books of written expression, and started reading and writing about different themes to enrich their linguistic repertoire, and enhance their writing abilities. Consequently, this illustrates the positive impact of the suggested activities on our graduate students’ motivation.
5. Conclusion

This study has attempted to offer some insights into how assigned activities can contribute in the improvement of learners’ writing skills, and the increase of their motivation in writing in the target language. The suggested strategies, due to their interactive quality have served as an encouraging instrument to ameliorate EFL learners’ writing capacities, better understand and identify their needs and thoughts, elevate their motivation, and enhance their linguistic performance, to help teachers readjust their teaching practices and offer their students relevant assistance.

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The Effect of E-Learning on Learning and Interest in School Attendance among Elementary School Students

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ABSTRACT: The technological advances of the 21st century have impacted all spheres of life, including education. The world of books and pens is being replaced by computers at young ages. The present study aimed at investigating the effect of technology on Iranian elementary school students’ learning and interest in school attendance. The participants were 47 sixth grade students selected from two schools with and without technological support. The results of the study revealed a higher level of interest in school attendance in the group provided with technology. Consequently this study may have beneficial pedagogical implications for learners, teachers, and curriculum developers.

KEYWORDS: E-Learning school, interest in school attendance, technology

Introduction

As the technology in the 21st century continues to evolve rapidly, it is unknown whether technological innovations have had a positive impact on our daily lives. One such area
of interest and evolving research is in the educational arena. The impact of technology on education has always been under scrutiny. The current research focused on the effect of E-Learning which includes multimedia, software, computers, internet, etc on interest in school attendance and learning of elementary school students. Secondly, one of the goals of this research was to elucidate the ways in which technology can impact education, particularly at young ages in Iran’s educational system. This is a topic of extreme importance because technology has not been fully integrated in the primary educational system in Iran, especially at younger ages. Thus, the impact of this research and information gained from it, can contribute to the development of better educators, well rounded students, and therefore a healthy and joyful learning environment.

The current research further focused on addressing whether educational systems can use technology to optimize interest in school attendance. Keeping these issues in mind, it is necessary to mention that in developing countries such as Iran, using technology at early ages is not supported or practiced. However, the current research investigates the potentially positive contributions of technology on interest in school attendance and learning at young ages in Iran.

One of the concerns in today’s world is that the new generation lacks creativity because of access to abundant technology. The interplay that exists between technology, learning, and education is inseparable in the 21st century. It is critical to understand the impact of technology in education and more importantly interest in education, which leads to interest in school attendance, and subsequently to learning and creativity. Children can help teach one another about the use of technology in school as well as learn the lessons taught. Uneducated parents and guardians no longer need to worry about teaching their kids or helping them with homework because children learn to self-teach with the use of the technology. In addition, kids are able to teach the use of new technology to their parents which creates a warm learning atmosphere where parents and children can learn from one another and have fun while doing it. Thus according to Alismail et al., (2015) technology such as E-Learning is a powerful tool, which allows students to access information and knowledge by themselves, leading to independent learning. Teachers have the responsibility to guide students as they research and obtain information in order to further develop that skills. Subsequently, without even knowing it students “learn how to learn” and develop their own learning strategies that can last a life time.

On the other hand there are families that not only do not have access to technology at home, they do not agree with the use of technology in education. This research relieves their concern because it demonstrates that presence of technology at home is
not necessary. Educational systems that offer technology allow the learner to rely on him or herself to learn and eliminate the need to rely heavily on teachers, therefore becoming independent learners at a young age.

The idea that technology can facilitate knowledge in classrooms has been investigated in the past. According to Bork (1985), computers are viewed as giving influential effect on teaching and learning process. In addition, with computers in classroom, schools become more student- centered and that more individualized learning will take place. However, attention to interest in school attendance has not been attended in the past studies. The novelty of the current research lies in its focus on interest in school attendance. Further, it addresses the hesitancy of educational practitioners and educational system in the correct use of technology and its impact on young learners’ literacy.

Previous studies reflect that teaching methods in advanced educational environments are demonstrating a more positive outlook to the world of E-Learning (Shafiei, et al. 2014). Parents and practitioners of educational systems can foster interest and provide the environment needed for this learning. However, many parents prevent youth from the use of technology at very young ages, due to the fear that technology may be used for non-educational activities and waste learning time.

The goal of educators at all levels is to use different strategies to teach complex concepts. In today’s world, technology has become a part of daily life and as such learning in the 21st century must integrate E-learning in order to reach out to the learners. Therefore, the old strategies of teaching that relied heavily on books must be replaced by the updated teaching strategies that rely on the use of E-learning which enhance learner interest in education. As stated by Jacobsen et al., (2001) many technological tools can support different skills such as problem solving, critical thinking, and collaborative learning. E-learning tool such as portfolios, Wiki, Google, Digital Storytelling, ePortfolios, Blog, etc., support these skills. These tools offer students the option of working in collaborative groups, which may increase student motivation and develop critical thinking. Multimedia tools such as E-learning promote deeper understanding to complete class activities.

To introduce the difference between E-learning and non-E learning schools in Iran the below descriptions are provided.

Non-E learning school: Learning is solely based on the teacher’s ability to teach and the pre-determined books used. This takes away the ability of the student for critical thinking and creativity. Furthermore, there is no emphasis on hands on or practical
approach to learning in this type of schools. Learning is therefore a dictation that is enforced by books, teachers, guardians, and curriculum developers.

**E-Learning schools:** The learning in these schools relies on the combination of teacher’s directions and computer based lesson plans. Once the lesson plan has been given, students prepare PowerPoint slides based on the lesson taught on that day. The following day, the power point is presented to the class. This method reinforces the material that was learned. It further fosters creativity and imagination in learning. It reduces parents and guardian’s anxiety about the misuse of technology based devises. It further encourages guardians to be involved with the use of technology based devises by allowing them to monitor its use in education as well as in hobbies.

There is often a feeling amongst educators that it is increasingly more difficult to get students more interested in education. Hence, there has always been an interest in using updated technology as a tool in teaching, especially amongst uninterested learners. As we look at the evolution of technology in early days of education, one can see that technology evolves at lightning speed. The era of ink and paper has been rapidly replaced by the era of multi-media and computers. Yet there has always been a question about the role of technology in education and whether technology has revolutionized education.

In societies like Iran, there are still some guardians who concern children’s use of computers for purposes other than school education. In the same vein, there are still many elementary school children that dread going to school and often are forced by their parents to attend classes. In E-learning school like ALAVI elementary school which was used in the current research, parents monitor students’ use of E-learning tools to study, do homework, and prepare PowerPoint presentations as part of their school curriculum. On the other hand, in non-E learning schools, parents and school educators mostly prevented student’s use of E-learning tools either at home or at school. Thus, the purpose of the study was to assess whether technology in education, has an impact on learning and interest in school attendance. In this regard the following questions were posed:

1. Does E-Learning improve learning at elementary school?
2. Does E-Learning improve interest in school attendance at elementary school?

Based on the previous studies, theoretical background of the study and considering above-mentioned research questions the following hypothesis were presented:

H1. E-Learning improves learning at elementary school.

H2. E-Learning improves interest in school attendance at elementary school.
REVIEW OF THE LITERATURE

Theoretical Background

Today there is a common interest amongst educators at all levels to raise school achievements with integration of technology. The core standards in curriculums increasingly emphasize the use of technology as part of education and as a result there will likely be even more emphasis on integration of technology in education (Cristen 2009). As an example, technology can be used as a tool for establishing meaningful projects to engage students in critical thinking and problem solving. Furthermore, technology can be used to restructure and redesign the classroom to produce an environment that promotes the development of higher-order thinking skills (Kurt 2010).

However, there has always been reluctance amongst teachers and parents regarding the impact of technology in learning in early education. According to DePasquale et al (2003), programmed instruction and electronic worksheets have caused teachers to fear that children will miss out on key experiences that support their development if computer technology infiltrates teaching.

In another example, the use of internet and the importance of integration of internet based technology into classrooms are discussed in many studies. According to a case study done by Ebrecht et al (2015), the question is no longer should technology be integrated into literacy instruction, but how literacy instruction can be enhanced with technology (Hansen 2008). They further mention that in this digital age it is the responsibility of the teachers to guide and coach student’s use of technology by providing learning opportunities that utilize technology.

But before technology is embedded in the very core of education, it is imperative to understand its purpose and role. Technology is a tool and therefore should be selected based on the individual needs of each learner. For example, technology can be an effective tool for English language learners and can enhance the participation of children with disabilities. Children in elementary schools should begin to use technological tools as a part of their academic program. Similarly, to enhance learning, teachers should model the use of technology in support of the curriculum so that children can see the appropriate use of technology (DePasquale et al. 2003).

As stated by (Kanuka et al. 2007) previous studies have found that students who used multimedia tools in teaching have higher-level thinking skills than in comparison with traditional teaching methods. In addition, the power of E-learning tools is in their ability to allow students to evaluate their peers’ work when using it. This strategy
helps students to develop critical thinking skills. Incorporating E-learning tools in education gives students the opportunity to enhance academic and social skills as they communicate and share information, arrange their ideas, and communicate opinions while preparing a project or conducting research (Alismail et al. 2015).

According to Jacobsen (2001) technological tools in teaching gives students the opportunity to engage in the real world, allowing them to develop creativity and innovation skills. There are many outlets in the virtual world from which educators can guide students to see the real world through their own online experience. Examples include video game technologies, role-play in online simulated learning environments, and videos can be effective means to observe real life problems and come up with solutions. As such, using multimedia tools is an excellent way to increase student performance and motivation to learn by encouraging discussion, collaboration, problem solving, and innovation, promoting cognitive processes and constructing knowledge (Mueller 2006).

**Empirical Background**

To portray the contribution of technology in education, it is important to reference prior publications and research conducted in this area. As an example, in 2009, Van Meter Community School in Iowa adopted a one-to-one laptop initiative in grades 6-12. Through this educational transformation, Van Meter has become a place where students can find their passion. They are using technology to interact and exchange ideas, research independently, adapt to new situations, and take ownership over their own learning (Miller 2011).

In another study, effects of E-learning and communication technologies on students’ math and science achievement were conducted with 4,996 students in Turkey. The data was obtained from the results of The Program for International Student Assessment (PISA), a standardized test given to 9th grade students. The study results indicated that students’ exposure to Information and communication technology at home and school had a positive impact on their math and science achievement scores. Students’ who spent a lot of time using technology were shown to have increased science knowledge. They also performed better on math skills. Thus, information and communication technology has a positive effect on student learning and should be included in classroom instruction (Bulut & Delen, 2011). Yet in another study, DePasquale et al (2003) through their work, demonstrated that using digital imagery such as photography and videography, students not only learn to use technology, they use it to record lessons and review them to further solidify their understanding of the
lessons. The same group show how elementary school students use digital imagery for learning in class and later uploading their images on a classroom website which further teaches students the art of web design in addition to reinforcing the lessons they were taught.

Lastly, as a final example, use of blogs as a technological tool in education has been demonstrated in multiple studies. According to Solomon et al (2007), weblogs, or more commonly called “blogs,” have emerged as a powerful instructional tool that can directly support literacy and technology skills while utilizing a cooperative approach to instruction. Simply defined, blogs are websites that allow authors to publish content instantly to the Internet through the use of text, images, and/or links to other related information found on the Internet (Solomon et al, 2007). Blogging enhances and supports meaningful communication by providing a web platform that provides users an easy way to create, update, and publish content. The readers of the blog then have the opportunity to respond to the author, thus providing an interactive conversation between the author and the reader (Howland et al, 2012).

Considering all the studies conducted on the subject of technology and its impact in education, the impact of technology specifically E-learning on elementary school students’ learning and interest in school attendance in Iran has never been studied. Thus the objective of this study was not only to address these issues, but also help alleviate the anxiety felt by parents or guardians regarding the negative effect of technology in school attendance and learning.

**Methodology**

**Participants**

As it is demonstrated in Table 1, the participants of the study were selected from elementary school students and their parents from two schools in the same county. One of the schools was an E-learning and the other school was a non-E-learning school. Out of the 30 students in the E-learning class, 4 students did not wish to participate in the current study as such 26 were selected to participate in this study. Similarly 21 students were selected from the non-E-learning school. Students participating in this study were approved to be of the same level according to their teachers. Out of the total 47 selected students, 26 (55.3%) were girls and 21 (44.7%) were boys. Out of the 26 girls, half were in E-learning school, and the other half were in non-E-learning school. Similarly, out of 21 boys, 10 were in E-learning schools and 11 in non-E-learning schools.
Table 1: The Frequency of Male and Female Distribution

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</tr>
<tr>
<td>Girls</td>
<td>26</td>
<td>55.3</td>
<td>55.3</td>
<td>100.0</td>
</tr>
<tr>
<td>Total</td>
<td>47</td>
<td>100.0</td>
<td>100.0</td>
<td></td>
</tr>
</tbody>
</table>

Data collection instruments

The current research utilized a questionnaire addressed to parents and school guardians. It contained 10 items based on a 5-point Likert’s scale (strongly disagree, disagree, unsure, strongly agree, and agree). The first section of the questionnaire included the students’ gender, age, and name of the school. The second section included the opinion of parents or guardians on the impact of E-learning such as any technological devices on each student’s interest in school attendance. The validity of the questionnaire was confirmed by three educational experts: a TEFL university professor, an instructor in Education and a Lecturer in TEFL. In addition, the reliability was measured using Cronbach’s alpha in a group with a coefficient of 0.83 which indicates the internal consistency of the questionnaire and the current research.

In addition, to assess the amount of learning objectively, tests were conducted in these schools that relied on a 20-point nation-wide scale in different subject matters at the end of the semester. The scores in these tests, provided by the teachers in each class were utilized in our research.

Data collection procedures

To initiate the current research, the researcher had to first obtain consent from the head of the ministry of education as the participants of the study were selected from elementary school students and their parents. Study participants were assured and informed that their responses to the questionnaires would remain anonymous; and that their answers would be used for the purposes of current research and improvement of learning in educational environments. Throughout the study, the researcher had to measure both the degree of learning and the level of interest in attendance. To do this, a questionnaire was distributed among all parents via each student, at the end of the semester. The questionnaire was to be filled out by each parent to assess the level of interest in school attendance. Next, to assess the level of learning, grades from
a nation-wide standardized test which was numerical based and validated by the ministry of education was used. This test was conducted at the end of the semester of each year and the researcher used the grades collected for both E-learning and non-E learning schools.

It is important to mention that, the educational system in Iran is organized into a 6-3-3 model, which corresponds to 6 levels in Elementary school, 3 in Middle school, and 3 in High school. Since school performance in Elementary education is descriptive i.e. (based on Excellent, Very good, Good, Acceptable, un-acceptable) as oppose to numerical based grading in middle and high school. Thus, to assess readiness to promote to middle school and subsequently to high school, a nation-wide test that is standardized is conducted. To accomplish the above plan, the questionnaires targeted two kinds of school. One school used E-learning tools that included technological devices such as computers and software tools monitored by the teachers, as well as textbooks. While the other focused primarily on non-E-learning methods such as text books and other traditional methods based on teacher-centered approaches.

**Research Design**

A survey based research design was selected for the present investigation. The data analysis was a quantitative-causal-comparative (Ex-post Facto), that was used to compare the level of interest in school attendance and the amount of learning in educational environment. Since the researcher tried to get as much information as possible about the degree of interests of learners and students, an opinion-based questionnaire was used for this purpose.

**Table 2: Research Variables**

<table>
<thead>
<tr>
<th>Variables</th>
<th>Type of variable</th>
<th>Scale of variable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of school</td>
<td>Independent</td>
<td>Nominal</td>
</tr>
<tr>
<td>Learning</td>
<td>Dependent</td>
<td>Scale</td>
</tr>
<tr>
<td>Interest in School Attendance</td>
<td>Dependent</td>
<td>Scale</td>
</tr>
</tbody>
</table>

**FINDINGS AND DISCUSSION**

As illustrated in table 3, in the E-learning class, 26 were selected. Similarly, 21 students were selected from the non-E-learning school.
Table 3: The Frequency of E-learning and Non-E-Learning school participants

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Non-E learning</td>
<td>21</td>
<td>44.7</td>
<td>44.7</td>
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</tr>
<tr>
<td>E-Learning</td>
<td>26</td>
<td>55.3</td>
<td>55.3</td>
<td>100.0</td>
</tr>
<tr>
<td>Total</td>
<td>47</td>
<td>100.0</td>
<td>100.0</td>
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</tbody>
</table>

Based on the above table, 44.7% of the participants were from non-E learning schools and 55.3% from E-learning schools.

As indicated in table 4, normal distribution of scores for the Kolmogorov-Smirnov test was used.

Table 4: The One-Sample Kolmogorov-Smirnov Test

<table>
<thead>
<tr>
<th></th>
<th>N</th>
<th>Kolmogorov-Smirnov Z</th>
<th>Asymp. Sig. (2-tailed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Learning</td>
<td>47</td>
<td>.72</td>
<td>.67</td>
</tr>
<tr>
<td>Interest in attending</td>
<td>47</td>
<td>.88</td>
<td>.41</td>
</tr>
</tbody>
</table>

Based on Table 4, due to significant levels obtained; it was concluded that the variables of interest in attending educational environments and learning are normally distributed (P<0.05).

To answer the first research question which inquired about the impact of E-learning and Non-E-leaning schools on learning, the overall learning scores of the control and experimental groups were compared using an independent t-test demonstrated in Table 5 below.

Table 5: The independent Samples Test for Amount of Learning

<table>
<thead>
<tr>
<th></th>
<th>School</th>
<th>N</th>
<th>Mean</th>
<th>Std. Deviation</th>
<th>t-test for Equality of Means</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Non-E learning</td>
<td>21</td>
<td>3.74</td>
<td>.55</td>
<td>-2.92</td>
</tr>
<tr>
<td></td>
<td>E-Learning</td>
<td>26</td>
<td>4.14</td>
<td>.41</td>
<td>45</td>
</tr>
</tbody>
</table>

SHAFIEIOSKOUEI, NOURDAD, HASSANTOFIGHI & SHAFIEIOSKOUEI: The Effect of E-Learning on Learning and Interest in School Attendance
The mean scores were calculated on a 5 point scale, with a mean score of 4.14 in E-learning schools and 3.73 in the non-E learning schools. Given that there was no statically significant difference in the scores, the null hypothesis was accepted. It was, therefore, concluded that the amount of learning in schools with and without the support of E-Learning support is almost the same. To answer the second research question another independent t-test was used as the results of which is presented in Table 6.

Table 6: Independent Samples t-Test for Degree of Interest in school attendance

<table>
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<tr>
<th>School</th>
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As illustrated in the table 6, the mean of interest in school attendance was 4.26 in E-learning schools and 3.79 in non-E learning schools. According to the results of t-test, student's interest in school attendance was significantly higher in E-learning schools compared to the non-E learning schools based on the significant p value of <0.05. Thus the second null hypothesis indicating that the degree of interest in school attendance at E-learning and non-E learning school is the same was rejected. Therefore, it was inferred that E-learning improves interest in school attendance of elementary school students.

DISCUSSION

The current study investigated the effect of E-learning on the amount of learning and interest in school attendance among elementary school students. The results proved the positive role of technology in school attendance interest. However, it did not affect the amount of learning. The findings of this study were in line with the findings of Bork (1985) and Cristen (2009), that technology plays an integral role in learning and education as a whole. However, the idea of improvement in school attendance by providing technology in schools is not scrutinized in the past investigations.

Also the above findings were in contrast with the findings of Nazarlou (2013), which indicated that E-learning has multiple negative implications in physical, mental and
psychosocial well-being of learners. Not only does E-learning cause physical damage to multiple organs including the eye as a consequence of radiation, it also contributes to many musculoskeletal complains including carpel tunnel syndrome, neck and back pain. In regards to the impact of E-learning on mental and psychosocial aspect of learners, Nazarlou (2013) indicated that isolation of learners forces a less face to face interaction with the outside world thus negatively influences the ability of learners’ interpersonal skills.

It has been observed that education that relies on direct teaching of lesson from books has limited benefit. This method of teaching only helps commit lessons to short term memory and as such is easily forgotten after examination, lending to stressful school experience for children and parents. On the other hand, when learning takes place with interest, it is committed to long term memory and foster creativity. In addition, the exam night stress is replaced with eagerness to demonstrate learned knowledge.

With regard to the impact of technology in learning, the current study concluded that there was no significant contribution of technology in learning. However, the researchers highlighted that technology has a positive impact in school attendance. Taking into consideration the pros and the cons of technology in education, the researchers was in line with Chomsky (2014), that “As far as technology itself and education is concerned, technology is basically neutral. It’s like a hammer. The hammer doesn’t care whether you use it to build a house or whether on torture, using it to crush somebody’s skull, the hammer can do either”.

To illustrate the above mentioned concept, the diagram 1 below was designed. As demonstrated in the below diagram, the interconnectedness and an intricate cycle exists between society which consists of (parents, teachers to support and curriculum developers), interest in school attendance, young learners and technology e.g. (software and computer based devises) with successful learning at its core. Therefore, for successful learning a balanced interaction between all variables of the cycle is necessary. Thus, in the absence of interest in school attendance, there can never be successful learning.
Diagram 1: The intricate cycle of successful learning

Accordingly, this study demonstrated a novel idea that having technology available in schools, improvement in school attendance can be accomplished. Consequently, it can be inferred that by improving school attendance there may be more opportunities to learn. As an example, in societies like Iran, there are still guardians that have daily struggles with students’ school attendance. Students, especially young learners, are forced to attend school by their parents. As such, they develop a negative attitude towards school and educational materials such as textbooks. On many occasion it has been common to see students destroy their text books after the school year, and not show any interest in preserving educational materials.

However, when curriculum designers integrate technology in daily educational materials, an automatic interest is generated in students that encourage school attendance. In addition, parents and guardians have a peace of mind, knowing that technology is utilized for educational purpose under direct teacher supervision. Therefore, having technology in schools is an automatic incentive for technology savvy and technology loving young minds to attend and participate in educational
activities. This in turn lends to higher motivation and also secondary learning through participation.

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<td>21</td>
<td>3.79</td>
<td>.64</td>
<td>-2.44 45 .019</td>
</tr>
<tr>
<td>E-learning</td>
<td>26</td>
<td>4.26</td>
<td>.69</td>
<td></td>
</tr>
</tbody>
</table>

Figure 1. The intricate cycle of successful learning.
Conclusions

The current research analyzed the effect of technology on the level of interest in school attendance and learning in young ages. Furthermore, the current study tried to demonstrate that when E-Learning such as computers and other electronic devices are used with parental monitoring, interest in attending educational environments are amplified at a young age. In addition, the academic performances were not negatively impacted in E-leaning schools when compared with non-E learning schools. Thus it begs the questions as to why E-Learning is needed in schools if learning is not significantly impacted. As indicated above, the current study concluded that E-Learning does not have an influence on learning; however, it significantly impacts interest in school attendance. However, if there is no school attendance, there would not be any learning.

The pedagogical implications of the study are that guardians, teachers, educational practitioners and curriculum developers can use this information to encourage school attendance in young learners. Despite the fact that the study did not find a positive correlation between technology and learning, it is intuitive to think that school attendance alone would have an impact in learning. Thus the current research can reduce the anxiety of parents, that children can safely use technological devises to improve their learning with the support and guidance of teachers, educational practitioners and curriculum developers. So, it can enhance their interest in attending to school and achieve a successful learning. In addition, this research will significantly impact curriculum developer’s ability to design a more practical, technology based educational plan that fosters more independent learning with less reliance on educators. This can be accomplished by having a designated section for technology in education and its use in curriculum development.

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References


Comparative Analysis of the Thermal Performance of Selected Public School Classroom Buildings in Lagos, Nigeria

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ABSTRACT: Limited research has been carried out on school buildings in Africa, especially for children below the age of 11. The aim of this research was to assess the thermal performance of the building envelopes of selected public school classrooms in Lagos Metropolis, in order to have an assessment of the impact of thermal performance (measurement of the environmental factors) on pupils’ comfort. A two stage method of sampling was used; a purposive method to select 5 samples from each of the 6 educational districts in Lagos and then random selection of schools. Questionnaires were administered to 5 pupils per school. Subjective and objective measurements were carried out according to class II field experiment method and in consonance with ASHRAE’s (American Society of Heating, Refrigerating and Air-Conditioning, Engineers) standards. Results showed that classrooms on the mainland had a significantly higher performance than those on the Island. Recommendations were made for future provisions of classroom designs to be suited to the microclimate of their locations and tailored towards enhancement of activities at the hottest periods of the day and year, and no single design template should be adopted for use on various sites.

KEYWORDS: Thermal Performance, Building Envelope, Thermal Comfort, Public Primary Schools, Lagos Metropolis.
1. Introduction

Buildings, the environment and related facilities produce more carbon dioxide (CO\textsubscript{2}), generate more pollution, consume more energy, and use up more natural resources than any other sector. They are, therefore, at the crux of discussions related to energy efficiency, conservation and sustainability as a whole. In historical times, buildings were constructed with readily available materials and built for comfort and protection from the unfavorable weather. Therefore, materials used were sourced locally from their environs, and required little or no energy to construct them. With the advent of technology, the world became a global village and the boundaries of communication were broken. People can now live, interact, work and relate with the world at any given location. Building designs became more diverse as building styles were adopted from across nations irrespective of the climate in which they were located. This resulted in higher energy consumption in order to achieve thermal comfort. In the light of the global energy crisis, the need for buildings to become more passive, and use less of active energy became more evident.

Building performance is the totality of building’s operation and it is measured in three aspects; the environmental, energy and thermal. A total balance of all three aspects will provide a solution that is in harmony with its environment, offering comfort to its users while ensuring savings in energy and cost. The thermal aspect of performance is the ability of a building to offer thermal comfort to its occupants. In the quest for thermal comfort, various means have been adopted with the inclusion of the use of a proper architectural design, and the selection of an appropriate building envelope and components. Telik (2013, 301-316) also said that the use of eco-friendly, low thermal conductivity materials for living and work spaces, both at design and construction stages will address the problems of heat stresses due to climate change.

In the tropics, people are more prone to episodes of heat discomfort and heat stresses – adults and even children are, likewise, affected (Aynsley 1996). In Nigeria, specifically, the epileptic supply of power from the grid has necessitated the constant use of alternative power supply (the generator, inverter system or the solar panel) to achieve thermal comfort in many homes. Yet, a sustainable approach to development remains a ‘buzz word’ in construction, and also, remains cosmetic in its approach in the provision of buildings. Such are the current issues evident in the nation Nigeria.

Presently, buildings in Nigeria are being constructed without much consideration for the impact on occupant’s health, productivity and comfort, (Adebamowo 2007); ‘This is of great importance. Buildings often have poor indoor climate which affects comfort, health and efficiency. These problems are found in dwellings as well as work
spaces. The indoor climate has to be put in perspective in public buildings, such as hospitals, and schools’. This is the crux of the matter.

The focus of this research is on government-owned schools because they serve a greater percentage of the populace; they have standardized systems, curriculum and structure which will enable easy comparison. Class II Field experiment, which involves the measurement of both objective and subjective variables, protocols for thermal comfort consistent with ISO 7726 and ASHRAE standard 55-2010 was adopted for the research methodology, (Ogbonna & Harris 2008, 1-11).

The aim of this study is to assess the building envelopes and thermal performances of public primary school classrooms in Lagos Metropolis to determine their suitability towards comfortable task performance. The need for climate sensitive approaches and environmentally responsible construction of school facilities is not far-fetched. The level of education in Nigeria is dwindling (Odia et al 2005, 85-86). Standard approaches should be resorted to in the provision of conducive and comfortable classrooms in Lagos Metropolis and in Nigeria at large.

2. Literature Review

Lagos is one of the fastest growing cities in the world, at 77 persons per hour, (United Nations, 2014). It is bounded by the Atlantic Ocean on the South, Ogun state on the Northern and Eastern boundaries, and republic of Benin on the West. It is located on latitude of 6°22′ N and 6°52′ N as well as 2°42′E and 3°42′E. Lagos comprises of about 83% landmass and 17% Lagoons and waterways.

It is characterized by warm seasons for most of the year within June and September until October, and the dry season in Middle July till August. Average mean temperature ranges between 26-28°C, with high temperature at 31°C, especially in February and March. Its peak is in January and the lowest measurement is 21°C. Due to climate changes, values may be significantly higher. Over 60% of annual rainfall measured in the first half of the wet season. No month is completely without rainfall measuring as much as 25.4mm even in the dry season. Humidity levels are relatively at 75% especially in coastal regions of Lagos; this ranges from 90% at peak periods and 56% at low periods.

Lagos Metropolis is divided into sixteen Local Government Areas namely; Lagos Mainland, Surulere, Ikeja, Amuwo-Odofin, Kosofe, Ojo, Oshodi-isolo, Somolu, Mushin, Eti-Osa, Agege, Ifelodun, Alimosho, Epe, Ifako-Ijaye, Ibeju-Lekki, Lagos Island, Apapa. Lagos and its boundaries are shown in Figure 1.
2.1. Climate Characteristics Of The Study Area

The climate of an area impacts on the indoor thermal quality of the space; this depends on the form, design, structure characteristics and constituent of the building fabric. Optimal indoor environments in a building are basically a function of its form, the services it provides and the climate in which it is placed (Roaf, Fuentes & Thomas 2002, 140-148; Rijal, Hom, Humphreys et al. 2014). A study of the prevailing climate in the study area is therefore pertinent to this research.

The city of Lagos has a tropical climate. Specifically, it has been classified as warm and humid. The warm periods are more than the cold periods in Lagos. The Köppen-Geiger climate classification is ‘Aw’. The temperature is at an average of 27.0 °C, with the highest over 30°C, occurring in December to February. The average annual rainfall is 1693 mm (Climate-data.org). Humidity levels are high, especially at coastlines and in highest period of rainfall in June. The hot discomfort persists for about eleven months in the year, hence the need for adequate ventilation to achieve thermal comfort. The least yearly amount of rainfall occurs in the month of December and January. The
average measured value in these months is 21 mm. The greatest amount of precipitation occurs in June, with an average of 300 mm in a year a total of about 1506 mm of rainfall is experienced. The temperatures are highest on average in March (warmest month—very hot), at about 28.5 °C. The lowest average temperatures in the year occurs in August (coolest month, though still warm), when it is around 25.1 °C. Average monthly temperatures have a variation of 3.45 °C (6.2 °F) which is an extremely low range. There is a variation of diurnal average temperatures of 8 °C (14.5 °F).

2.2 Thermal Performance of School Building Envelopes

Climate, building characteristics and materials, indoor occupancy and equipment, and ventilation are significant factors in the determination of the thermal performance of the building structure and the corresponding indoor climate of its interior spaces.

![Diagram](image)

*Figure 2: Parameters for Heat Gain or Loss in Buildings
Source: Teli, Jentsch et al (2013)*

However the scope of this paper is the performance of the building envelopes alone the building’s usage data (Internal heat gain, occupant’s behavior) was not taken into consideration. However, the scope of this paper is the performance of building envelopes of public primary school classrooms, the building’s usage data (Internal heat gain, occupant’s behavior) was not taken into consideration.

There are basically two thermal properties of building materials that determines their effect on the thermal performance of the envelope and their effect on heat flow: their heat capacity and their thermal resistance (R-value).
These thermal properties depend on the thickness of the layers the material was composed of and their properties. The basic properties of building elements are specific heat, conductivity and density. Furthermore, the surface of these building elements absorbs solar rays striking it and also reflects some of it. Glazed materials transmit part of this striking radiation. So the properties of building materials in relation to radiation are: absorptivity, transmittance, emissivity and reflectivity. The values used in this research are seen in Table 1.

Table 1: Values of Properties of Various Building Materials

<table>
<thead>
<tr>
<th>SURFACES</th>
<th>EMISSIVITIES</th>
<th>ABSORPTIVITIES</th>
<th>REFLECTIVITIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aluminum, Bright</td>
<td>0.05</td>
<td>0.02</td>
<td>0.08</td>
</tr>
<tr>
<td>Asbestos cement, new</td>
<td>0.95</td>
<td>0.60</td>
<td>0.04</td>
</tr>
<tr>
<td>Asbestos cement, aged</td>
<td>0.95</td>
<td>0.75</td>
<td>0.25</td>
</tr>
<tr>
<td>Asphalt pavement</td>
<td>0.95</td>
<td>0.90</td>
<td>0.10</td>
</tr>
<tr>
<td>Brass and Cooper, dull</td>
<td>0.20</td>
<td>0.60</td>
<td>0.40</td>
</tr>
<tr>
<td>Brass and Cooper polished</td>
<td>0.02</td>
<td>0.30</td>
<td>0.70</td>
</tr>
<tr>
<td>Brick, light buff</td>
<td>0.90</td>
<td>0.60</td>
<td>0.40</td>
</tr>
<tr>
<td>Brick, red rough</td>
<td>0.90</td>
<td>0.70</td>
<td>0.30</td>
</tr>
<tr>
<td>Cement, white Portland</td>
<td>0.90</td>
<td>0.40</td>
<td>0.60</td>
</tr>
<tr>
<td>Concrete, uncoloured</td>
<td>0.90</td>
<td>0.65</td>
<td>0.35</td>
</tr>
<tr>
<td>Glass</td>
<td>0.90</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Marble white</td>
<td>0.95</td>
<td>0.45</td>
<td>0.55</td>
</tr>
<tr>
<td>Plant aluminum</td>
<td>0.55</td>
<td>0.50</td>
<td>0.50</td>
</tr>
<tr>
<td>Paint, white</td>
<td>0.90</td>
<td>0.30</td>
<td>0.70</td>
</tr>
<tr>
<td>Paint, brown red, green</td>
<td>0.90</td>
<td>0.70</td>
<td>0.30</td>
</tr>
<tr>
<td>Paint black</td>
<td>0.90</td>
<td>0.90</td>
<td>0.10</td>
</tr>
<tr>
<td>Paper white</td>
<td>0.90</td>
<td>0.30</td>
<td>0.70</td>
</tr>
<tr>
<td>Slate, dark</td>
<td>0.90</td>
<td>0.90</td>
<td>0.10</td>
</tr>
<tr>
<td>Steel, galvanized, new</td>
<td>0.25</td>
<td>0.55</td>
<td>0.45</td>
</tr>
<tr>
<td>Tiles, red clay</td>
<td>0.90</td>
<td>0.70</td>
<td>0.30</td>
</tr>
<tr>
<td>Tiles, black concrete</td>
<td>0.90</td>
<td>0.90</td>
<td>0.10</td>
</tr>
<tr>
<td>Tiles, uncoloured concrete</td>
<td>0.90</td>
<td>0.65</td>
<td>0.35</td>
</tr>
</tbody>
</table>

2.3 Calculations of Thermal Performance

In order to determine the value of the thermal performance of a building envelope, the estimation of the cooling loads is required. A building’s thermal performance can also be accessed via statistical calculations and by the measurements of the environmental
variables. This survey employed the use of measurements of the environmental variables.

2.4 Characteristics Of Primary School Building Envelopes

Urban growth has resulted in high demand of public facilities. Educational facilities in urban areas are overstretched to meet the increasing number of school aged pupils. The design and construction of educational facilities are usually in modules, to facilitate easy repetition, economy of space and speed of construction (Wong & Khoo 2003, 337-351).

Spiegeller (2000) standards for primary school classroom layouts in Bhatan, Asia, cuts across, size, ages, proportions, ratio of heights or wall placements to ensure effective teaching and learning in primary schools. The average standing height measurement of each pupil is 132 cm. Distances from the blackboards is 2.00m, and spaces between rows are 0.95m. These standards come in dimensions for all class levels and for all range of activities carried out in pre-primary and primary school levels. The standard classroom size for primaries 1-3 is 40 pupils per class, with 1.00m$^2$ per student. The standard class size for primary is thus 6.20x5.75m. The furniture type is squatting desks to suit the height of the pupils. The indoor and outdoor activities are closely related; therefore, primary school classrooms are advised to be situated on the ground level.

School design standards in low and middle income countries has it basis in international school design standards such as UNESCO standards (Spiegeller, 2000) but over the years these standards have ceased to serve the teeming population of pupils being enrolled. School building envelopes in Lagos presently vary in typology with respect to size, level, and location. Basic sizes of public school classrooms in Lagos are 6 x 6m, or about 40m$^2$ (Uduku 2015, 56-64). A block of classrooms consists of about 4 or 6 classrooms in one row, measuring a total length of 36-40 m in length per block. The spacing from the blackboard or aisles of classrooms was varied. In Lagos, there are four basic shapes of school building envelopes in existence.

Types of School Building Envelopes In Lagos

In Lagos are stratified based on the existing forms or layout, material specifications of the elements or components - walls, roofs, floors and windows, and structural type; bungalow, one story or two story buildings.
The double loaded corridors offer the advantage of economy of space and compactness however they require more ventilation and illumination, especially in internal spaces. Sen (2011) stated that classrooms should be designed as single banked layouts rather than double loaded layouts, and oriented in the direction of the prevailing wind. However, for urban cities with rapid growth such as Lagos, this is a rather a shortcoming.

Previously, classroom structures in the late 80’s were constructed as dwarf-walled buildings with roofs suspended on wooden or iron pillars. These types of structures allowed for direct exposure to unfavorable elements like driving rain, strong winds, sandstorms and direct glare from the sun. These types of structures are being replaced with fully built-up structures presently. Classroom blocks in Lagos are stratified into bungalow type, low-rise or medium structures which could be one or two story buildings. Primary schools are usually situated on the ground floor of multistory structures, except where there are space constraints on the site. Building materials of schools in Lagos range from facing or hollow bricks, sand-crete hollow cement blocks, precast elements, ply-wood, aluminium and asbestos for roofing sheets, glazed plywood or galvanized iron sheet windows.

The building elements of public primary schools are summarized in Table 2:

<table>
<thead>
<tr>
<th>Roof</th>
<th>Fenestration</th>
<th>Wall</th>
<th>Floor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asbestos</td>
<td>Concrete screen walls</td>
<td>Hollow cement block walls</td>
<td>Cement screed</td>
</tr>
<tr>
<td>Concrete roofs</td>
<td>Grilled metal</td>
<td>Hollow clay bricks</td>
<td>Terrazzo flooring</td>
</tr>
<tr>
<td>Long span</td>
<td>Galvanized Sheet metal</td>
<td>Precast Concrete wall</td>
<td>Cement Floor Tiles</td>
</tr>
<tr>
<td>Aluminium roofs</td>
<td>Glass windows</td>
<td>Facing bricks</td>
<td></td>
</tr>
</tbody>
</table>

2.5 **Thermal Comfort**

ASHRAE defines thermal comfort as the state of mind which expresses satisfaction with the thermal environment; this is the same definition promulgated by Fanger (1986). The human body is in constant relationship with its environment through an exchange of heat. The balance in this exchange is what predicts the level of thermal comfort experienced by the body, (Anand, et al, 2017).
Thermal Comfort Basic Concepts

For a human body to be in thermal balance, Heat gain must be equal to heat loss.

\[ \text{HEAT \ GAIN} = \text{HEAT \ LOSS} \]

The basic concept of thermal comfort is shown above. Heat is generated in the body during metabolism, in breaking down of food substances during digestion. This heat is then lost to the environment through evaporation by sweating. This is known as the theory of adaptive thermal comfort. Adaptive thermal comfort states that the human body, given the time and opportunity, will carry out actions to achieve thermal comfort. This could be either voluntary, or involuntary. Voluntary actions include: taking bath, opening windows, taking cold drink, and loosening a knotted tie, while involuntary actions include: sneezing, shivering and sweating.

There are many factors related to comfort in classrooms i.e. physical, emotional, and psychological, all this impact favorably or otherwise on the performance of various tasks within them. Apter (1982, 1984, 2014) posited that the most influential factors on learning processes is the, temperature, noise and seat arrangement. Temperature plays a significant role in determining comfort while performing a task. Research on thermal quality, comfort and students’ learning shows that 68 – 74°F and 20 -24°C is acceptable for learning (Earthman, 2000). Ventilation, which is the replacement of used up indoor air with fresh air from outdoors, is also an essential determinant of thermal comfort. It is often highlighted in most studies and measured as the concentration level of CO\(_2\) dispensed in the air.

Ventilation can be enhanced in buildings through cross ventilation, stack effect, wind pressure and mechanical aids. Window positions, number, sizes, and external components also have an impact on the rate of ventilation within spaces. In warm humid settings, cross ventilation alone cannot suffice at high humidity levels, stack effect combined with mechanical or forced ventilation will aid quick evaporation of heat and sweat from the skin's surface. This is achieved when the ventilation flows cross the main activity spaces within the classroom. In measuring thermal comfort for humans, a climatic chamber will not be sufficient as vast amount of variability occurs in real life situations. Objective and subjective method of measurement will be more accurate and suitable. This is the basis on which ASHRAE standard II field survey is based. This was adopted for the research. The objective method required the use of instrumentation and recording of the four environmental variables earlier listed, (air temperature, relative humidity, mean radiant temperature, air velocity). Subjective
measurement involved the recording of the responses of the pupils (TSV- thermal sensation votes, PMV- predicted mean vote) through questionnaire administration, and detailed recording of their activity and clothing levels.

The different thermal comfort models from the literature under consideration are; the PMV, AMV, ASHRAE standard 55, ISO 7730. Although PMV has been established in colder climates and for buildings with HVAC, it can be used in warm climates with the introduction of the \( e' \) expectancy, factor. Researches are required to test if the PMV comfort equation could be applied to (young) children, as the relations between metabolic rate, skin temperature, sweat production and thermal sensation which are the basis of the PMV model might not be the same for children. (Teli et al. 2012). A summary of thermal comfort models in the existing literature is presented in Table 3.

<table>
<thead>
<tr>
<th>THEORIES</th>
<th>MODELS</th>
<th>AUTHOR / YEAR</th>
<th>SIMILARITIES / LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heat balance approach</td>
<td>PMV model (predicted mean vote)</td>
<td>Fanger (1970),</td>
<td>Derived from extensive climate chamber research; responses of over a thousand European and American subjects to the thermal conditions in a well-controlled environment were used to expand this equation into the PMV model. This equation and the PMV model are intended for use in the design of HVAC systems</td>
</tr>
<tr>
<td>ISO standard 7730</td>
<td>Based on adaptive model</td>
<td></td>
<td>This takes into account physiological conditions as well as psychological. Which leads to certain variations in predictions and comfort calculations using the PMV. The ISO 7730 states these viability intervals clearly, but when values fall outside of them, the results are likely to be unreliable</td>
</tr>
<tr>
<td>ASHRAE Standard 55</td>
<td>Based on PMV model</td>
<td></td>
<td>Based on the PMV model.</td>
</tr>
</tbody>
</table>
## 3. Materials and Methods

The international standard for conducting thermal comfort field surveys, the class II field experiment which was stated by ASHRAE standard 55 was adopted in this study. It is based on the heat balance model of the human body, which predicts that thermal sensation is exclusively influenced by environmental factors (temperature, thermal radiation humidity and air speed), and personal factors (activity and clothing).
It involves both objective and subjective measurements. This resulted in the ‘quasi experimental’ design adopted in this study.

Discussions and training sessions were held with field assistants and interviews with school teachers to determine if the language and information required would be easily understood by the respondents prior to implementing the survey. Teachers of each classroom were also interviewed as well.

The field survey was conducted based on the class 2 field study method which requires both objective and subjective measurements. The field survey was carried out in mixed mode ventilated classrooms during dry season and onset of the rainy season from March till April and then, July till September 2016. Temperature and humidity readings for both indoor and outdoor were taken at intervals of 1 hour (for 6 hourly readings) from the floor level at the center of the classrooms, at the seating and standing height of the pupils (corresponding with 0.1m, 0.6m, 1.1m). Pupils were to assume sitting or sedentary position for at least fifteen minutes, while the survey was being taken by the interviewer, (Adebamowo & Oginni 2016, 161-176). The orientation of the classroom and the external contexts of the building were noted. Clothing levels (a standard uniform) was 0.5clo corresponding with light summer clothing, according to ASHRAE clothing standards. Structured questionnaires recording the details of the buildings components were filled out. The surveying instruments required portable devices, as opposed to fixed instrumentation because of limited occupancy periods of schools (only day time use) and security reasons.

The questionnaire was adopted from Humphreys and Hancock (2007, 867-874) research carried out on primary school pupils using simple worded questions and emoticons (cartoons) to convey emotions or sensations. This was also based on the PMV’s 7-point scale ranging from +3 to 0 and -3. 0 was for neutral temperature, +3 for hot and -3 for cold. The questionnaire was tested for the appropriateness of the language used in the questionnaire and a check was carried out also using older pupils within the same school locations as well as their teachers. A preparatory training was carried out for two weeks with the skilled field examiners, prior to the commencement of the field survey.

The population of study, 30, was drawn from each of the 6 educational districts (5 schools each) from each LGA in Lagos Metropolis; Oshodi, Sabo, Maryland, Agboju-Lagos, Victoria Island, and Agege. For the scope of this study, the subjects were mainly pupils of the ages 6-11, that is, those of primary level. The teachers of each unit were also interviewed to ascertain the validity of the survey tests carried out. The sampling frame was the six educational districts in Lagos shown in Figure 3.
Portable measuring instruments for Relative humidity, air temperature and air velocity meters were used such as the LM 8000.

4. Analysis and Results

Below in Table 4 are the data from Pearson correlations test carried out on the samples.
### Table 4: Statistical Analysis of Samples

<table>
<thead>
<tr>
<th>Paired Differences</th>
<th>Mean Deviation</th>
<th>Std. Deviation</th>
<th>Std. Error Mean</th>
<th>95% Confidence Interval of the Difference</th>
<th>Sig. (2-tailed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pair 1 Alimosho LGA - Eti-Osa LGA</td>
<td></td>
<td>-3.6827500</td>
<td>3.1800940</td>
<td>-5.9576522 -1.4078478</td>
<td>.005</td>
</tr>
<tr>
<td>Pair 2 Alimosho LGA - Ikorodu LGA</td>
<td>.6711786</td>
<td>2.7185516</td>
<td>.8596815</td>
<td>-1.2735561 2.6159133</td>
<td>.455</td>
</tr>
<tr>
<td>Pair 3 Alimosho LGA - Surulere LGA</td>
<td>1.0976250</td>
<td>4.2567028</td>
<td>1.3460876</td>
<td>-1.9474368 4.1426868</td>
<td>.436</td>
</tr>
<tr>
<td>Pair 4 Alimosho LGA - Kosofe LGA</td>
<td>-2.3682500</td>
<td>3.5387710</td>
<td>1.1190576</td>
<td>-4.8997343 1.632343</td>
<td>.063</td>
</tr>
<tr>
<td>Pair 6 Eti-Osa LGA - Surulere LGA</td>
<td>4.7803750</td>
<td>2.9382049</td>
<td>.9291420</td>
<td>2.6785098 6.8822402</td>
<td>.001</td>
</tr>
<tr>
<td>Pair 7 Eti-Osa LGA - Mushin-Oshodi-Isolo</td>
<td>1.3145000</td>
<td>2.7692422</td>
<td>.8757113</td>
<td>-1.6664965 3.2954965</td>
<td>.168</td>
</tr>
<tr>
<td>Pair 8 Eti-Osa LGA - Kosofe LGA</td>
<td>1.3145000</td>
<td>2.7692422</td>
<td>.8757113</td>
<td>-1.6664965 3.2954965</td>
<td>.168</td>
</tr>
<tr>
<td>Pair 9 Ikorodu LGA - Surulere LGA</td>
<td>.4264464</td>
<td>2.9299501</td>
<td>.9265316</td>
<td>-1.6695136 2.5224065</td>
<td>.656</td>
</tr>
<tr>
<td>Pair 10 Ikorodu LGA - Mushin-Oshodi</td>
<td>-3.0394286</td>
<td>2.5276178</td>
<td>.7993029</td>
<td>-4.8475774 -1.2312797</td>
<td>.004</td>
</tr>
<tr>
<td>Pair 11 Ikorodu LGA - Kosofe LGA</td>
<td>-3.0394286</td>
<td>2.5276178</td>
<td>.7993029</td>
<td>-4.8475774 -1.2312797</td>
<td>.004</td>
</tr>
<tr>
<td>Pair 12 Surulere LGA - Mushin-Oshodi</td>
<td>-3.4658750</td>
<td>2.4728883</td>
<td>.7819959</td>
<td>-5.2348727 -1.6968773</td>
<td>.002</td>
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<tr>
<td>Pair 13 Surulere LGA - Kosofe LGA</td>
<td>-3.4658750</td>
<td>2.4728883</td>
<td>.7819959</td>
<td>-5.2348727 -1.6968773</td>
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</table>
The above Table 5 shows a paired sample T test of the mean radiant temperatures of six groups of local government areas in Lagos state, Nigeria. The ones that had significant difference in their means were denoted by a double asterisk. The following groups of LGAs are the ones with significant mean radiant temperatures:
From the mean deviation shown above as the mean, it reveals that the Mainland classrooms have higher mean radiant temperatures compared to that of the Island classrooms and local governments situated by the Ocean. This is seen in the negative mean deviation shown in Table 4 above. It is also evident that some mainland LGAs have higher mean radiant temperatures than the others. From Table 5, it is seen that Surulere classroom’s performance was significant compared to most LGAs on the Mainland. From Table 4, it is also evident that the paired LGA, whose absolute mean deviation is more than 3 shows a significant difference in their mean radiant temperature. Particularly, among the LGAs in the mainland, Surulere LGAs shows significant difference compared to other LGAs in Lagos mainland.

5. Conclusion and Recommendations

The main aim of this study was to assess the building envelopes and thermal performances of public primary school classrooms in Lagos state. The study was based on the data obtained from a triangulation of survey and experimental design. The field survey was carried out in mixed mode ventilated classrooms during dry season and onset of the rainy season between March till April and July till September 2016. The results ranged from both subjective and objective measurements.

The comfortable thermal sensation (acceptability) has been observed for the temperature range from 25 to 31°C from the dry to wet seasons. Most of the subjects who recorded cool thermal sensation and preferred a warmer climate in cold or wet seasons and those of the subjects who were ‘slightly warm’ and ‘hot’ preferred a cooler environment in the dry seasons. Also, it was discovered that the pupils’ responses were “happy” irrespective of the value of the objective measurements taken. It can be concluded that the deviation in TPV to that of corresponding TSV especially
in the ‘neutral or okay’ zone is as result of children’s inclination to be playful and happy regardless of the prevailing conditions. This is in line with Humphrey’s (2007) research, where he stated that children probably do not relate discomfort with feelings of happiness or sadness. That is why irrespective of the discomforts, they still signified being happy. However, the effect of discomforts on their concentration and productivity is yet another issue of discourse.

The buildings’ characteristics impacted on the values of thermal performance (temperature, humidity variables), which were the two most significant factors. These factors are mostly important for the warm-humid tropics of Lagos. When the air is dry, further evaporation of air through adequate ventilation will cool the surface of the skin and ensure comfort of occupants. But when humidity is high, as well as temperature, evaporation through ventilation alone is insufficient for comfort as the skin remains ‘clammy’ and ‘damp’ as a result of oversaturation of the air. Further is then required assistance through mechanical means.

**Recommendations**

The design of building envelopes should enhance activities taking place at uncomfortable periods of the day, midday, when the weather is hot, internal walls could be collapsed to open into outdoor patios or provide alternative means of adapting to such conditions. Material specifications are rarely considered in Nigeria - especially with considerations for indoor thermal comfort. Low albedo materials can be oriented away from the East West direction, shaded or insulated as the case may be. Roof forms or type also have a significant effect on thermal comfort. Deeper roofs with larger surface areas project heat inwards, especially without appropriate treatment or ceilings. If the building does not require a ceiling, deep verandas of about 1.5m will be necessary for cooler interior spaces.

Pitched roofs have better surface cooling compared to flat or lean-to roofs. Barrel roof types offer the best advantage of ventilated roof surfaces, as the resistance to wind pressure reduces over a curved surface and this encourages higher wind speeds on the roof top. The result is a cooler roof surface at the top of such buildings and cuts down the amount of heat that inadvertently would be transmitted through to the interior below. Therefore, higher roof pitches and barrel roofs are advised. Reflective colours and high albedo materials are also inclusive. The common use of metal windows in Lagos state classrooms should be prohibited. Their heavy metal frames and thick projector planes allow for heat infiltration indirectly inwards especially when windows
are un-shaded from the sun. They also cut down illumination once shut against driving rain on wet days. Fiber glass is preferable as window windowpanes in louvre systems, as they are good insulators, safe and durable. As louvre blades, they can be regulated to suit whatever weather condition or solar insolation angle is prevailing. This is consistent with the recommendations made by Elaiab (2014), who proposed using fibre glass as insulation of flat roofs.

This research recommends the use of computer simulation tools to explore options in the preconstruction stages. Decisions made on material and forms of school classrooms in the tropics should enhance an efficient thermal performance and subsequently, thermal comfort. Post Occupancy Evaluation of schools with respect to indoor environmental conditions should be carried out from time to time to provide necessary information for future construction as well as retrofits. Height of pupils’ workstations should suggest window placements and stack effect alongside cross ventilation should be included to enhance adequate ventilation of spaces.

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Is Linguistic Democracy Possible? 
English and Chinese at the Heart of the Subject

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ABSTRACT: Does linguistic democracy exist or is it only a lull? Linguists and politicians believe that it has never existed, not even in countries where political democracy is a tribute to preserve. They rather believe there are only dominating and dominated languages. The dominating languages are explained by the number of people who speak a language. Presently, the US and China are respectively illustrative examples of dominance and dominating languages in the world. English ranks first in the top ten world’s most important languages and Chinese is gaining supremacy over many other languages. The dominating languages are hegemonic that means their use covers indoor and offshore territories. The dominated languages therefore are considered second-class languages, they are disregarded. This linguistic attitude has always prevailed in the world. The transfer of a dominant language to other people is considered to be a demonstration of power, traditionally, military power but also, in the modern world, economic power, and aspects of the dominant culture are usually transferred implicitly. The power of a country explains the extension of its language. English, Spanish and Portuguese are the dominant languages of the Americas. In Africa, the languages of some of the colonizing powers like Great Britain, France and Portugal are more firmly entrenched than ever, as English is in several Asian countries. This study will concentrate on highlighting issues related to linguistic
dominance which could help to clarify whether the winning of independence can lead to language recovery or not.
KEYWORDS: Language, dominating, dominated, power, hegemony.

1. Introduction

A dominating linguistic attitude is prevailing in the world. It is called linguistic imperialism or language domination. It is defined as the transfer of a dominant language to other people. This transfer is viewed as a demonstration of power, traditionally military power as the case of Spanish during the reign of Charles III or French after the invasion of La Gaulle by Julius Caesars. Yet, currently in the modern world, this power is noticeably economic and aspects of the dominant culture are usually transferred implicitly.

2. A Historical Review

Research into the effects of European colonialism history on language issues took off in late seventies and beginning of eighties with the publication of different works such as Fanon (1952), Cesaire (1950), Spencer (1971; 1985), Achebe (1975), Calvet (1974; 1987), Mammeri (1982), Phillipson (1992), Pennycook (1994; 1998; 2001) and many other ethnographs, sociolinguists, politicians and writers who studied the political linguistic actions that were taken by the Europeans in favor of the supremacy of the European languages.

At first, the aim of the European colonialism was to expand and control the economic and power base of European nations and to affirm their superiority. They established a hierarchical classification of the population, putting themselves at the top of the social hierarchy and allowing themselves prestigious values.

By contrast, the colonized were identified with the subordinate position; low status and granted little or no social power. Calvet (1987, 72) identified two steps in the linguistic colonization. He called the first one, the vertical step. It refers to the social spread of the language. The idea was to first spread language among the upper classes of the colonized, those who near or represent the colonial power (in North Africa they are called Caid) and later it was spread into members of the lower classes. The horizontal step, on the other hand, targets the geographic spread. That was an effective
strategic method used by the colonizer. The colonial language is diffused step by step, from the capital and large cities to the remote places of the villages.

Much effort was conceded by the colonizers, mainly through the educational system on accepting this asymmetrical social ideology in their colonial subjects but also by creating other social and linguistic practices.

3. Describing Language Colonizing Strategies

Firstly, colonization gave rise to a new language hierarchy in which the language of the colonizer was regarded as the most prestigious language that allows it to dominate the administrative and economic structure of each colony. Since ‘les dialectes africains ne sont pas des langues de civilisation’ (Fanon 1952), language policy in francophone Africa (Algeria, Morocco, Tunisia, Senegal and others) prescribed the exclusive use of French. These practices have a crucial impact on the local linguistic situation. Local languages for instance ranked in the bottom of the language hierarchy. This action was meant to freeze any opportunity for functional development and for any linguistic competition between local languages for having access to new domains.

The colonial linguistic policy was meant to undergraduate the non-European languages by setting a hierarchy which was reaffirmed and enabled by dominant European views of European and non-European culture and language (Pennycook 1998, 47-66). These views are plainly mentioned in the discourse around European and non-European language and culture (Calvet 1974, 165):

“Simply put, from the eighteenth to the nineteenth century, European developed a conception of the world in which different people could be divided into so called ‘races’ and that these races differed in terms of various mental and physical characteristics”

These differences were expressed in terms by a set of dichotomies which shortly explain that the positive characteristics apply to European culture and people while the negative ones are meant for the others, i.e. the non Europeans. The colonizers were generally pictured as possessors of culture, history, human traits, intelligent and endowed with the know how while the colonized were rather considered missing these features (Pennycook 1998, 47-66).

In relation to the linguistic situation, it was considered that the concepts of language, nation, culture and power were reserved for the colonial languages. The indigenous
languages, however, linked to uncultured and lacking of military power were assigned the terms ‘dialects’, ‘vernacular’ and ‘patois’ implying their inferior status.

To illustrate their disregard towards the indigenous, the European invented the term ‘creole’ for a language which has emerged out of the contact between European and non-European languages. Non-European languages were then continuously described as ambiguous, incomplete and imprecise and therefore cannot be used for expressing modern scientific thought (Calvet 1974). The attachment of the populations to their languages was viewed as a sign of ignorance and resistance to emancipation and civilization. The fact that these populations did not develop a writing system and a literary body was considered important evidence of their inferior status. By contrast, the learning of the colonial language was seen as an asset, a precious present that would civilize them and presumably opens up their mind to the modern world.

4. The Case of Algeria

After more than one-century settlement in Africa, it was obvious that the language of the colonizer was dominating. It was commonly used in schools, in administrations and in media. More than language, the minds were culturally invaded. The population could not escape cultural invasion. It was extremely hard, if not impossible to reconstruct the society differently. When, after the independence, an attempt was made to bring some changes, the results were somehow tragic.

To sweep away the linguistic and cultural presence of the colonizers, the post-independence government in Algeria decided to “Arabize” the society, language and mind, without studying the risks. They hoped the challenge to come true. During the one-century and half French presence, no opportunity was given to the Algerian scholars to study Arabic. There was a vacuum in education and cultural fields. As there was no elite who mastered the Arabic language, the government established an educational cooperation policy with some Arab countries like Egypt and Syria to take in charge The Arabic Language education in Algeria.

The endeavor was a real failure. There was no thorough survey and the process of Arabization was fast and randomly done. They forgot that French was entrenched in the minds; besides, the so-called educationists of the Arab countries did not share the same phonological system as the Algerian population. That resulted in a serious chaotic situation. The media (television and radio) were invaded with Egyptian and Syrian films and serials that did not mirror the Algerian reality.
That situation, which was supposed to be effective, in fact delayed the progress expected and brought about internal conflicts between the Berbers (the autochthonous population of Algeria) and the non-Berbers. The paradox was that French was contributing to establish a tacit agreement between the different populations in Algeria, however after the independence, each part expected to see the emergence of their language. That was unfortunately not the case, and the imposition of Arabic as the first language in Algeria is still causing ethnic conflicts in the country.

5. Linguistic Domination through Economic Hegemony

Economic domination and penetration have taken place during ages, varying forms from mutually beneficial trade to violent robberies. The process took an especially sinister form during the times of European colonization and transatlantic slave trade. Today’s globalization is due to two particular changes, one technological and the other one political.

First, the advent of electronic communications and data computers have made it possible for big companies bosses, shareholders top executives and transnational corporations to move limitless amounts of financial capital the world over instantaneously. Second, through political decisions where governments have dismantled national controls with regard to capital movements, profits and foreign investments.

Robert Phillipson (2001) shows how globalization is carried out through a small number of dominating languages. Being himself an Englishman, Phillipson (2001) does not shrink away from denoting his own mother tongue as being at the heart of the contemporary globalization processes. Phillipson (2001) shows how the forces behind globalization promote the diffusion of English, often to the detriment of the mother tongues of most people. He draws attention to the role of the World Bank in rhetorically supporting local languages, but channeling its resources to the strengthening of European languages in Africa; transnational corporations seem to be well served by the bank’s policies.

Phillipson (2001) points out that the colonial exercise was not merely about conquering territory and economies, but also about conquering minds. During the transition from the colonial to the postcolonial era, the British government saw the advantage of promoting English to a world language. Likewise, the globalization exercise of today is also about conquering minds. Throughout the entire post-colonial world, English has been marketed as the language of “international communication and understanding”, economic “development”, “national unity” and similar positive ascription.
These soft-sell terms obscure the reality of North-South links and globalization, which is that the majority of the world’s population is being impoverished, that natural resources are being plundered in unsustainable ways, and that speakers of most languages do not have their linguistic human rights respected.

A recent development is the globalization of distance education, which is big business for American, Australian and British universities. School-level exams in the full range of subjects are also business that consolidates the dominance of English. The University of Cambridge Local Examinations Syndicate is the second largest examination organization in the world, after Educational Testing Services of Princeton, New Jersey. It has organized exams in 1996 in 154 countries (Phillipson 2001).

The Finnish socio-linguist Tove Skutnabb-Kangas (2001) notes that if a state does not grant basic linguistic human rights (LHRs), including educational language rights (ELRs), to minorities and indigenous peoples, this lack of rights is what often leads to and/or can be used to mobilization of sentiments which can then be labelled “ethnic conflicts”. Skutnabb-Kangas (2001) finds to be the case especially in situations where linguistic and ethnic borders or boundaries coincide with economic boundaries or other boundaries and where linguistically and ethnically defined groups differ in terms of relative political power.

6. Can Chinese Be a Threat to English?

Recently, Facebook founder, Mark Zuckerberg surprised Chinese students when he addressed them in Chinese during a conference. The talk in Mandarin, which was far from being perfect, took 30 minutes. All students appreciated his efforts. Zuckerberg’s talk raises a serious question: Is Chinese the language of the future? Could it replace English as the world’s international language? Mandarin Chinese includes the world’s largest number of speakers, and China will soon pass the United States as the world’s most prosperous economy.

The study of the Chinese language is increasing in the United States and all over the world. In 2009, about 60,000 American college students were studying Chinese; that is three times as many as in 1990. More and more people from the entire world are visiting China for business connections as well as for touristic reasons. This explains the growing number of parents in America; in Europe and elsewhere who are sending their children to bilingual Chinese immersion schools. A mother explained that classes
at her children’s school are 100 percent in Chinese, she thinks knowing Chinese could certainly be beneficial and offer them a competitive advantage.

As China rises, it can be anticipated that more and more people will adopt the language. Learning Chinese will grow hand in hand with Chinese business and the amount of industry that they have or may develop, but does it represent a threat to English? Should the world holders be worrying about the status of English as being the world’s first language? It is probably not an imminent possibility but in three or four generations why not.

7. Conclusion

If legitimate demands for some kind of self-determination are not met, be it demands about cultural autonomy or about more regional economic or political autonomy, this may often lead to demands for secession. Thus, granting education- and language-based rights to minorities can, and should often be, part of conflict prevention. When the OSCE (Organization for Security and Co-operation in Europe) in 1992 created the position of a High Commissioner on National Minorities, it was precisely as an instrument of conflict prevention in situations of ethnic tension (Skutnabb-Kangas 2001). The High Commissioner explained to the expert group preparing the Guidelines that the minorities he was negotiating with had, in most cases, two main types of demands: first, self-determination and autonomy, and second mother tongue medium (MTM) education.

References

Jurisprudence of Minority Rights: The Changing Contours of Minority Rights

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ABSTRACT: Questions concerning minority rights has long been of international consequence and is at the center of many academic, legal and political debates. Identity claims of minority groups have been recognized and deemed worthy of protection. It is significant to note that nonetheless, even today minority issues tend to occasion anxiety amongst people and States. It is, therefore, necessary to have jurisprudential understanding of minority rights. This will enable us to gain clarity on questions of the nature of minority rights and the various challenges revolving around them. The paper has viewed claims and rights of minorities from the standpoint of international law and human rights and in doing so has charted out the historic progression of minority rights. It further studies the present day issues of the inter-relationship between minority rights and refugees and migrants. It also examines the ever increasing demands for the inclusion of various categories like gender and children under the minority rights regime. KEYWORDS: Minority Rights, History of Minority Rights, International Law, Human Rights

1. Introduction

The protection and rights of minority groups have long been of international consequence and are at the centre of academic and political debates. Identity claims of minority groups have been recognised and deemed worthy of protection. It is significant
to note that nonetheless even today minority issues tend to occasion anxiety amongst people and States. States have long held the view of minority groups as a divisive force, an anomaly within the State and a threat that may destabilise the State or a region. Historically the instances of ethnic tensions in Eastern and Central Europe and more recently the horrific incidents of the Rwandan genocide and the conflict in Sri Lanka between the Sinhalese majority and Ceylon Tamil minority are prominent examples of situations associated with or faced by minorities. Even today religious intolerance and denial of linguistic rights form prime areas of discrimination against minorities. It is therefore necessary to have a jurisprudential understanding of minority rights that will enable us to gain clarity on questions of the nature and evolution of minority rights. This paper to that end 1) traces the beginnings of minority claims and rights up till the present, 2) discusses the Post World War II situation and contemporary minority rights and 3) addresses the inter-relationship between minority rights and migrants and refugees and examines the ever increasing demands for the inclusion of various categories like gender in the list of beneficiaries of minority rights.

It may be noted that any discussion upon the question of minority groups necessarily pose a demand for a definition of the term ‘minority’. To date however no satisfactory definition of the term ‘minority’ has been arrived at which is acceptable to all. It is noteworthy that no consensus over a definition has been reached even in international documents that deal with issues of minority protection. This may be attributable to the fact that the concept is fluid and dependant on different social and political factors in different historical contexts. A discourse on the possible definition to the term ‘minority’ is a subject-matter which requires to be discussed at length and it will not be possible to be dealt with in the space of the present paper. Hence, for the purposes of this paper minority will be understood as per the United Nations (UN) usage. Article 27 of the International Covenant on Civil and Political Rights, (ICCPR) in the absence of a definition has qualified the term minority as “ethnic, religious and linguistic minorities” (The United Nations General Assembly 1966 art. 27).

2. A Historical Account of Minority Rights and Protection

In a historical context there exist two main narratives pertaining to the origins of minority protection. One narrative suggests that the current issues of minority rights can be traced no further than the nineteenth century to instances like the Conference of London, 1830, where France demanded assurance for Catholics and Greece accepted to grant equal political rights without distinction of religion to her subjects (Rosting 1923, 644) and the League of Nations mechanism on minority protection. The second
narrative on the other hand traces the roots of minority rights back to the seventeenth century reforms made as a response to protect religious minorities. For example, the Treaty of Westphalia, 1648, wherein the Protestant German population were granted religious rights and the Treaty of Paris, 1763, signed by Great Britain, France and Spain, for the protection of Roman Catholics in the Canadian territories which were ceded by France (Lerner 1991, 7-22).

However, there is yet a third narrative to the history of minority rights to a time that precedes the modern State system and goes back to the middle ages and possibly even prior to it (Oestreich 1999, 110). An example of this is St. Louis’ pledge to protect the Maronite Christians in the Holy Land in the year 1250, a promise which continued to be periodically renewed by the French monarchs. Another case in point is the situation prevalent in the Ottoman Empire where non-Muslims who though comprised a numerical majority were effectively in status minorities, were allowed their own religious laws (Sigler 1983, 70). The empire categorized each religious community as a separate nation and the system was referred to as the ‘millet system’ and implemented in the year 1453 by Sultan Mehmet II (Kucukcan 2003, 480-481; Yildiz 2007, 793). This system at first established with intentions of gaining the support of Christian religious leaders in conquered territories was progressively extended to other minorities like the Jews and Armenians.

From the three narratives it is apparent that the earliest examples of minority rights protection were based on religion (Rosting 1923, 642). Religion has been the oldest source of collective identity and the exercise of religious beliefs are to a large extent social practices defining attire, food habits, language, etc. giving it the potential for diversity dilemmas. In the past conflicts based on religion have included the persecution of early Christians by Romans that persisted up until Christianity itself became the official religion of the Roman Empire in 380 AD (The Edict of Thessalonica, 27 February 380 AD recognised Nicene Christianity as the only authorized State religion of the Roman Empire). For individuals their religious identity stood out against their identity as French, Turk, and Egyptian. Consequently, religious minorities living in European territories during the medieval times like the Jews were placed under a variety of restrictions and excluded from many systems.

The impetus to provide protection to religious minorities were typically motivated by the need to resolve violent conflicts like the ones amongst Catholics and Protestants in Christian Europe and situations leading to the ceding of territories from one State to the other. The demands of ethnic and linguistic minorities as opposed to religious minorities came into the picture at a much later date. It was towards the latter half of the eighteenth century when the concept of popular sovereignty materialised that
ethic attachments became important. This is not to say that ethnic identities had not mattered in the past but that it had not mattered to the same degree of import as it came to be during the eighteenth century. Reasons attributable for this change was that political authority in the past had not necessarily vested upon an idea of shared ethnicity, but by the eighteenth and early nineteenth century authority became located in the people. In the past the political authority’s claim to rule was based on the idea of *divine right* but slowly it became necessary to have a bond between the political rulers and with the people (Preece 2005, 137). As such, ethnic characteristics gained prominence and with it came ethnic diversities. Most States observed these ethnic diversities as potential problems towards territorial integrity and responded to this perceived problem with various minority policies ranging from recognition to the complete elimination of diversity (Preece 2005, 138). The Congress of Vienna in 1815 is one of the early example of minority protection which took on the form of ethnic protections. The Polish treaty which was signed at the congress is one such illustration which recognized the right of Poles to retain their own culture and institutions (Oestreich 1999, 111). The present-day minority issues dealing with religious, ethnic and linguistic minorities that we are most familiar with may be traced to the three congresses of Vienna (1814-15), Paris (1856), and Berlin (1878) (Thornberry 1991, 25-37). These congresses encompassed minority protection provisions in treaties establishing rights and security of populaces that were to be transferred to a foreign sovereignty (Fink 1995, 197).

### 2.1. Nationalism and its Impact on Modern Minority Rights

Nationalism has been considered by many to be the foundation of modern minority rights (Sigler 1983, 72). Though the terms ‘nation’ and ‘nationalism’ are at times used synonymously there is a distinction between the two. Nationalism denotes a set of beliefs about the nation. The most distinctive character of nationalism is the belief that the nation is the only goal worth pursuing (Grosby 2005, 1-6). The latter half of the eighteenth and the early nineteenth century saw increased scholarly attention given to the idea of nationalism in Europe. The idea of nationalism was enflamed by the writings and speeches of intellectuals like Gottfried von Herder, Johann Gottlieb Fichte, Friedrich Jahn and Giuseppe Mazzini who emphasized upon the importance of language and cultural heritage. Herder (1744-1803) who first voiced these matters is credited with the development of the idea of ‘Volk’ which means ‘people’ or ‘nation’. This theory of *Volk* meant a community which was bound together through bloodties and was characterised with a particular culture, language customs and religion. According to him the most natural State comprised of a community with its own
national character and multinational States were simply mock reproductions devoid of inner life (Musgrave 1997, 5). Herder’s theory gained prominence and was picked up by later scholars and by nineteenth century the idea of nation-states defined by ethnic and linguistic character spread throughout Central and Eastern Europe. This in turn spearheaded a condition which saw the international community become progressively susceptible to outbreaks of internal violence which threatened to spread beyond State boundaries (Fink 1995, 197). Minority groups began increasingly to be seen as anomalies who were incapable to have a nation of their own or have the ability to join the dominant majority in building national character. Minority discontent and dissatisfaction became one of the most unsettling forces in international relations especially in the context of minority claims in Eastern Europe.

A kaleidoscopic redistribution of sovereign power took place post-world war I. The nearly simultaneous disintegration of the Habsburg, Ottoman, Hohen-zollern and Romanov Empires together with Woodrow Wilson’s rhetoric of self-determination established the platform for creation of new States and the formation of national, cultural, religious, and linguistic minority communities and subsequent minority related problems (Fink 1995, 197; Sigler 1983, 72).

The international legal agenda after World War I accordingly was dominated by national minority groups. The idea of nationalism having gained tremendous ground led for demands by minority groups for equal treatment with majority populations or independent statehood. The insistence of nationalists was that every nation must have their own State. These sentiments were seen in Slavic minorities, the Irish, Jews etc. who were amongst a few of the many groups asking for their own State or to join their brethren in already established States. The most dominant and prevailing understanding of nationalism came to mean one in which the boundaries of the State were to correspond to that of the nation. This understanding was even accepted by the post-war decision makers headed by Woodrow Wilson (Wippman 1997, 599).

The Paris Peace Conference of 1919 (also known as The Versailles Peace Conference) to a large extent re-arranged and redrew State boundaries in Eastern and Central Europe on the principle of one nation one State. But it was impossible to ensure to every ‘nation’ a State of their own due to historical, geographical and political constraints. The result was that about 20-30 million people found themselves continuing in, or cast anew in the role of national minorities (Wippman 1997, 599). The triumphant States of World War I who met at the conference were consequently particularly concerned about the treatment of minorities. This concern stemmed not from any altruistic desire to protect minorities but from the apprehension that the newly drawn boundaries might perpetuate-or even accentuate-tensions between majorities and minorities. This
anxiety was further highlighted by the fact that the Paris Peace Conference created a predicament by on one hand proclaiming ethnic nationalism to be the underlying principle of the State whilst at the same time assigning to States a heterogeneous nationality (Heyking 1927, 34). This unease over the minority situation was therefore sought to be addressed through a minority protection mechanism under the League of Nations. It was hoped that the League System would help reduce the significance of territorial boundaries for the concerned groups (Wippman 1997, 600).

2.2. The Minority Rights and the League of Nations

Minority rights as we understand them under International Law was first systematically put into place following a series of treaties that were drafted at the end of the First World War within the League of Nations framework. Early on in the deliberations Wilson had made efforts to place a clause on minority protection in the League Covenant itself. However these efforts proved to be a failure (Fink 1995, 198). These series of treaties which came to be known as the minority treaties included the five special minorities treaties that bound Poland, the Serbo-Croat-Slovene State, Romania, Greece and Czechoslovakia; the special minorities clauses in the treaties of peace with four of the defeated central powers Austria, Turkey, Hungary and Bulgaria; the five general declarations made by Albania, Lithuania, Latvia, Estonia and Iraq on their admission to the League; the special declaration made by Finland in relation to the Aland Islands after it had been admitted to the League; and the treaties relating to the territories of Danzig, Memmel and Upper Silesia (Rosting 1923, 641-660; Fink 1995, 204).

The minority treaties of the League of Nations are of significance since they were the forerunner to all future efforts made and envisaged to guarantee minority rights post-World War II. These Minority Treaties created legal obligations upon the signatory States on behalf of racial, linguistic, ethnic and religious minorities. The Paris Peace Conference insisted that the defeated or newly reconfigured States accept a set of treaty obligations designed to protect the interests of minority group members. The Minority treaties granted political and religious equality to minorities as well as some special rights to minority groups (Fink 1995, 197).

The minority treaties were different in form to all other past efforts which had been made for the protection of minority groups. The principle difference was based on the enforcement procedure. While earlier the guarantor for the minority protection provisions were the Great Powers now it came to be entrusted to the League of Nations instead (Rosting 1923, 647). Further, the treaties provided that any disputes that arose
in connection to the minority provisions could be submitted to the Permanent Court of International Justice (PCIJ) or the World Court. This was done with the purpose of removing minority issues from the political domain to a legal one.

The League’s Minority Regime nevertheless reaped much criticism even at the outset. The major criticisms were that the minorities and their advocates were excluded from having any direct access to the league system. The League system had a set of rights for minority protection but they bound only a small number of States. Thus the League was unable to establish any form of universal jurisprudence for claims and rights of racial, linguistic or religious minorities wherever they may exist (Wippman, 1997, 601). The element of discontent was also grounded on the fact that the treaties satisfied neither the States that were signatories to them nor the minority groups. The refusal to develop a universal system for protection of minorities led States who were bound by the minority treaties to feel it as an infringement of their sovereignty seeing the victorious States not similarly bound by minority rights provisions. The minority groups viewed the protections as derisory and inadequate, and resented their lack of legal standing as corporate entities to directly challenge the League when there were treaty violations. The League’s minorities system was fundamentally to a large extent a peace-making and conciliatory process.

Despite the criticism to the League System several disputes concerning minorities and the minority treaties were brought before the Council of the League of Nations and a few even went on to be brought up before PCIJ. These cases today form an important source of jurisprudence for understanding minority related claims.

One of the landmark case was *Minority Schools in Albania, Advisory Opinion* of 1935. This was one of the last cases brought before the PCIJ that involved questions of minority protection. In this case the difficulties involving minority protection arose when the Albanian Government in 1923 made its intentions known to abolish the right to maintain and establish private schools. Following such intentions moves were made to secularize education ultimately resulting in the amendment to the Constitution of 1928, in 1933 by which private schools were abolished. This situation resulted in petitions to the League of Nations on behalf of minorities like the Greek Catholics. During the course of the proceeding the Albanian government argued that the abolition of the private schools in Albania was a general measure applicable to both the majority and minority groups. They contended that compelling Albania to respect private minority schools would lead to the creation of privilege in favour of the minority groups. The PCIJ however responded to these contentions by holding that equality in law does prohibit discrimination of any kind but equality in fact may encompass the necessity of differential treatment. The equality between the
members of the majority and minority needs to be effective and genuine equality. The Court highlighted the object of the Minority Treaty was to preserve characteristics which distinguish a minority from the majority and satisfying any special needs of the minorities in their efforts to preserve their characteristics. It was the Court’s opinion that there could exist no true equality between the majority and minority if the minorities were dispossessed of their own institutions and forced to forsake that which establishes the very essence of their being as a minority.

It may be seen that the PCIJ whilst interpreting the Minority Treaties interpreted them in a broad sense and rejected narrow constructions and gave due regard to the underlying intent of the treaties (Acquisition of Polish Nationality, Advisory Opinion, 1923). The various cases considered by the PCIJ involving the minority treaties are still relevant today though the minority treaties are no longer applicable and form a good part of minority rights jurisprudence. In fact cases like the *Minority Schools in Albania* are still extensively referred to not only for their ideas on minority protection but also general principles of law.

### 3. Post-World War II and Contemporary Minority Rights

Post-World War II though there were a number of proposals for the inclusion of some version of the minority protection system, the framers of the United Nations however chose not to do so. One of the reasons given for this discontinuity was the belief in the failure of the League’s minority protection mechanism. The second and more overpowering reason was the perceived threat to the integrity and national sovereignty of the State if minority protections were given. Leaders like Roosevelt who had a prominent say in the Post World War II situation felt that there was no requirement for special protection of minority groups (Sigler 1983, 77). The reasoning behind this viewpoint was that these leaders were familiar only with situations of discrimination against groups (like the Blacks) who sought integration into society. They were unable to comprehend situations of groups who might want to protect and preserve their distinctive identity, culture, language, etc.

The post- World War II approach therefore came to be based on individual rights. The argument advanced was that the broad spectrum of individual rights would by itself protect minority claims and interests. Such arguments also had underlying philosophical basis in the Liberal Theory that gave primacy to the individual as against any conception of the group or community. Both the United Nations Charter (The United Nations 1945) and the Universal Declaration of Human Rights (The United Nations 1948)
Nations 1948) therefore make no mention of minority rights. Though there wasn’t a complete neglect of minority concerns as evidenced by the establishment of the United Nations Sub-commission on Prevention of Discrimination and Protection of Minorities established in 1946 minority rights simply was no longer considered high on the international agenda.

Events such as the fall of the Berlin Wall on 9 November, 1989 and the violent break-up of Yugoslavia during the early 1990’s radically transformed such attitudes. It led to both States and International Organisations renewing their focus on the question of minorities. The United Nations has gradually made headway into minority issues which include the drafting of Article 27 of the ICCPR and the UN Declaration on Minorities (The United Nations General Assembly 1992). At a regional level Europe has seen the most development in this field and the drafting and adoption of the Framework Convention on National Minorities (Council of Europe 1995) is regarded as a big step in the advancement of minority rights.

The drafting of Article 27 of the ICCPR, a provision which for the first time specifically mentioned minority rights was a landmark event with respect to Minority Rights. This particular provision is considered as a milestone in minority protection as it is a legally binding provision and constitutes as applicable hard law. The article recognises the right of persons belonging to “ethnic, religious or linguistic minorities” to profess their own religion, use their language and to revel in their own culture (The United Nations General Assembly 1966 art. 27). The language of the article suggests that the rights enshrined are individual rights and does not have a group or collective rights character. In other words they are individual rights that allows a person to engage in particular activities in community with others.

This particular provision has still drawn in several criticisms. The criticisms include the failure of the provision to provide and definition of the term minority and also that it was declaratory in nature with minimum rights (Dinstein 1976, 118). It was also censured as being insufficient in addressing all the complexities inherent to issues concerning minority rights (Kymlicka 2005, 28). Also the framing of the rights in terms of individual rights rather than group rights and that the provision was a negative provision (Shaw 1997, 485) sparked an assortment of scholarly debates.

The opinions and questions regarding nature of the provision have been varied and it was only at a later date that certain clarifications were provided in the Human Rights Committee’s (HRC) General Comment No. 23 (United Nations Human Rights Committee 1994). An important elucidation made by the General Comment is that Article 27 places positive obligations on States in furtherance of protection.
of minorities. The General Comment No 23 states “Although article 27 is expressed in negative terms, that article, nevertheless, does recognize the existence of a “right” and requires that it shall not be denied. Consequently, a State party is under an obligation to ensure that the existence and the exercise of this right are protected against their denial or violation.” (United Nations Human Rights Committee 1994, para. 6.1).

With regards to the nature of the rights under Article 27, the General Comment No 23 in para. 3.1 states that Article 27 guarantees rights to individuals. This was ostensibly done so as to not confuse the right to self-determination with any of the rights guaranteed under Article 27. This statement effectively shows that elements of groups characteristic may not be associated with minority rights.

Further jurisprudence on the nature and scope of minority rights has developed through the views expressed by the Human Rights Committee (HRC) while examining complaints submitted to them under Article 27. One of the key areas of the HRC’s jurisprudence on Article 27 has been the interpretation of the normative content of the concept of culture. For example in Sandra Lovelace v Canada (1981), the challenge was with regards to a Canadian law which deprived an Indian woman of her Indian status and her right to reside in at an Indian Reserve on her marriage to a non-Indian man. The HRC determined that people who are born and raised on a reserve and have maintained and further want to maintain ties to that community and have access to their native culture and language should be considered part of that minority group within the meaning of Article 27. The HRC has also broadly interpreted in Lubicon Lake Band v Canada (1990), that Article 27 included an individual’s right to enjoy their own culture in community with others and that this would even include a particular way of life associated with the use of land resource or an economic activity. It must be noted that HRC’s interpretations of Article 27 has maintained that the protection of minority rights is an individual right and no collective element has been introduced.

After the breakdown of the League of Nations Mechanism and the coming up of the human rights regime minority rights appears to have seamlessly been woven into the fabric of human rights law. This situation raises questions as to whether bringing in minority rights under the canon of human rights law adequately deal with all minority issues. There exists an extensive amount of controversy and disagreement concerning this issue within the literature of rights language (Preece 1997, 17). The reasons for such questions arise because it is felt that the traditional human rights standards are insufficient in dealing with challenges associated with minority rights. For instance, the emphasis which is being placed on the cultural uniqueness of minority groups lead minority claims to be viewed synonymously
as cultural rights. Such an understanding then restricts minority claims to only cultural rights and fails at recognizing other varied claims which include economic as well as political claims. Even in the case of cultural claims traditional human rights as such are unable to deal with more nuanced issues like that of recognition of languages in parliament and courts, the drawing up of internal boundaries based on the population of cultural minorities etc. As such it is suggested that it is necessary to further study the normative status of minority rights and they be deliberated as a distinct category.

4. Existing Challenges

The United Nations qualification of the term ‘minority’ includes only ethnic, religious and linguistic minority groups (national minorities are included as per the UN Declaration on Minorities). No other groups be it race or gender have been included. But due to the absence of a definition per se the road for the proposals of including various recipients for minority rights has been paved. The proposals have been based on the belief that groups or communities like the differently abled are similarly discriminated against and face prejudice from a dominant majority group. There also exists questions on the extent of application of minority rights to non-citizens and subsequently their inter-relationship with migrants and refugees.

4.1. Beneficiaries to Minority Rights

One of the biggest concerns with respect to beneficiaries of minority rights stem from gender groups. Foremost amongst them is the question of whether or not women be included under the umbrella of minority groups and subsequently avail all rights associated to them. In most societies women and men are in general numerically equal in number. But the status of women as a secondary or lesser to men have led most to associate them as a minority group. There have been many international legal instruments that have advocated for the greater rights of women, significant amongst them is the Convention on the Elimination of All Forms of Discrimination against Women (The United Nations 1979). However, proponents continue to argue for women to be categorised as a minority due to discrimination based on sex. Nonetheless the question as to whether or not women be included as a minority groups should not be based on whether women have been made objects of prejudices or discrimination but whether they can satisfactorily be characterised as a group category of people to
sufficiently be able to constitute a minority group (Sigler 1983, 5). Currently, however, in addition to women the case of the Lesbian, Gay, Bisexual and Transgender People community (LGBT) is also being proffered as a group constituting sexual minorities. This community of gender variant people have come to be understood especially in Europe to have intrinsic characteristics that can be identifiable as a group. Similarly children are likewise considered by many to be a minority group. Children are understood to be the most vulnerable, powerless and easily discriminated members of society. It is usually seen that being a child can often lead to being in a state of disempowerment. But in the context of minority rights what is significant is not whether children as a group be regarded as a minority but to situations wherein a child also belongs to a member of other dis-empowered groups. This is because it would lead to them experiencing double discrimination. For example a children who belong to an ethnic minority group would on one hand be vulnerable and easily discriminated against for simply being a child and on the other hand, the isolation inherent in the minority groups they belong to could lead to the reinforcement of these discriminations. Another group who seek minority status are the differently abled. There was and still is a distinct lack of interest shown towards individuals with disabilities. These individuals not only face discrimination in society but are more likely to leave school early or become unemployed and live in extreme poverty (McDonald, Keys and Balcazar. 2007, 146). The Disability rights movement has however contributed to a large extent in bringing to light the problems and discrimination faced by such individuals. They are also the ones who promote the view of disabled people as a minority who are deprived by society due to their physical impairments. Activists of disability rights have started to use a minority rights based approach to further the disability rights movement and gain fresh insights and perspective. For instance, the deaf community see themselves as a linguistic and cultural minority and not as differently abled (McQuigg 2003, 368; Charrow and Wilbur 1975, 353).

4.2. The Inter-relationship between Minority Rights and Migrants and Refugees

Rights have generally been considered to be vested upon individuals who are also the citizens of nation-States. Most human rights instruments nevertheless provide that States have an obligation to protect the rights of all human beings subject to or under their jurisdictions, with the exception of certain political rights. It is however seen that though international human rights law envisions rights to all, be they migrants, refugees or stateless persons, it is usually seen that non-citizens face difficulties in accessing their rights. This can largely be attributed to nation-states dependency upon
the ideas of nationality and citizenship. In the context of minorities and minority rights this situation gives rise to questions involving the application of minority rights to non-citizens, migrants and refugees.

General Comment No. 23, in para 5.1 and 5.2 clarified that State parties are under an obligation to respect and ensure the application of article 27 ICCPR to everyone within their territory and jurisdiction and that such individuals need not be citizens of the State (United Nations Human Rights Committee 1994).

In practice however, non-citizen minorities may still face problems in accessing such rights. States may in their domestic definitions of minorities place a restrictive citizenship criterion or even not recognise the existence of minority groups like in France. Under the Framework Convention on National Minorities as well the protection is for the benefit of ‘national minorities’ leaving behind concerns over non-citizen minorities. As Hannah Arendt points out that despite the impression of human rights being considered as universal it is only through the membership of specific political communities built around the nation-state are rights recognised in any meaningful sense (Arendt 1979, 299).

With respect to migrants the traditional international law notion is that they be omitted from the protection afforded to minorities. Further, when migrants leave their country of origin with the intention of resettling elsewhere the immigrant integration schemes of those countries also fail to respect the immigrants’ rights as a minority group. This non recognition of ethnic, linguistic or cultural differences amongst the migrants groups is also an outflow of typical aspects of the nation-state, which theorizes that migrants should abandon their particular cultural identity and conform to the majority culture (Ringelheim 2010, 111). By the 1980s, this notion had begun to be increasingly challenged by supporters of multiculturalism who argued that States should respect cultural differences even of individuals belonging to immigrant populations. But there is a propensity of State laws and policies to distinguish ‘national minorities’ from migrant populations (Kymlicka 2008, 7). This distinction has resulted in the formation of ‘old minorities’ for the country’s home minorities and ‘new minorities’ for new migrant populations like temporary guest workers, permanent immigrants, asylum seekers, etc. As such ‘new minorities’ are generally not provided with rights similar to those of national minorities and in case that they are accorded minority rights they are normally in line with integration policies and not accommodation (Kymlicka 2008, 8).

In the case of the refugee populations as well they are regularly faced with discrimination, intolerance and opposition and are seen by citizens of States to be the
cause of the States instability especially in light of recent terror activities. Though in the international scene there exists a distinct category of refugee law activists involved in the protection of refugees and reduction of discrimination faced by them advocate that refugees should also be allowed to maintain their distinct identities. Efforts are made to utilise a minority rights based approach towards their protection.

It must be noted at this juncture that many refugee populations belong to ethnic, religious or linguistic minorities. Also in many cases the discrimination and persecution faced by such minorities was the reason that lead to them fleeing their home States and becoming refugees in the first place. The most contemporary examples of minority populations fleeing persecution, are the Syrian Refugees who are also comprised of people from religious minority groups and the Rohingyas who are an ethnic minority group.

The conundrum that emerges from this situation is whether or not such refugee population should fall within the minority rights ambit. The fact that there exists an entirely different arena of international law which is present to deal with refugees makes most want to keep these two categories distinct from one another. But what can be ascertained is that whether we want to or not questions of minority rights and refugees do intersect and it is therefore necessary to acknowledge this overlap between them.

Conclusion

Minority Rights and the protection of minority groups may be traced back to the middle ages and possibly beyond. But the contemporary conception of minority rights has its beginnings only post-World War I with the establishment of the League of Nations mechanism of minority groups protection. Minority Rights first developed as protection towards religious minorities and it was at a much later date that ethnic and linguistic minorities came into the picture. The formation of nation-states and the spread of the ideas of nationalism have played an essential role and have had a profound impact on the advancement of minority claims and rights. After a brief period of discontinuity in the minority rights regime post-World War II there has been progressive developments in the field of minority rights. However this development has been intertwined into the fabric of Human Rights framework raising questions into the normative status of minority rights.

Though there has been considerable jurisprudential development in the field of minority rights there still persists a variety of concerns both old and new. The question of definition for the term ‘minority’ continues to trouble scholars and
practitioners of law. New challenges comprise the proposals to include various groups as the beneficiaries to minority rights and the application of minority rights to non-citizens, refugees etc. These existing challenges call for a larger debate on the rights discourse and the usage of particular rights regime to advocate the rights of discriminated individuals and groups.

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Legal Protection of Main Principles of Academic Freedom in EU

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ABSTRACT: The paper discusses legal approaches of EU member states towards academic freedom through comparative analysis. The research was carried out on the basis of checking the constitutions and other legal acts of EU member states; the extent of compliance of national acts with legal documents adopted by the UN and Common European Space. The work includes the discussions about what academic freedom is formed from, which values define it, which criteria is important to assess it and how it can be protected, whether or not the fact of existence of academic freedom in EU member states has an impact considering Bologna process as a background. More precisely, the core values necessary for academic freedom are discussed, such as freedom of research and teaching, self-governance and tenure. As a result, the subject for analysis is rules existing on national level, including institutional governance, legal acts regulating the appointment and dismissal of a rector, general approach of EU member states regarding tenure. There has not been conducted a research similar to this in Georgia in the field. Thus, the present work can be an aiding factor towards further studies.

KEYWORDS: Academic Freedom, tenure, governance, Professor, University, Higher education
Introduction

The main purpose of this paper is to study the legal protection of the values of academic freedom in the member states of the European Union, to identify the existing trends, find positive and negative sides and prepare relevant proposals and recommendations of the best practice for the Republic of Georgia, for further improvement of the issue. Legal protection was based on the examination of constitutions and legislative instruments of member states of the European Union.

Based on the purpose of the work, the following research methods are used: Empirical - in order to identify the deficiencies of law in practice and find ways of their improvement; Comparative - to use the Bologna Process principles and its varieties existing in European legislation for a more in-depth review of academic freedom; Doctrinal approach - referring to the opinions and principles in scientific sources; we use the so called “Law in Action” and not a “Law in Books” method for studying how the law operates in the society - how it affects and what benefits the legal reform has for the participants of the education system and the society in general and how it protects its interests.

The research methodology aims at the following: based on secondary data situational analysis carried out by the Desk Study method (the general list of literature includes a large number of sources, legislative and statutory acts of member of the EU member states, results of international surveys); analyze the legislative basis of the EU member states which are participants of the Bologna Process and study their experience to draw up relevant conclusions.

1. Theoretical Background of the Study: Academic Freedom in Legal Documents Adopted by the Common European Space

The first reports and generally, first information of academic freedom were introduced in the national constitutions of the European states in the XIX and XX centuries, which were later reflected in international recommendations and treaties. On June 19, 1999, the Ministers responsible for the highest education in Europe signed a document known as “Bologna Declaration” in one of the oldest university cities of Italy. By signing this document, the states expressed their common readiness to participate in the formation of a common European area of higher education. Academic freedom, as the value of the Council of Europe activities, was adopted by the Committee of Ministers of 30 March in 2000, which emphasizes the aspects of academic freedom in academic research. The Council of Europe Parliamentary Assembly adopted a
recommendation in 2006, according to which “the Committee of Ministers strengthen its work on academic freedom and university autonomy as a fundamental requirement of any democratic society” (Recommendation R (2000) of the Committee of Ministers of 30 March 2000 on the research mission of universities). Although the European Convention on Human Rights does not explicitly establish the principle of academic freedom, the Court has repeatedly raised the issue of its protection under Article 10 of the Convention, which guarantees freedom of expression (European Court of Human Rights, ECHR).

It should be noted that academic freedom is considered the most important element in the Bologna Process. According to the 2001 Declaration of Salamanca (UNESCO 1994), further development of the Bologna process is that European universities have the authority to act in accordance with the principles of self-governance and confirm their accession and association with the Principle of the Magna Charta Universitatum of 1988 (EUA 1988), such as academic freedom. Obviously, when the importance and essence of academic freedom is different among the states, the number of academic personnel or students participating in out of the state activities and generally, mobility is reduced - in this case administrative, academic personnel or students are less willing to study or work at the university where academic freedom is much less protected compared to their own universities.

According to the Magna Charta Universitatum: “Freedom in research and training is the fundamental principle of university life, and governments and universities each as far as in them lies, must ensure its respect for this fundamental requirement” (EUA 1988). As noted in Article 13 of the Charter of Fundamental Rights of the European Union, Freedom of the arts and sciences, “the arts and scientific research shall be free of constraint. Academic freedom shall be respected” (European Commission 2000). The brief memorandum on this entry suggests that “the right to freedom of opinion and freedom of expression” should be “in relation to Article 1 and may be limited to Article 10 of the European Convention on Human Rights” (Explanations (*) Relating to the Charter of Fundamental rights 2007).

Thus, under Article 13 of the Charter, freedom of art and science is related to freedom of thought (Article 10) and freedom of expression (Article 11). Moreover, the rights listed in Article 13 shall be exercised in the limits of freedom of expression, pursuant to Article 10, paragraph 2 of the European Convention on Human Rights, where Article 1 of the Charter should also be taken into account. The latter includes ethical issues in the field of scientific research. We can conclude that the concept of academic freedom can be interpreted in many ways, in view of the general definition of Article 13 and the explanatory memorandum only in the limited manner.
Article 19 of the International Covenant on Civil and Political Rights (ICCPR) grants everyone the freedom of expression and express their opinion, which also includes “freedom ... to seek, to receive and disseminate any information orally, in writing or through the artistic forms of the press and expression”. The enjoyment of these rights imposes a special duty and special responsibility for the person: academic freedom for respecting the rights and reputation of other persons may be subject to “certain restrictions that must be prescribed by law and necessary”.

Another document adopted by the United Nations - International Covenant on Economic, Social and Cultural Rights (ICESCR 1966) is also important for the study of academic freedom. According to Article 15, the value is recognized as a human right to education and progress: the present Covenant recognizes the right of everyone to enjoy and use the results of scientific progress, “to benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production”. Signatory states are obliged, to “Respect freedom, essential for scientific research and creative activities”; “they recognize the benefits deriving from promoting connections and cooperation in the fields of science and arts” (Tomasevski 1999) of UN emphasized, “right to education can only be practiced when academic freedom is available for students and staff”. It is noted: “staff and students in higher education system are especially unprotected from political and other types of pressure, which impedes academic freedom” (The right to education, Art. 13 of ICSCR, § 38).

It can be concluded that committee researchers of ICESCR and ESCR have recognized academic freedom, which has significant importance for education and social progress. UNESCO has mentioned academic freedom many times in one of its missions regarding spreading education. The most significant result in this regard was 1997 document “Recommendation Concerning the Status of Higher Education Teaching Personnel” (UNESCO 1997a). Recommendation is not of obligatory character, however, it emphasizes the importance of academic freedom and tools to protect it, and link between academic freedom and collegial self-governance, as well. It should be noted, that UNESCO and International Labor Organization (ILO) have collaborated on creating periodical checking system and have enacted an expert mechanism on violation the principles of academic freedom.

The recommendation confirms: “the right to education, teaching and research can only be fully enjoyed in an atmosphere of academic freedom and autonomy for institutions of higher education” (ILO/UNESCO 1966 and 1997) and that the best way to exchange conclusions, hypothesis and ideas should be sought in higher education, which ensures... the solid guarantee of the “accuracy and objectivity of scholarship and research”.

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Generally, the basic values, which should ensure academic freedom are as follows: a) institutional autonomy, which clarifies the inevitability of the quality of self-governance, in order to make effective solutions for a higher educational institution. Along with academic freedom, it includes elaboration of standards and putting them in practice, governance and the similar issues; b) individual rights and freedoms, which means the right of higher educational institutions’ staff to enjoy academic freedom. This shall mean that they have “Freedom of teaching and discussion, freedom in carrying out research and disseminating and publishing the results thereof, freedom to express freely their opinion about the institution or system in which they work, freedom from institutional censorship and freedom to participate in professional or representative academic bodies”; c) self-governance and collegiality, which allows academic staff to participate in governing bodies, elect the bodies existing within the university, the right to collective decision making, to determine the higher education policy; and last, d) tenure, which, in itself means a constant and stabile position of a professor, i.e. permanent academic contract. Protecting tenure is required, even when systematic or university changes are carried out and “should be granted, after a reasonable period of probation, to those who meet stated objective criteria in teaching, and/or scholarship, and/or research”.

As far as we can see, tenure is one of the guarantees for academic freedom. A report of the expert Zaalishvili is very considerable, according to which “there are numerous mechanisms in European education system, similar to the tenure, which create the guarantees of stability for a professor’s position” (University Authonomy and Academic Freedom, Tamar Zaalishvili, 2013).

We come across some notes about academic freedom in such recent European acts as London Communique (2007) – “developing an European Higher Education Area based on institutional autonomy, academic freedom, equal opportunities and democratic principles...”; Budapest-Vienna Declaration on European Higher Education Space (2010) - “recommit to academic freedom as well as autonomy and accountability of higher education institutions”; and Yerevan Communique (2015) – “Together we are engaged in … coordinated reform of our higher education systems. This is based on public responsibility for higher education, academic freedom, institutional autonomy...we will support and protect students and staff in exercising their right to academic freedom and ensure their representation as full partners in the governance of autonomous higher education institutions”.

Abovementioned documents do not provide any information about how academic freedom is formed and how can it be protected or developed. There is no information about how much impact the exsistance of academic freedom has on implementation
of Bologna Process, either. Considering this, we believe to carry out deep analysis and research. First of all, we should figure out what are the values and the set of determining criteria for academic freedom that might be of importance for Georgia too.

2. The Values of Academic Freedom

Researchers Berdahl (1990), Menand (1996), Gerber (2001), White (2003), Bennich-Bjorkman (2004), agree, that academic freedom consists of four values. The first is the freedom to teach, which means the freedom to determine the content and the methods of teaching, assessment criteria, and transparent procedures for selecting a lecturer. Second is the freedom of research, which means the freedom to determine the object, methods and purposes of the research – but it shall not exceed the ethical limits; freedom to determine the form in which the research will be presented to the public. Third is Self-governance includes expressing opinions about the university governance; participation in decision-making within the university; right to appoint or dismiss administrative staff. And the last one, tenure, ensures some rights regarding workplace protection that it sets criteria for assessing academic achievements by the colleagues after accomplishing probation period. It also ensures that academic personnel, who cannot meet minimal competence criteria and standards of professional behavior, will be deprived of tenure.

Most of the European states had neither the term, nor the norm regarding tenure reflected in their basic documents. Due to this the notion of the term was understood incorrectly. Because of this, European states and NGOs decided to widen institutional academic freedom and deriving from this, in 2009 Prague Declaration, by European University Association (EUA) declared that: “universities need strengthened autonomy to better serve society and specifically to ensure favorable regulatory frameworks which allow university leaders to; design internal structures efficiently, select and train staff, shape academic programs and use financial resources, all of these in line with their specific institutional missions and profiles” (EUA 2009).

3. Research

In this part of the paper we present approaches of EU member states regarding academic freedom within the frames of Bologna Process, through comparative analysis. The subject of our interest was the protection of academic freedom on legislative level, also issues regarding institutional governance, legal regulation on
appointing and dismissing a rector, existence of tenure. We aim to assess what are the approaches and experience in this regard in European higher education institutions, through evaluating the level of relevancy of state regulations to the abovementioned documents, in order to create a decent base through empirical research. It should be noted, that there has been no research similar to this in Georgia and this work is the first attempt to figure out what are the mechanisms implemented in Europe regarding protecting and strengthening academic freedom. Terrence Karran (Karran 2007; Karran 2009; Karran 2013), Professor of Lincoln University, has works on unified analysis of European context of academic freedom. He is one of the most significant researchers in the field. His recommendations helped us in the analysis of the existing state of the field, so that we can uproot the gaps of Georgian education system through assessing the best practice.

In order to assess the different level of protection in EU member states constitutions and higher education legislations of these states were studied. We considered it reasonable to analyze the information regarding constitutional protection, also, specific regulations on freedom of speech and academic freedom, institutional governance, tenure and appointing a rector. Seeking the relevant information in the constitutions was not difficult, because of their availability in English, but it was not the same with other acts. Furthermore, laws on education are subject to constant updates and amendments, in order to meet new challenges in the field, which were not completely available for us, either. As Kwiek mentions, “Situation at a state university may be different from the one at a private institution” (Kwiek 2003, 455–476). Because of this, we studied the legislation regulating only state institutions.

We discussed constitutionally guaranteed protection at the highest level of protection in the EU member states. Nowadays, no one argues that there is a link between academic freedom and freedom of speech. As Connolly mentions, “there is a close relation between academic freedom and freedom of speech” (Connolly 2000, 69–82). As Dotry describes, “the guarantee of existence of freedom of speech is the basis for the concept of academic freedom” (Daughtrey 1990, 233–271).

Analysis shows, that most of the European states have strong protection mechanisms for academic freedom. In most of the constitutions there is a reference regarding this issue, but still they do not protect any element of academic freedom. Despite the fact that academic freedom may not be constitutionally protected, other national acts will protect the latter. Each EU member country has their own specific legislation on higher education, which also mention academic freedom and/or institutional freedom. For example, legislations in Austria, Germany, Hungary, Italy, Ireland and Slovakia – mention freedom to teach and study, Greece additionally discusses tenure, in Finland
– institutional governance, in Lithuania and Cyprus – institutional autonomy. In Bulgaria and Croatia only freedom of research and university autonomy is stated. In the laws of some of the states, such as Portugal, only freedom to teach is guaranteed, in Romania – only university autonomy and in Sweden – only right to research. In Spain and Luxemburg academic freedom is not limited. It is interesting that Austrian legislation not only protects academic freedom, but it also states that there shall be no pressure used in order to force lecturers participate in academic activities which are against their conscience.

Most of the EU member states have legislation on higher education, where it is prescribed in details how university governance shall be carried out. It is clear, that most of the European states have worked out constitutional and specific legislative protection mechanisms. In Cyprus, Malta and Estonia there is no constitutional protection guaranteed and no specific legislation envisages the latter. Post-soviet countries, which have recently become EU members, pay a lot of attention to academic freedom. It is expressed in their laws on higher education, where they have prescribed this factor (Thorens 2006, 87–110).

According to UNESCO recommendations, academic freedom requires institutional autonomy, which allows universities to make effective decisions. Lecturers of higher educational institutions should be able to participate in governance and elect the majority of academic staff representatives (UNESCO 1997b, 26–36). But according to 1998 research of Anderson D and Johnson R. (1998), University Autonomy in Twenty Countries, institutional autonomy is not a guarantee of academic freedom. Research in the universities of 20 countries has shown that institutional autonomy is not essential, but is one of the conditions for academic freedom.

There are different models of self-governance. In the system where academic staff is involved in governing council, academic Freedom is more protected for the professors and generally all teaching staff. When the academic staff is not given the opportunity to participate in the management, the situation is on the contrary. Academic staff, as well as representatives from outside have significant power, but considering that there are other representatives such as administrative staff and students, none of them should have monopoly in decision-making process. For example, in Poland, the senate is the highest decision-making body and the majority of it must be professors and PhDs. In the Netherlands, the supervisory board, members of which are appointed by the minister, appoints executive board. In some countries, the governance system is difficult and includes 2 or 3 systems at a time. In Portugal, there is a general board, university assembly and administrative board, while in Spain – public board, governing board
and university senate. It is clear, that when there is maximum number of academic personnel in a governing board, their position is stronger.

The form of appointing a rector is not mentioned in UNESCO recommendations, according to which “Autonomy should not be used by higher education institutions as a precondition to limit the rights of higher-education teaching personnel”… who “should have the right and opportunity, without discrimination of any kind, according to their abilities, to take part in the governing bodies and to criticize the functioning of higher education institutions, including their own” (UNESCO 1997b, 26–36). In previous times, rector himself appointed or dismissed academic staff, but now academic society is given the right to elect top management without institutional interference from outside. Some countries have also practice to appoint the rector from external circles, and not from the university. Where a rector is appointed and not elected, he/she will be less likely to be interested in protection of the rights of academic staff. For example, in Austria, the university council elects a rector from three candidates nominated by the senate. Similarly, in the Czech Republic, senate approves the budget of a higher educational institution, which is presented by the rector. The senate also monitors the governance of the institution and votes for appointment or a dismissal of a rector. Staff’s active involvement in the university governance is desirable.

UNESCO recommendations, which are created for international use, note: “tenure is one of the most important procedural guarantees for academic freedom” (UNESCO, 1997b 26–36), Byse and Joughin have discovered, that tenure is conditioned by the variety of policies, plans and practice and there is no agreement on the either criteria or procedures, which will be able to conclude or cease permanent contracts (Byse and Joughin 1959). However, in the EU countries, where tenure is awarded to staff after some period and which shall be cancelled, it can be considered as unguaranteed right of a tenured professor.

Some European countries may find it irrelevant to envisage the academic tenure in their labor legislation regarding the dismissal from a workplace. In France and Portugal, academic staff has the same rights, protections and status as public servants and as a result, the same legal protection. In other countries, there some changes are going on regarding tenure contracts. Upon data analyzed, we can conclude, that in EU countries, it is quite difficult to obtain and maintain tenure. Offering unconditional tenure to academic staff is rare and where it is available, there is a special conditional period prior to awarding tenure. In most countries, obtaining tenure is possible through competition and is offered for a limited period of time. For example, in Lithuania, professors are elected for five years, but if they manage to win the third five-year period, then they can hold the position until the age of sixty-five. Similar system is in
Croatia, where tenured professors are equal to public employees. In countries, such as Austria, the Czech Republic, Germany, Denmark, Hungary and Poland, tenured professors are required to become affiliated professors before they sign permanent contracts. Researchers employed in the universities of these countries are less likely to be offered tenure positions. The system of permanent academic contracts is well practiced in France, where academic staff is able to hold permanent position, so called Maître de Conférences after obtaining a PhD degree, provided that they are affiliated to a university. In the previous decade, amendments were introduced in legislations, which reflected on staff contracts. In the universities, where probation period for tenure or affiliation based system was practiced, in terms of institutional autonomy started to offer some additional terms in the contracts, this s known as “tenure track” position.

In the Netherlands, there is not a special regulation to hold the tenure position and despite the fact, that professors had de-facto right to tenure, the state is changing, as institutional autonomy for the academic staff transfers everything to institutional and individual contracts. Similarly, in Great Britain there is no specific legislation protecting tenure, as the law was enacted to totally abolish the institute of tenure. Researches make it clear, that it will be possible to create some measures based on the comparison of European countries. (Orji and Maekae 2013, 1857 – 7881; McCartney 2015). OECD indicators reveal that in 2015 the participation rate in higher education in Finland was 87 %, in Germany – 91%, in Portugal – 92% (OECD 2007, 7).

**Conclusions**

It becomes clear in different researches regarding universities, the role or education becomes more and more important in determining the national welfare. Upon comparison of European states, it is noticeable that the level of academic freedom is variable and needs to be strengthened. Through the analysis of legislative base, experience and legislative regulations in EU states, we can conclude, that academic freedom is one of the essential principles of Bologna Process, and however, its meaning and notion varies from country to country. Basic documents of EU recognize, that arts and scientific research is protected. Academic freedom is respected. Legal documents analyzed during the research do not provide any information on how academic freedom is formed and how it can be developed. There is no information on how the existence or inexistence of academic freedom influences implementation of Bologna Process. Academic freedom it is universally recognized, which has significant importance for social progress.
We consider it reasonable, that the countries, discussed in the research, harmonize their education system with universal education space and in this process, academic freedom is the most significant principle. Despite the fact that there is a tendency of increase of academic freedom, which is also proved in numerous researches, institutional autonomy is still poorly developed. Taking all the above mentioned into consideration, it is desirable for the European states, to implement such system, which ensures high level of protection, in a way that the universities will have wide autonomy in units such as organized structure, selection of academic, invited and administrative staff and most importantly, academic activity.

As we can see, in the constitutions of EU member states this norm does not have relevant support, but if the integration process of new members in the union goes on, we can assume that in the following decade, step-by-step, it will be recognized on constitutional level. This is why it is important that the role of academic freedom should be defined more precisely.

References


The Migrant Smuggling Crime in Romania

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ABSTRACT: The study below is meant to focus on the migrant smuggling crime in Romania, in specially analysis of the migrant smuggling infraction provided in the Romanian Criminal Code. Being a component of the human trafficking activity, the illegal migration is a phenomenon that is continuously extending and harder to stop due to the involvement of the organized crime networks and also due the ingenuousness and maliciousness of the people and the criminals. Therewith, the migrant smuggling is highly connected with drug trafficking, terrorism etc., aspects that are connected with the organized crime. Legally, there are many differences between the source states, the transit states or the destination states, that is slowing the fight of the states for combating this scourge. During this fight of preventing and stopping the illegal migrant smuggling, the states that are involved aligned their own legal frame to the international one in the activity field, by elaborating and promoting the regulatory acts that have been putting the responsibility on the governmental and non-governmental institution in this activity field.

KEYWORDS: migrant, illegal migration, crime, organized crime, Romanian Criminal Code

1. Introduction

The migration of population is a phenomenon that exists since ever, starting with the Great Greek Colonization and the Roman conquests, to the Roman Empire and the
Great Migrations of the XIX century and the beginning of the XX century, continuing to nowadays, it is a challenge that needed an integrated management from all the world’s states (Revista Pentru Patrie 2015, 1). The Illegal migration is the alternative used by the people who cannot use the legal way for departing from one country to another. Essentially, the migrant smuggling represents an activity that facilitates the entering of a person from another state, where this person is not a citizen or a permanent resident; a likewise illegal activity is often done for obtaining, directly and roundabout, of a material benefit or of another kind (Griga 2016, 60).

The incrimination of such a crime is justified through the high level of social danger exposed by the activities that are facilitating for other people in order to break the other states’ border, namely, the trespassing through ways, other than the ones established for the state border crossing or by trespassing right through the places where such an operation takes place, but fraudulently. In some cases, the crime is committed in order to obtain some benefits (Griga 2016, 60).

According to the activity report of Directorate for Investigating Organized Crime and Terrorism – DIICOT, during 2016, out of the 121 cases to be solved with the migrant smuggling as an object of litigation, 68 new registered cases during the mentioned period, a number of 28 cases have been solved, compared to 32, solved in 2015. Out of all of them 3 have been solved through indictment and plea agreements compared to 10 cases, solved in 2015 (70% decreasing), with 15% indicted sent to court, compared to 75 of them sent in 2015 (80% decreasing), 13 out of them were held in provisional detention compared to 37 indicted held in provisional detention in 2015.

2. Analysis of the Migrant Smuggling Infraction Provided in the Romanian Criminal Code

The 263rd article represents a new criminalization in the Romanian Criminal Code. This article was adopted through Law no. 286 from 17th of July 2009 regarding the Criminal Code, published in the Official Monitor no. 510 from 24th of July 2009, coming into force by 1st of February 2014, with subsequent amendments.

2.1 Legal regulation – art. 263

(1) The recruitment, guidance, leading, transportation, transferring or harboring of a person for the purposes of an unauthorized crossing of the Romanian state border shall be punished by a term of imprisonment of between 2 and 7 years.
(2) When the offense has been committed:
  a) With the purpose of obtaining directly or indirectly a patrimonial use;
  b) In ways that are endangering the migrant’s life, integrity or health;
  c) By subjecting the migrant to inhuman or degrading treatment, the punishment shall be
     by the term of imprisonment of between 3 and 10 years and the disqualification from the
     exercise of certain rights.
(3) The attempt to this crime is punished.

2.2. Pre-existing requirements

A. The legal object

The specific legal object is the real social value that is harmed by crime. This object
category works for determining the individuality of a crime in a frame of a crime
group. In our case, the special legal object is constituted the social relations whose
existence and development must be protected by prohibiting the migrant smuggling.

The Material Object may exist the aggravated version, being represented by the
person’s body when the migrant is subjected inhuman treatment.

B. The criminal offense subjects

By the term of criminal offense, subjects represent, in the criminal doctrine, the people
involved in the committing of a criminal offense, possibly by the actual committing
of the criminal offense, or by bearing the consequences. Therewith, there are criminal
offense subjects, both natural or legal person that did not obey the obligations in the
criminal legal relationship of compliance and they committed the forbidden offense, on
one hand, and the natural and legal person beneficiaries of the criminal law protection
and that by the committing the criminal offense they bore the consequences, on the
other hand (Mitrache & Mitrache 2017, 149-150).

a) The active subject of a criminal offense can be the natural or the legal person that
   committed the offense directly as an author or they participated in the offense as an
   instigator or as an accessory.

For the migrant smuggling, the active subject can be any person that fits the general
requirements of criminal liability and who commits one of the incriminated actions.
As I mentioned above, this crime can be committed in criminal participation. The
criminal participation or the occasional plurality of offenders designates the situation
that for the committing of a crime provided by the criminal law contributes with
common will more people than necessary, according to the nature of the offense or according to the will of the law (Mitrache & Mitrache 2017, 149-150).

According to the 46th article, 1st paragraph, the author is the person who commits directly an offense provided by the criminal law, also, according to the 2nd paragraph, the co-authorize the persons who directly commit the same offense provided by the criminal law.

According to the 47th article from the same Code, the instigator is the person that, intentionally, determines another person to commit an offense provided by the criminal law.

The accessory is the person that, intentionally, eases or helps in any way the committing of the offense provided by the criminal law. It is also an accessory the person that is promising, before or while committing the crime, that he will keep the goods, out coming from the crime or that he will help the offender, even if after committing the crime, the promise is not fulfilled – 48th article, Criminal Code.

b) The passive subject. In the criminal law doctrine, the passive subject of the crime is defined as a natural or private person, owner of the protected social value and who is damaged or endangered through the offense (Streteanu & Chiriță 2007, 72). In this case, this is the person subjected to the incriminated actions, sometimes with the consequence of subjecting the migrant to some inhuman or degrading treatments.

C. The place and the time of the crime

The place of the crime can be any place at the border of our state (a place that is not a border passing point), without the significance of the border trespassing, land, air or aquatic border. It is not excluded the option that by fraud the migrant smuggling to be committed by the border passing points. Therewith, given that the traffic would take place in one of the special border passing points placed in airports or seaports, the place of committing the crime is where the control point is placed. By border, we understand the natural or conventional line that separates the territory of a stat from another state’s territory or aquatic settlements that do not belong to their territory (DEX 1998, 401).

According to the 1st article, 1st paragraph of the Emergency Ordinance of the Government no. 105 from 27th of June 2001 regarding the state border of Romania, the state border is the real or the imaginary line that passes, forthright from one border sign to another, or, for where the border is not marked to the land with border signs, from one coordination point to another; to the Danube river and the other flowing
rivers the state border is the one established through the accords, conventions and the agreements of Romania and other neighbor states, by taking into consideration the fact that the general principle accepted by the fluvial international law is that the border passes through the middle of the prime navigation way, also that the flowing rivers non-navigable, by the middle of the water line; for the Black Sea the state border passes by the exterior limit and the lateral limits of the territorial sea for Romania. Within the phrase: the illegal crossing of the state border it is understood that the entrance and the exit by the illegal crossing of the state border of Romania must be accomplished in other places than the ones provided by the law or the entrance or exist take place in places designed for such a purpose but through fraud (Griga 2016, 56-57). The law does not condition in any way the existence of migrant smuggling by the time of its coming.

2.3. The structure and the legal content of the crime

A. The prerequisite for the migrant smuggling, under both legal options, implies the existence of certain special legal norms regarding the entrance or the way out of the country, that contain the rules that are mandatory to obey to. Therewith, the travel documents that must be submitted on the way in and the way out of the country are the passport or the identity card (only for EU citizens and the citizens of the states that signed agreements for the recognition of the identity card as a document suitable for crossing the border), the power of attorney or any other required document. As well, there are rules regarding the mandatory border crossing by certain devices and control points.

According to the 1st article, point i) of the Emergency Ordinance of the Government of Romania no. 105/2001, a border crossing point is any place organized and authorized by the Government of Romania for crossing the state border.

According to the 1st article, point k), of the same Emergency Ordinance, the border control is the activity carried out by the competent authorities' personnel, in order to ensure the compliance with the conditions provided by the law for the state border crossing of the people, transports, freight and other goods.

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In the 17th article of the Emergency Ordinance of the Government of Romania no. 105/2001 it is shown that the border crossing control is conducted by a team consisting
in the personnel of the authorities provided by the 12th article, first paragraph, whose members have attributions according to the special legal provisions.

As an outcome of the coming into force of the Regulation no. 458/2017 for amending the Schengen Borders Code (Regulation no. 399/2016), adopted by the European Parliament and the Council of the European Union, the control authorities from the borders of the European Union's borders, including the Romanian Border Police, will conduct, starting with 7th of April 2017, systematic checking's on the way in and the way out of the member states' territory. These consist in checking the travel documents and checking the relevant databases regarding all the people, including those with right of freedom to movement according to the EU law (more precisely, the EU citizens and the family members of those who are not EU citizens) on the way in and the way out of the state, as well. The databases that will be checked include the Schengen Information System (SIS), the database of the Interpol regarding the travel stolen and lost documents (SLTD), also the national databases. The checks are allowing the member states to be ensured that those people are not a threat to the public, the internal security or to the public health, with the purpose of improving the European Union security and its citizens. This obligation is applied to all the external borders (air, maritime and land border) for the way in and on the way out, and also for the internal borders of the member states where the decision is not taken regarding the elimination of the internal control of their borders. (Point 9 of the Regulation no. 458/2017) (www.politiadefrontiera.ro).

We are mentioning the fact that the Romanian citizens do not need a visa for traveling to the European Union states members, such as: Austria, Belgium, Bulgaria, Czech Republic, Cyprus, Croatia, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Leetonia, Lithuania, Luxemburg, Malta, United Kingdom, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, Hungary. The criteria for the entrance and residence are those provided by the Directive no. 38 of the European Council from 29.04.2004.

B. The constitutive content he constitutive content of the crime designates all the criteria provided by the incrimination law regarding the forbidden act of conduct carried out by the offender or they become relevant to him committing the action or inaction (Bulai & Bulai 2007, 170).

a) The objective aspect designates all the criteria required by the incrimination norm regarding the act of conduct forbidden or ordained for the existence of the crime. The investigation of the objective aspect of the crime is carried out through the examination of its component elements, recognized in the criminal law doctrine as
the material element, the immediate outcome, the causality link between the material element and the immediate outcome. To these elements, there are added specific criteria as essential requirements to the material element (Dongoroz et al. 1969, 11).

**The material element** is carried out by one of the actions expressly indicated in the 1st paragraph of the 263rd article of the Criminal Code, which is the solicitation, the leading, the guidance, the transfer and sheltering of a person.

*The solicitation* means recruiting a person that wants to pass the state border illegal, being attracted with promises and pressuring.

*The leading* means showing the way to a person, directing to the right direction and indicating the manner in which he should proceed for crossing our state border.

*The guidance* means accompanying and leading the migrant persons so their border passing would be facilitated.

*The transportation* means displacing the migrants by an air, land or maritime transport.

*The transferring* consists in moving the migrants from one place to another in any way.

*Sheltering a person* means giving to involves making available for him certain spaces where he can live until the border crossing transfer.

**Essential requirements.** For achieving the objective aspect of the crime is it necessary that any of the actions through which the material objects can be achieved to meet two essential criteria. Therewith, it is mandatory that the actions to be directed to certain persons that happen to be the migrants themselves and any of the indicated actions to be committed by illegally crossing the state border.

The **immediate outcome** of the migrant smuggling, particularly, means creating a dangerous situation for the state’s authority that has to ensure the surveillance and legal checking for the state border.

**The causality link** is the glue between the causality element (the cause) and the immediate outcome (the effect) required by the law for the crime’s existence. This turns out to be ex re, means that it is out of the offense’s materiality.

b) **The subjective aspect** as an element of the constitutive content of the crime shall contain the totality conditions required by the law regarding the position of the consciousness and the will of the crimes against the offend and its outcome, for the characterization of the offending as a crime.

**The subjective element** is the psychological stance of the persons that committed an offense, against the offending itself and its outcome, stance that is expressed through the will required by the law for the existence of this crime. For both the options of the migrant smuggling crime, the culpability is the direct intention since the active subject
is activated by a special purpose characterized by the incrimination norm. Therewith, in the basic form, any of the normative modalities indicated by the law are achieved with the purpose of illegally crossing the state border. For the aggravated form in the 263rd article, the second paragraph, point a) on the Criminal Law Code, when the offense was committed with the purpose of obtaining directly or indirectly a material benefit, there is a qualified intention through the purpose.

In all the cases, the purpose as an essential requirement must exist in the psychological process of the offender, without giving importance if that purpose will be really achieved.

2.4. Forms. Modalities. Sanctions

A. Crime’s forms

The preparation acts mean the first phase of the external time of the offense activity and consist in certain acts, data, and information procurement activities or adapting the resources or the tools that will be used for committing the crime and creating the favorable frame for committing it. For migrant smuggling, in particular, these are possible but not incriminating. Therefore, these are not ought to be punished.

The attempt crime variation that is situated, in the execution phase of the crime, before the start of the crime’s performance that constitutes the material element of the objective aspect and creating the result that is socially dangerous (Mitrache & Mitrache 2017, 288).

According to the 32nd article, 1st of the Criminal Law Code, the attempt consists in executing the intention of committing the crime, execution that was interrupted or did not realize the effect. The migrant smuggling attempt is incriminated by the 263rd article, 3rd paragraph on the Criminal Law Code, for committing the offense and also for not causing the result.

The ‘consummated act’ crime is the crime that its result is produced at the same time with entirely committing the material element of the objective aspect. This includes the attempt to that crime. The crime consumption takes place in the moment of committing any of the activities that can make the material element and the immediate outcome was realized.

The ‘exhausted act’ crime means that crime form that consists in its prolonging after the consuming moment until the intervention of a contrary force or the end of the performance action caused by the offender’s will or until the performance of the last
outcome. The prolonging can be caused by the amplification of the initial outcome or the continuation of the criminal activity (Mitrache & Mitrache 2017, 303).

The crime depletion of migrant smuggling takes place at the same time with its consuming moment.

B. The crime modalities

The normative simple modality is the one provided in the 263rd article, first paragraph, on the Criminal Law Code, meaning the recruiting, leading, guidance, transporting, transferring or sheltering a person for illegally crossing the state border of Romania.

The aggravating modality normatives are the ones provided by the 2nd paragraph of the same article, meaning when the crime was committed:

a) With the purpose of obtaining directly or indirectly a patrimonial use;
b) Through ways that are endangering the migrant’s life, integrity or health;
c) By subjecting the migrant to inhuman or degrading treatment, the punishment shall be by the term of imprisonment of between 3 and 10 years and the disqualification from the exercise of certain rights.

Aside from the above modality normatives there are factual modalities, in relation with the real way the indicted can create and complete the crime.

C. The sanctions

According to the 112th article of the Criminal Law Code, the court can rule as safeties measure the extended confiscation if it will find it complying with the legal requirements. The extended seizure consists in transferring to the state’s property, forcefully and free of charge, the certain goods that could not be proven to be directly linked with the offense provided by the law, case that would require to order the seizure of the good obtained by a convicted individual, directly or through other persons, and that is self-evident that is disproportionate comparing to his illegal revenues (Mitrache & Mitrache 2017, 279).

2.5. Procedural aspects

The criminal proceeding is an activity covered by the law and conducted by the judicial bodies, with the participation of the lawyer, the parties and other trial subjects, with the purpose of determining completely and on time the offends that represent crimes, so any individual that committed a crime to be punished according to its guilt and no other guilty individual to be not held liable (Neagu 2016, 1).
The prosecution is a phase of the criminal proceeding that has subject-matter the evidence collection regarding the existence of the crime and providing the criminal liability of them, for determining if it is the case or not to order the arraignment (Neagu 2016, 17).

The criminal prosecution represents the judicial tool through which the criminal law conflict is brought for resolution to the judicial bodies, for exposing the natural or private persons who committed crimes to the criminal liability (Neagu 2016, 102). According to the 36th article, 1st paragraph, point a) from the same Code, the first instance trial falls to the Court.

Conclusions

The migrant smuggling may be threatening the states’ socio-economic stability and even peace and security. Moreover, this is one of the topics that have been constantly maintained present on the agendas and the political and social speeches in our European area, but also from occidental countries.

I must be underlined, therewith, the migrants’ contribution that, in order to achieve the purpose of departing and leaving a better lifestyle in another country or under the force of threat and indications led by the traffickers, they prefer to keep quiet or to deny any connection with the people or the criminal groups that help them.

For the typical version, the migrant smuggling shall be punished by the term of imprisonment of between 2 and 7 years and for the aggravated version it shall be punished with the term of imprisonment of between 3 and 10 years and the disqualification from the exercise of certain rights, for example, the right of leaving the Romanian territory (66th article, 1st paragraph, point k) of the Criminal Law Code), the right to be in certain localities determined by the court (66th article, 1st paragraph, point k) of the Criminal Law Code.), the right to communicate with the victim or the victim's family members, with the individuals who committed the crime or any other individuals determined by the court or to get any closer to them (66th article, 1st paragraph, point n) of the Criminal Law Code) etc.

For the case of migrant smuggling, the criminal prosecution starts of its own motion. As the Criminal Law Procedure Code states, the criminal prosecution is for the competence of the investigating bodies of the judiciary police. This is consists in officers, police agents, specialized in carrying out the determination of the crimes, for gathering data with the aim of starting off the criminal prosecution and criminal investigation.
References


Climate in the 21st Century: 
A Macroeconomic Model of Fair Global Warming 
Benefits Distribution to Grant Climate Justice 
Around the World and Over Time

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ABSTRACT: Climate justice accounts for the most challenging global governance goal. In the current post-COP21 Paris agreement climate change mitigation and adaptation efforts, the financialization of the ambitious goals has leveraged into a blatant demand. In the weighting of the burden of global warming, the benefits of a warming earth have been neglected since recently. Following the introduction of the gains from climate change (Puaschunder 2017), this article proposes a model to distribute the benefits of a warming earth in a fair way based on which countries are losing and which countries are winning from a warming earth until 2100. A macroeconomic cost-benefit analysis thereby aids to find the optimum solution on how to distribute climate change benefits and burden within society. When unidimensionally focusing on estimated GDP

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growth given a warmer temperature, over all calculated models assuming linear, prospect or hyperbolic gains and losses, the world will be gaining more than losing from a warming earth until 2100. Based on the WL index of 188 countries of the world, less countries (n=78) will gain more from global warming until 2100 than more countries (n=111) will lose from a warming earth. Based on the overall WLTT index factored by GDP per inhabitant, global warming benefits are demanded to be redistributed in a fair way to offset the costs of climate change loser countries for climate change mitigation and adaptation efforts and to instigate a transition into renewable energy. Adding onto contemporary climate fund raising strategies ranging from emissions trading schemes (ETS) and carbon tax policies as well as financing climate justice through bonds as viable mitigation and adaptation strategies, climate justice is introduced to comprise of fairness between a countries but also over generations in a unique and unprecedented tax-and-bonds climate change gains and losses distribution strategy. Climate change winning countries are advised to use taxation to raise revenues to offset the losses incurred by climate change. Climate change losers could raise revenues by issuing bonds that have to be paid back by taxing future generations. Regarding taxation, within the winning countries, foremost the gaining GDP sectors should be taxed. Climate justice within a country should also pay tribute to the fact that low- and high income households share the same burden proportional to their dispensable income, for instance enabled through a progressive carbon taxation. Those who caused climate change could be regulated to bear a higher cost through carbon tax in combination with retroactive billing through inheritance tax to map benefits from past wealth accumulation that potentially contributed to global warming. Deriving respective policy recommendations for the wider climate change community in the discussion of the results is aimed at ensuring to share the burden but also the benefits of climate change within society in an economically efficient, legally equitable and practically feasible way.

KEYWORDS: Climate Change, Climate Change Bonds, Climate Change Gains, Climate Change Losses, Climate Justice, Europe, Macroeconomic Modelling, Tax-Bonds-Transfer Strategy, Taxation, United States, World

1. Introduction

Climate justice has been discussed in the focal point of law, economics and governance (Puaschunder 2016c). The implementation of climate stability accounts for the most challenging contemporary global governance predicament that seems to open an abyss of world inequality regarding differing times and degrees to enjoy benefits of a warming earth around the globe (Puaschunder 2017). As a novel angle towards climate justice,
this article proposes a well-balanced climate gains global governance distribution based on micro-, meso, and macroeconomic analyses results.

Overall the following paper investigates the nature of climate justice imbalances from an economic and a legal perspective in order to ensure economic justice solutions for advancing global climate stability. The structure of increasingly fragile environmental conditions will be captured in order to derive real-world relevant implications how to improve the overall global environmental conditions for humankind on a global scale but also over time. Through the understanding of climate change gains and losses, climate gain redistribution strategies will be presented. Shedding light on fair global warming gains distribution is meant to aid market economies to be brought to a path consistent with prosperity and sustainability. A preliminary literature review revealed a missing focus on climate change gains (Puaschunder 2017). Holistic global systemic risk analysis centered around fragility of the global environmental systems dominate the focus of contemporary climate justice discussions. Addressing these biases in order to gain a holistic climate change picture, innovatively the gains of a warming mother earth were recently measured in order to prepare for a well-tempered climate stability policy mix recommendations financed through a right, just and fair global warming gains distribution strategy (Puaschunder 2017).

The following paper combines theoretical and empirical research to review climate change gains in order to propose a right, just and fair strategy to implement climate justice around the globe. Outlining the benefits of a warming earth raises the demand for a fair asset allocation in order to offset the costs arising from climate change mitigation and adaptation strategies around the world. The paper thereby targets at gaining an in-depth understanding of how to alleviate climate change risks and implement climate change stability in the international arena by the help of fair global warming benefits distribution. Theoretical legal arguments capturing international climate stability mandate interdependencies are thereby innovatively coupled with quantitative global warming asset analyses in order to retrieve a fair and feasible climate stability implementation proposal. The overall goal of the paper is to develop our understanding of climate stabilization through the analysis of global warming gains distribution. Legal studies as well as economic calculus enhanced will produce public policy recommendations following the greater goal of developing a multidisciplinary analysis of global climate alleviation.

The paper is organized as follows: After a climate stability risk overview (Part 1.2), a qualitative legal analysis aims at gaining climate change benefits and burden sharing strategies. Quantitative modelling of global warming gains focus on finding a fair
distribution of global warming gains based on international climate interdependencies (Part 2.). Global warming benefits transfers will be proposed on a global and temporal scale in the discussion of an unprecedented tax-and-bonds-transfer strategy. In its entirety, the paper offers a unique combination of the laws and economics of global warming gains including a nomenclature creation, literature reviews and quantitative modeling in order to derive public policy directions for global governance experts and institutions pursuing a real-world relevant worldwide fair climate stability strategy.

2. Climate change

Climate change accounts for one of the most pressing problems in the age of globalization as for exacerbating more complex risks than ever before. As never before in history since the birth of the earth, there is an environmental sensitivity to economic growth (Centeno & Tham 2012; The World Economic Forum Report 2015). While classic economics portrayed balancing the interests of different generations as an ethical problem of competitive markets requiring governance for intergenerational transfers and some economists even opposed discounting of future utilities (Allais, 1947; Harrod, 1948; Puaschunder, 2015a; Ramsey, 1928); climate change has leveraged intergenerational equity as contemporary challenge of modern democracy and temporal justice an ethical obligation for posterity (Puaschunder 2016e, 2017).

Global warming has become reality in temperature anomalies, extreme weather events, unprecedented hurricane seasons and up to 50 inches sea level rise predicted until the end of the century. History has also been made in reaching an iconic agreement on global warming mitigation at the UN Paris climate change conference. Literature on the topic centers around the economics of climate change, on causes of climate change, mitigation policies – such as cap and trade and carbon taxation – regulatory measures, and on adaptation. Substantive climate coverage through the IPCC research but also international conferences on climate change and global warming abatement stress the currently most urgent need for climate change mitigation and adaptation policies. The most recent research attempts address in particular the funding a burden sharing of climate policies in the international compound raising challenging questions about the burden sharing inbetween countries and over generations.

2.1. Climate justice between countries

The legal argumentation about climate stability touches on different fields of law, ranging from common goods to private property to human rights. While climate was historically understood as a common good,\(^1\) which is non-excludable and non-
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rivalrously shared and beneficial for all world members, this original perception is currently challenged by climate change. If climate becomes less stable, climate may not be considered as common good any more. For instance, if climate instability impacts certain world areas by weather extremes – such as sea level rise, flooding, droughts, desert formation, storms, and hurricanes – more severe than other parts of the world that may even benefit from a warmer climate (e.g., consider Russia’s and Canada’s access to natural resources when ice is melting in their Northern territories), a quest for living in a beneficial area of the world may leverage a favorable climate as a quasi-luxury. Living in a part of the world with a beneficial climate may become an exclusive privilege that is rivalrously contested. Under these circumstances, climate would not be considered as classical common good. But also take the example of rising sea levels. If climate gets warmer, sea levels rise and drown landscape under water, the common good of climate directly impacts on private property. Predictions of Venice disappearing and Manhattan being almost by half under water in 200 years² if we continue on a business-as-usual path, underline the direct impact of the common good climate on private property rights. If temperature rises, private property will be destroyed or more expensive to maintain than before.

Climate justice concerns thereby directly touch on human rights (Puaschunder 2016c, 2017). The greater goal of ensuring climate justice is that not one generation creates irreversible lock-ins for future generations. The claim for a human right of access to a stable climate stems from intergenerational fairness demands, which is a natural behavior all or a human-imbued cue that has been practiced ever since (Puaschunder, 2011). Climate justice is thereby traced in human rights and sustainable development is a quest to safeguard the rights of those affected by climate change. Connecting a stable climate to human rights has become a blatant demand in the light of a changing sea levels. Yet to this day, climate refugees are not treated under the Geneva Convention³ as long as their rights are not directly connected to a human right. From the Arctic to the Indian Ocean to the South Pacific, small island states and coastal lines have therefore nowadays become home to the most vulnerable communities, whose rights are not fully protected by contemporary legal frameworks. The threat of rising sea levels in the wake of climate change pushes populations to relocate to safer areas. Contemporary legal frameworks do not recognize and protect the rights of these novel climate migrants as climate refugees do not fall under Geneva Convention⁴ protectorate as long as climate justice is not considered an eternal human law and right. Climate justice may thus be leveraged as a human right in the years to follow. Subsequent legislation should set out to ensure a decent standard of living of those affected by global climate warming. As the destabilization of climate will
directly destroy, damage or intensify maintenance costs of private property and a decent living; the climate stabilization efforts therefore also have entered private property and standard of living financialization considerations.

In the financing of climate stabilization, private market rational have been proposed following World Bank and United Nations approaches to price natural resources. These financialization and commodification of nature efforts, however, have just started. In the commodification of climate, economic rational should be applied but with the caution of legal oversight. The basic economic rules of supply and demand suggest that an over-demand of climate elevates the price of a stable climate. Legal rational following the quest for justice between countries subsumes the rising price of a stable climate to those countries that benefit more from a stable climate, should also be paying a higher price for climate stabilization. Fair climate change burden sharing between countries could therefore comprise of two argumentations: First, those countries who benefit more from a stable climate, hence those with a larger landscape or higher population, who have more access to climate than others and hence a greater summed up utility over all their individual nationals derived from a stable climate, should also bear a higher degree of the burden of climate change mitigation and adaptation efforts. Second, those countries who benefit more from global warming and reap benefits from a warmer earth temperature should redistribute some of the wealth accumulation due to climate change to offset the costs arising from global warming at other countries of the world that suffer from a decline in living conditions due to rising temperatures.

The legal foundation for different country approaches toward climate mitigation and adaptation cost sharing can be found at the heart of sustainability having been declared as one in which countries have ‘common but differentiated responsibilities,’\(^5\) which was first discussed in Principle 7 of the Rio Declaration at the first Rio Earth Summit in 1992.\(^6\) New to this argument, however, is that the benefits of global warming – which are real and exist, for instance, in melting ice allowing unprecedented access to below-surface resources and larger arable landscape – should be shared globally to offset costs and harms produced from a higher temperature in other parts of the world. In addition, building on case and international law, those countries that have better means of protection or conservation of the common climate should also face a greater responsibility to protect the earth. The legal basis for this argument stems from an inverted subsumption of the argumentation whether climate stability is a common good or impacts on private property and draws on historical cases of legally-justified expropriation.
Private property rights are some of the starkest legal claims existent around the world. Private property rights hold through time, distance and space. If a neighbor goes on vacation, one cannot simply move in his home and claim oneself as new owner. But there is one interesting case in history, where private property rights could be neglected for the sake of common goods. In history, the private property claim of a country was legally-justified negligible if (1) those who owned a good were not alive anymore and direct attribution of the owner non-existent; (2) the former private property was turned into a common good; and (3) the new owner had better means of protection and conservation than the good had experienced before.

Take historical examples such as the Stone of Rosetta but also other cases such as the ‘Elgin’ Parthenon Marbles as part of the Athenian Acropolis (Downs, 2008). Historically the stone of Rosetta was discovered by Napoleon Bonaparte in 1799 in the small town of Rosetta in Egypt, and is now exhibited in the British Museum for more than 200 years. There are several arguments for not restituting former private property to the countries of their origin as in the case of the Stone of Rosetta: (1) The actual former owner are not alive anymore and unknown, which naturally transposes any direct individual property claim to the international law domain, hence the country Egypt contests the country Great Britain over ownership and possession. Great Britain claims (2) to turn the former private property to a common good through granting a large and diverse group of people access, hence creating a larger summed up utility. London – as a vibrant metropolitan hub with a vast array of visitors – is a better stage to explain the meaning of the stone to a broader public than if the stone were still in Rosetta, a small town near Alexandria in Egypt. The display of the stone in a museum adds additional value: (3) The British Museum has better means of protection, preservation and conservation of the stone than if it were displayed by itself in a desert town benefiting not only from the political stability of Great Britain but also the strong culture of heritage awareness and valuation as a Royal mandate. (4) The surrounding in a museum grants the stone meaning and a Gestalt bringing to life the mysteries of the ancient Egypt and the stone’s importance as a historical artefact in deciphering Greek, Hieroglyphs and demotic Egyptian (Downs 2008). The stone’s connection to history truly becomes apparent in the wealth of other displayed objects that grant the stone a certain collective Gestalt bestowing upon itan additional value. The sum of objects in a museum is worth more in its entirety than its sole pieces standing alone.

What can we learn from the historic case of expropriation for the future of climate justice? Instead of asking whether ancient colonial claims have still today the right to retain misplaced cultural heritage, these standard argumentations for expropriation
– on which the justification for these items to remain in former colonial powers’ territories to this day lies – could be subsumed to the novel and contemporary case of climate justice. In the arguments whether the first and the second world should bear the same burden of climate change mitigation and adaptation efforts brought up foremost by China arguing to have a right to economic growth by the same – unfortunately climate-change causing – means of economic transition as the first world had in previous centuries\(^7\), one could subsume from the above case of expropriation for the sake of common goods creation: (1) That climate change will potentially infringe on private property rights of future owner who are currently unknown. (2) Those countries should bear a higher burden of climate change mitigation and adaptation efforts, who have more access to climate, hence those with larger gains from a warming earth but also a larger landscape and/or those with a larger population; (3) but also those countries who have better means of protection, preservation and conservation, hence the first world or GDP strong countries, have to take on a greater responsibility in averting climate change (Puaschunder 2016c, 2017). (4) Overall, there is a natural Gestalt to the time regarding climate. Over time, the sum of a stable climate over time is more precious than the individual generation’s costs incurred to maintain a favorable climate. Shedding light at these deficiencies underlines the need for considering climate justice a natural law over time that connects our common humankind’s past to our future (Puaschunder 2016d, 2017).

2.2. Climate justice between generations

Society as a whole outlasts individual generations. Pareto optimality for society over time differs from the aggregated individual generations’ preferences. As the sum of individual generations’ preferences does not necessarily lead to societally favorable outcomes over time (Bürgenmeier 1994; Klaassen & Opschoor 1991), discounting based on individual generations’ preferences can lead to an unjust advantage of living generations determining future living conditions. In the climate domain, intertemporal questions arise whether to invest in abatement today – in order to prevent negative effects of global warming – or to delay investment until more information on climate change is gained (Rawls 1971). In general, resources are balanced across generations by social discounting to weight the well-being of future generations relative to those alive today. Regarding climate justice, current generations are called upon to make sacrifices today for future generations to cut carbon emissions to avert global warming (Sachs 2014). In general, intergenerational balance is therefore accomplished through individual saving decisions of the present generation (Bauer 1957). Policies curbing preferences and taxes distributing welfare between the present and
future generation, however, decreases economic growth. But this climate change mitigation at the expense of lowered economic growth creates intergenerational predicaments. Costly climate change abatement prospects are currently hindering necessary action on climate change given a shrinking time window prior to reaching tipping points that make global warming irreversible (Oppenheimer, O’Neill, Webster & Agrawal 2011; Puaschunder 2016a, 2017).

As an innovative angle in this debate of economic growth versus sustainability that pits the current generation against the future, a novel climate change mitigation approach with bonds funded through debt and taxation imposed on future generations is proposed. In order to avoid governmental expenditure on climate change hindering economic growth but also to instigate immediate action on climate change abatement (Barro 1990); Sachs (2014) introduced to fund today’s climate mitigation through an intertemporal fiscal policy mix backed by climate bonds and carbon tax (Marron & Morris, 2016). Bonds are debt investment in which investors loan money to an entity, which borrows the funds for a defined period of time at a variable or fixed interest rate. Bonds are primarily used by companies, municipalities, states and sovereign governments to raise money and finance a variety of future-oriented long-term projects and activities. In this debt investment strategy, investors loan money to an entity, which borrows the funds for a defined period of time at a variable or fixed interest rate (Puaschunder 2016c). A climate bonds financing could subsidize the current world industry for transitioning to green solutions as a real-world relevant means to tap into the worldwide USD 80 trillion-bond market in order to fund the incentives to a transition to a sustainable path (Puaschunder 2016b; World Bank 2015).

Carbon tax can also help financing a well-tempered climate change mitigation and adaptation mix as carbon taxes can raise substantial revenue until the economy is largely decarbonized (Marron & Morris 2016). In Sachs (2014) 2-period model, climate change mitigation is financed by debt to be repaid by tax revenues on labor income in the future. Leaving the current generation with unchanged disposable income allocates the burdens of climate change mitigation across generations without the need to trade off one generation’s well-being for another’s. While today’s young generation is left unharmed, the second period young generation is made better off ecologically. Taxes on later generations are justified as for the assumed willingness of future generations to avoid higher costs of climate change prevention and environmental irreversible lock-ins. Shifting the ultimate costs of climate change aversion to later generations leverages climate stability into a Pareto improving strategy for mankind.

Overall, in this tax-and-transfer mitigation policy all generations are better off with mitigation through climate bonds as compared to the business-as-usual (BAU)
non-mitigation scenario (Sachs 2014). While future generations enjoy a favorable climate and averted environmental lock-ins; the current populace does not face drawbacks on economic growth. Sharing the costs of climate change abatement between and across generations appears as powerful strategy to instigate immediate climate change mitigation through incentivizing emission reduction and provide adaptation. Although intergenerational burden sharing on climate change appears as viable real-world relevant emergent risk prevention; we currently lack an analytical understanding of the impact of climate mitigation through bonds on economic growth, the coordinated implementation of climate change burden sharing bonds as well as the model’s long-term effects.

A literature review and preliminary studies have to be undertaken on the current discussion on sustainable finance and the diverse methods of funding of mitigation and adaptation policies. Particular emphasis was given to the already existing literature, experiences and practices of issuing climate bonds and its relation to carbon tax (Puaschunder 2017). The issue of sustainable financing of climate policies was found to be less developed. Regarding creative financing strategies, a focus group was staged during August 2016 at the International Institute for Applied Systems Analysis (IIASA) in Laxenburg Austria with 39 young scientists representing diverse disciplines, well-balanced gender composition and differing nationalities from around the globe (Puaschunder 2016c). The focus group revealed primary interests in the novel climate change bonds financing strategy (Puaschunder 2016c). Questions were raised about the legal and policy frameworks to enact the bonds; feasibility, efficiency and pricing of bonds; multi-dimensionality and incentive concerns of the general bond financing strategy idea; international differences in climate change mitigation and adaptation attempts as well as justice between countries to share the benefits and burdens of global warming equally. In addition, several sustainable development financing approaches were discussed during the 2016 Alpbach Retreat comprising of open source investment platforms, innovative public-private partnership plans as well as self-financing tools to create constant revenue streams to settle expenses long-term (Puaschunder 2016a).

Uncertainty arising in assessing economic growth in relation to climate change creates an unprecedented predicament for scientists and global governance technocrats. International questions are posed as to which countries should be paying to invest in abatement today – in order to prevent negative effects of global warming around the globe (Rovenskaya 2008). In general, resources are balanced across the globe by social discounting to weight the overall well-being. Regarding climate justice, current climate change beneficiaries are called upon to make sacrifices today to cut carbon emissions to avert global warming (Sachs 2014). The implementation of climate change avoidance,
and the adaptation against the coming climate risk was previously described as to pit today’s climate change winners and losers against each other in the trade-off of economic growth versus sustainability (Puaschunder 2016b, 2017; Sachs 2014).

In this framing, the problem of climate change is therefore mainly associated with risks and burden sharing costs, which may have caused a lethargy on action (Puaschunder 2016a). Climate change burden sharing strategies have been thermalized alongside mitigation and adaptation policies against climate risks (Puaschunder 2016b). Recent IPCC research, international conferences on climate change and fund raising activities to combat global warming stress that it is advisable now to pursue both mitigation as well as adaptation. While climate justice will require both, climate change gains and losses should be analyzed concurrently (Puaschunder 2017). Yet, no macroeconomic model exists to date on the transfers of global warming benefits a warming earth will bring in the short term to areas that need funding to offset the losses of climate change.

2.3. Research question

The empirical part features a stylized model to introduce intergenerational burden sharing financed through distributing the contemporary global warming gains around the world. The discussion will then focus on the actual implementation of climate justice through the idea of issuing climate bonds coupled with a taxation solution. Empirical analyses will help revealing the model’s viability in order to derive suggestions for global governance policy makers to efficiently herald climate justice in the 21st century. Shedding unprecedented light on the advantages of global warming will help to retrieve real-world relevant climate justice implementation recommendations. Contrary to negative connotations of burden sharing on climate change, outlining the benefits of global warming will draw attention from agnostic market actors. As a positive incentive, gains raise awareness for the issue at stake and ensure that the positive advantages of a warming earth can be distributed based on right, just and fair ethical principles. Without knowledge and quantification of the gains of climate change, climate inequality may become unnoticed (Chancel & Piketty 2015). Only by the sound understanding of who will gain what on a warming earth, justice can be established – as to the entire world benefitting from the gains of a warming globe in a just way. Knowledge of the concrete benefits based on contemporary finance and growth models maximizing utility over the world can thereby lead the implementation of climate justice between countries but also over time. The measurement and description of the short-term winners and losers of a warming earth is an innovative and novel angel towards accomplishing climate justice that is introduced in order to find a behavioral economics solution to steer action through positive incentives. The following empirical
part therefore elucidates climate change gains around the world in order to find right, just and fair benefit sharing strategies and mechanisms, which will be proposed in the following discussion section based on a tax-and-bonds diversification strategy.

As the very first preliminary attempt in the benefits distributions direction, the article provides real-world relevant means how to implement climate justice on a global and long-term scale. Outlining the distribution of benefits of climate change is key in determining redistribution strategies for vulnerable cities, communities and countries to protect them from the variegated climate change risks (Nordhaus 1994). The prospective results of a climate change gains analysis will therefore help multivariate stakeholders achieving compensation for climate change mitigation, adaptation and a transition into renewable energy for sustainable development. The climate model helps analyze how global governance experts can distribute the gains of a warming earth around the globe. Winking with insights on the benefits of climate change appears as novel, feasible and easily-implementable solution to gain interest from the very many contemporary stakeholders we need to address the issue of a warming earth but also nudging overlapping generations towards future-oriented sustainability follows the greater goal to make the world a fairer place in the access to stable climate for this generation and the following.

3. Method

3.1. Overall model assumptions

Building on Puaschunder (2017) economic output was measured under projected conditions of a warming earth. For 189 world countries the Gross Domestic Product (GDP) agriculture, industry and service sector composition was retrieved from the Central Intelligence Agency (CIA) World Factbook. Contemporary climate change projections estimate a mean temperature rise of approximately 4.24 degrees Celsius. The cardinal temperature $C$ per GDP sector was related to the prospected temperature in 2100 per country. From the current world temperature mean per country and the estimate of a 4.25-degree Celsius climate change until 2100, the closeness to cardinal temperature per sector was calculated for each country by using the following formula 3.1:

$$T_A = C_A - T_e$$

(3.1)

Whereby $T_A$ represents the closeness to the optimum cardinal temperature for agriculture calculated by the cardinal temperature for agriculture $C_A$, which equals to 28.5 degrees Celsius, subtracted by $T_e$ as the temperature estimated for the year 2100.
per country. The result for the distance to the optimum temperature for each sector for each country was then multiplied by the GDP contribution percentage of the sector using the following formula 3.2-3.4:

For the agricultural sector, formula 3.2 reads

\[ WL_A = T_A \times GDP_A \] (3.2)

whereby \( WL_A \) stands for the climate change winner and loser index for agriculture per country comprised of the distance to the optimum cardinal temperature per GDP sector \( T_A \) multiplied by the percentage of agriculture contributing to the overall GDP indicated by \( GDP_A \).

For the industry sector, formula 3.3 reads

\[ WL_I = T_I \times GDP_I \] (3.3)

whereby \( WL_A \) stands for the climate change winner and loser index for industry per country comprised of the distance to the optimum cardinal temperature per GDP sector \( T_I \) multiplied by the percentage of industry contributing to the overall GDP indicated by \( GDP_I \).

For the service sector, formula 3.4 reads

\[ WL_S = T_S \times GDP_S \] (3.4)

Whereby \( WL_A \) stands for the climate change winner and loser index for service per country comprised of the distance to the optimum cardinal temperature per GDP sector \( T_S \) multiplied by the percentage of the service sector contributing to the overall GDP indicated by \( GDP_S \).

The overall Winner-Loser \( WL_T \) index was calculated per GDP sector leading the sector-specific Winner-Loser indices \( WL_A \) for the agriculture sector, \( WL_I \) for the industry sector, and \( WL_S \) for the service sector, that were then added up into the Winner-Loser total index \( WL_T \) based on the following formula 3.5:

\[ WL_T = WL_A + WL_I + WL_S \] (3.5)

Whereby \( WL_A \) denotes the Winner-Loser index for the agriculture sector, \( WL_I \) the index for the industry sector and \( WL_S \) the index for the service sector. All indices were calculated per country for the year 2100 business-as-usual projection. To account for gain loss-prediction model differences, Puaschunder (2017) outlined three model
variants over gain and loss perspectives. A linear model included gains and losses based on formula 3.6 and 3.7:

\[ W = T^1 \times GDP \] (3.6)

For the losers’ index L a linear growth is assumed by calculated by formula 3.7 for each respective sector:

\[ L = -T^1 \times GDP \] (3.7)

per country and per GDP sector, which were then added up into the Winner-Loser total index WLT based on the formula 3.5.

A prospect model included concave gains and convex losses based on formula 3.8 and 3.9:

\[ W = T^{0.5} \times GDP \] (3.8)

For the losers’ index L a linear growth is assumed by calculated by formula 3.9 for each respective sector:

\[ L = -T^2 \times GDP \] (3.9)

per country and per GDP sector, which were then added up into the Winner-Loser total index WLT based on the formula 3.5.

A hyperbolic model included gains and losses based on formula 3.10 and 3.11:

\[ W = T^2 \times GDP \] (3.10)

For the losers’ index L a linear growth is assumed by calculated by formula 3.11 for each respective sector:

\[ L = -T^2 \times GDP \] (3.11)

per country and per GDP sector, which were then added up into the Winner-Loser total index WLT based on the formula 3.5.

The overall Winner-Loser WL index was calculated per GDP sector leading the sector-specific Winner-Loser indices \( WLA \) for the agriculture sector, \( WLi \) for the industry sector, and \( WLS \) for the service sector, that were then added up into the Winner-Loser total index \( WLT \) based on formula 3.5. The mean overall Winner-Loser WL index was retrieved from summing the \( WLT \) indices for the linear, prospect and hyperbolic models per country divided by \( n=3 \).

Overall, a positive WL index result would indicate a long distance to the optimum, whereas a negative index would be considered as negative prospect. Basically the more positive the index, the longer time the country could expect to be having a favorable climate for agriculture, industries or service production until peak condition and the
more negative the index, the sooner the country would (have) run out of efficiency time. In sum, the Winner- Loser index is an indicator how much cool time a country still has ahead in prospect of an optimum GDP productivity temperature and the assumption that the earth is warming. For a detailed explanation of the $WL_i$ index creation please see Puaschunder (2017).

3.2. Modelling climate change gains and losses distribution

In order to estimate a fair climate change gains and losses distribution, first for each model variants the gains and losses were calculated (Puaschunder, 2017).

3.2.1. Linear model

When unidimensionally focusing on estimated GDP growth given a warmer temperature and estimating a linear growth of losses and wins, overall the world will be gaining more than losing until 2100. Based on the WL index of 198 countries of the world and under the assumption of linear gains and losses in light of climate change, less countries ($n=79$) will win more from global warming until 2100 than more countries ($n=119$) will lose from a warming earth. In particular, 79 countries of the world will gain $WL_L=78139.08$ in GDP output, whereas 119 countries of the world will lose estimated $WL_L=-52061$.

3.2.2. Prospect convex losses and concave gains model

When unidimensionally focusing on estimated GDP growth given a warmer temperature and estimating an exponential growth of losses and concave wins, overall the world will be losing more than gaining until 2100. Based on the WL index of 188 countries of the world, more countries ($n=113$) will lose more from global warming until 2100 than less countries ($n=75$) will win from a warming earth. In particular, 75 countries of the world will gain $WL_P=22717.161$ in GDP output, whereas 113 countries of the world will lose estimated $WL_P=-353175.32$.

3.2.3. Hyperbolic model

When unidimensionally focusing on estimated GDP growth given a warmer temperature and estimating a hyperbolic growth, overall the world will be gaining more than losing until 2100. Based on the WL index of 188 countries of the world, less countries ($n=79$) will gain more from global warming until 2100 than more countries ($n=109$) will lose from a warming earth. In particular, 79 countries of the world will gain $WL_H=1037192$ in GDP output, whereas 109 countries of the world will lose estimated $WL_H=-352088$. 
3.2.4. Total estimate

The total Winner-Loser WL index was calculated per country based on the mean of the overall Winner-Loser index $WL_L$ for the linear model, the overall Winner-Loser index $WL_p$ for the prospect model, and the overall Winner-Loser index $WL_H$ for the hyperbolic model that were then added up into the Winner-Loser total index $WL_{TT}$ based on the following formula 3.12:

$$WL_{TT} = \frac{(WL_L + WL_p + WL_H)}{n}$$  (3.12)

whereby $WL_L$ denotes the Winner-Loser index for the linear model, $WL_p$ the index for the prospect model and $WL_H$ the index for the hyperbolic model and $n = 3$. All indices were calculated per country for the year 2100 business-as-usual projection.

3.3. Global warming winners and losers around the world

When unidimensionally focusing on estimated GDP growth given a warmer temperature, over all calculated models assuming linear, prospect or hyperbolic gains and losses, the world will be gaining more than losing until 2100. Based on the WL index of 188 countries of the world, less countries ($n=78$) will gain more from global warming until 2100 than more countries ($n=111$) will lose from a warming earth. In particular, 78 countries of the world will gain $WL_G=354039,6345$ in GDP output, whereas 111 countries of the world will lose estimated $WL_L=-232613,188$.

Puaschunder (2017) investigated the relation between GDP growth prospects in light of climate change. Based on the $WL_{TT}$ index, which measures the distance to cardinal temperature per GDP sector in 188 countries of the world, the world separates into climate change winners ($n=77$) and losers ($n=111$) are outlined in graph 1 (Puaschunder, 2017).

Based on a country ranking, graph 1 highlights the top one-third countries with longest time prospect in green color and the one-third countries that have run out of time in red color.

Based on a $WL_{TT}$ estimate, graph 2 highlights all world countries with highest gain perspective in green color and the one-third countries that lose the most in red color.

Graph 3 shows only wins in Europe from climate change until the year 2100 based on the $WL_{TT}$ estimate.
Graph 4 reveals only wins in North America from climate change until the year 2100 based on the $WL_{TT}$ estimate.

Insert graph 4 about here

The relation between GDP growth prospects in light of climate change and percentage of GHG for ratification was studied based on the total and percent of greenhouse gas emissions communicated by the Paris COP 21 Parties to the Convention retrieved in their national communications, GHG inventory reports as of December 2015 (Puaschunder, 2017). Over a sample of 181 countries of the world, a highly significant correlation of $r_{\text{Pearson}}(181) = .215$, $p < .004$ between the WL index over all models and the self-reported percentage of GHG emissions for ratification was found. As a cross-validation check, the percentage of GHG emissions for ratification was significantly positively correlated $r_{\text{Pearson}}(181) = .178$, $p < .016$ with self-reported GHG emissions per country (Puaschunder 2017).

This result leads to the conclusion that those countries that emit more GHG are the ones with a positive GDP prospect on the warming earth until 2100. The more time countries seem to have in a favorable climate for production, the more they are also likely to emit GHG and hence contribute to global warming. All these results outline the need for attention to climate justice.

### 3.4. Fair climate change gains distribution

In order to offset the losses from climate change based on the overall $WL_{TT}$ index, global warming benefits are redistributed in a fair way to offset climate change loser countries for climate change mitigation and adaptation efforts and to instigate a transition into renewable energy.

To ensure a fair benefit transfer strategy, the difference of $\Delta WL = 121426,447$ should be distributed based on following criteria: To ensure a fair benefit transfer strategy between countries, the per-country contributions to alleviate the losses caused by global warming should only come from those countries that win from a warming earth, hence 78 nation states. The winning countries’ contribution in relation to the other winning countries’ contribution, hence as share of all wins, were be calculated based on the percentage of wins and losses based on the formula 3.13 and 3.14.

In order to account for country differences in offsetting global warming through GDP growth (especially on the winners’ side) and the country differences in their ability to transfer into renewable energy, the overall GDP per inhabitant was factored into the transfer equation as outlined in formula 3.13:
\[ R^W = \left( \frac{PW}{WL_G} \right) \times \left( \frac{GDP_c}{I_c} \right) \]  

(3.13)

whereby \( R^W \) denotes the total transfer of climate change wins obligation per winning country, \( PW \) is the country specific GDP win divided by all wins \( WL_G = 354039,6345 \) from a warming earth for the year 2100 business-as-usual projection in order to derive the percentage fraction of wins per country. \( GDP_c \) equals the per country GDP estimate per inhabitant \( I_c \) per country for the year 2016.

Losses were calculated based on formula 3.14:

\[ R^L = \left( \frac{PL}{PL_T} \right) \times \left( \frac{GDP_c}{I_c} \right) \]  

(3.14)

whereby \( R^L \) denotes the total transfer of climate change compensation, \( PL \) is the country specific GDP loss divided by all losses \( WL_L = -232613,188 \) from climate change for the year 2100 business-as-usual projection in order to derive the relative fraction of losses per country. \( GDP_c \) equals the per country GDP estimate per inhabitant \( I_c \) per country for the year 2016.

The overall transfers \( R^T \) equate with the sum of contributions from the countries benefiting from global warming and the losses incurred by the countries that lose from global warming until 2100. Overall all transfers \( R^T \) derive from \( R^W \) and \( R^L \), which must be equal based on the following formula 3.15:

\[ R^T = R^W + R^L \]  

(3.15)

whereby \( R^T \) denotes the total transfer of wins for compensation of losses.

3.5. Country contributions

3.5.1. Climate change transfers

Based on the \( WL_{TT} \) index, which measures the distance to cardinal temperature per GDP sector in 188 countries of the world, all 77 climate change transfer grantor countries and 109 climate change transfer beneficiary countries are outlined in graph 5.
Kyrgyzstan \((WL_{TTB}=-4154.31)\), Tajikistan \((WL_{TTB}=-4089.42)\), Iceland \((WL_{TTB}=-3887.91)\), Finland \((WL_{TTB}=-3798.36)\), Norway \((WL_{TTB}=-3708.43)\), Sweden \((WL_{TTB}=-3644.39)\), Latvia, \((WL_{TTB}=-2465.58)\), Georgia \((WL_{TTB}=-2452.19)\), North Korea \((WL_{TTB}=-2428.53)\), Switzerland \((WL_{TTB}=-2394.05)\), Estonia \((WL_{TTB}=-2342.77)\), Liechtenstein \((WL_{TTB}=-2318.88)\), Lithuania \((WL_{TTB}=-2188.99)\), Nepal \((WL_{TTB}=-2131.26)\), Austria \((WL_{TTB}=-2103.02)\), Belarus \((WL_{TTB}=-2077.12)\), and Kazakhstan \((WL_{TTB}=-2039.07)\).

Insert graph 6 about here

All global warming transfer beneficiary countries are outlined in graph 7. The major transfer beneficiaries are Qatar \((WL_{TT}=2911.69)\), Bahrain \((WL_{TT}=2793.87)\), Brunei \((WL_{TT}=2591.98)\), United Arab Emirates \((WL_{TT}=2446.67)\), Kiribati \((WL_{TT}=2370.55)\), Mauritania \((WL_{TT}=2311.14)\), Tuvalu \((WL_{TT}=2228.85)\), Djibouti \((WL_{TT}=2140.24)\), Senegal \((WL_{TT}=2091.74)\), Burkina Faso \((WL_{TT}=2009.04)\), Maldives \((WL_{TT}=2008.46)\), Trinidad and Tobago \((WL_{TT}=1997.28)\), Mali \((WL_{TT}=1922.99)\), Equatorial Guinea \((WL_{TT}=1875.88)\), Sri Lanka \((WL_{TT}=1855.24)\), Palau, \((WL_{TT}=1838.85)\), Seychelles \((WL_{TT}=1775.79)\), Saint Vincent and the Grenadines \((WL_{TT}=1772.60)\), Samoa \((WL_{TT}=1760.75)\), and Guinea \((WL_{TT}=1753.07)\).

Insert graph 7 about here

Based on the \(WL_{TT}\) index weighted per GDP and per inhabitant, which measures the distance to cardinal temperature per GDP sector in 186 countries of the world, all 76 climate change transfer grantor countries and 110 climate change transfer beneficiary countries are outlined in graph 8.

Insert graph 8 about here

Graph 9 features the highest grantor countries weighted by GDP and per inhabitant. The top 20 transfer grantor countries are Liechtenstein \((WL_{TTB}=-10.34)\), Canada \((WL_{TTB}=-8.88)\), Norway \((WL_{TTB}=-7.65)\), Iceland \((WL_{TTB}=-6.35)\), Switzerland \((WL_{TTB}=-5.67)\), Luxembourg \((WL_{TTB}=-5.52)\), Finland \((WL_{TTB}=-3.77)\), Monaco \((WL_{TTB}=-3.41)\), Denmark \((WL_{TTB}=-3.19)\), Austria \((WL_{TTB}=-3.03)\), United States \((WL_{TTB}=-2.87)\), Ireland \((WL_{TTB}=-2.18)\), Germany \((WL_{TTB}=-2.15)\), United Kingdom \((WL_{TTB}=-1.80)\), Belgium \((WL_{TTB}=-1.44)\), New Zealand \((WL_{TTB}=-1.41)\), Estonia \((WL_{TTB}=-1.38)\), France \((WL_{TTB}=-1.18)\), Latvia \((WL_{TTB}=-1.15)\), and Slovenia \((WL_{TTB}=-1.15)\).

Insert graph 9 about here

All global warming transfer beneficiary countries are outlined in graph 10. The major transfer beneficiaries are Qatar \((WL_{TT}=19.06)\), United Arab Emirates \((WL_{TT}=9.33)\),
Singapore ($WL_{TT} = 7.90$), Brunei ($WL_{TT} = 6.06$), Bahrain ($WL_{TT} = 5.90$), Kuwait ($WL_{TT} = 3.94$), Trinidad and Tobago ($WL_{TT} = 2.98$), Saudi Arabia ($WL_{TT} = 2.92$), Mauritania ($WL_{TT} = 2.51$), Seychelles ($WL_{TT} = 2.39$), Equatorial Guinea ($WL_{TT} = 2.29$), Palau, ($WL_{TT} = 2.27$), Oman ($WL_{TT} = 2.00$), Antigua and Barbuda ($WL_{TT} = 1.99$), Barbados ($WL_{TT} = 1.70$), Venezuela ($WL_{TT} = 1.29$), Saint Kitts and Nevis ($WL_{TT} = 1.28$), Panama ($WL_{TT} = 1.27$), Grenada ($WL_{TT} = 1.26$), and Malaysia ($WL_{TT} = 1.24$).

Graph 11 provides an overview off all climate change winning transfer grantors in green and yellow colors and all climate change loser country transfer beneficiaries in pink and red colors.

4. Discussion

The implementation of climate stability accounts for the most challenging contemporary global governance predicament that seems to pit world countries but also today’s generation against future world inhabitants. For enacting climate justice current world nation states of the current world population are called upon to make sacrifices today for future generations to cut carbon emissions to avert global warming (Sachs, 2014). Climate change mitigation at the expense of lowered economic growth seems to pit the current generation against future ones. Costly climate change abatement prospects are thus hindering currently necessary action on climate change given a shrinking time window prior to reaching tipping points that make global warming irreversible (Oppenheimer et al. 2011).

In a trade-off of economic growth versus sustainability, a broad-based international coalition could establish climate stability. As a novel angle towards climate justice, the attention to global warming gains and losses being distributed unequally around the globe allows proposing a well-balanced climate mitigation and adaptation public policy mix guided by micro- and macroeconomic analysis results. This paper offers a new way of funding climate change mitigation and adaptation policies but also the transition to renewable energy through broad-based climate stability bonds-and-tax-transfer-mix that also involve future generations (WorldBank 2015). Contemporary climate stability financing strategies are discussed in order to derive recommendations how market economies can be brought to a path consistent with prosperity and sustainability. Finding innovative ways how to finance climate abatement over time coupled with future
risk prevention as well as adaptation to higher temperatures appears as an innovative and easily-implementable solution to nudge overlapping generations towards climate justice in the sustainability domain (Rawls 1971).

Having shed light on the gains of a warming earth demands for the redistribution of climate change benefits to those areas of the world that will be losing from a warming earth. In the implementation, a climate change bonds but also taxation strategies are recommended. Having found that there are gains from a warming earth demands to partially transfer benefits into areas of the world that will be primarily losing from climate change. In order to avoid governmental expenditure on climate change hindering economic growth (Barro 1990); the climate transfers should be enacted through bonds and taxes.

First Jeffrey Sachs (2014) proposed an intergenerational burden sharing idea by presenting a 3-model climate change burden sharing through fiscal policy with bond issuing in order to reflect the implementation regarding contemporary finance and growth models with respect for maximizing utility of the model. In an overlapping-generations type model, climate change abatement and mitigation policies financed through climate gains re-distribution could lead to a fairer solution across the globe and over generations. Thereby the current generation mitigates climate change and provides infrastructure against climate risk financed through climate bonds to be paid by future generations. Since for future generations the currently created externalities from economic activities – the effects of C02 emissions – are removed, this entails that the current generations remain financially as well off as without mitigation while improving environmental well-being of future generations. As Sachs (2014) shows, this intergenerational tax-and-transfer policy turns climate change mitigation and adaptation policy into a Pareto improving strategy. Shifting the costs for climate abatement to the recipients of the benefits of climate stability appears as novel, feasible and easily-implementable solution to nudge many overlapping generations towards future-oriented loss aversion in the sustainability domain (Puaschunder 2016b).

One of the most prominent forms to create revenues for public long-term investment causes are taxes. Taxation is codified in all major societies and a hallmark of democracy. Aimed at redistributing assets to provide public goods and ensure societal harmony, taxation improves societal welfare and fairness notions within society. Tax compliance is a universal phenomenon based on cooperation in the wish for improving the social compound. Taxpayers voluntarily decide to what extent to pay or avoid tax that limit the personal freedom. In a social dilemma, individual interests are in conflict with collective goals. From a myopic economic perspective, the optimal strategy of rational individuals would be to not cooperate and thus evadetax. Short-term the single civilian
tax contribution does not make a significant difference in the overall maintenance of public goods – if only a few taxpayers evade taxes, public goods will not disappear or be reduced. If a considerable number of taxpayers do not contribute to tax over time, common goods are not guaranteed and ultimately everyone will suffer from suboptimal societal conditions (Dawes 1980; Stroebe & Frey 1982; Puaschunder 2015b). Contemporary economic research has focused on costs and risks of tax evasion (Tyler & De Cremer 2006). Coercive means – such as audits and fines – were found to crowd out tax morale and ultimately result in greater non-compliance as people feel controlled and not being trusted (Cialdini 1996; Feld & Frey 2002; Frey, 1992; Hasseldine 1998). In the last decade, researchers have started to recognize the importance of incorporating morals and social dynamics in economic theory on tax behavior (Andreoni, Erard & Feinstein 1998). When analyzing tax behavior, recently behavioral economics insights have drawn attention to social influences (Puaschunder 2015b).

Behavioral economists widen the lens of incorporating sociological and socio-psychological notions of fairness stemming from social comparisons regarding tax burdens could be positive drivers of tax compliance to overcome the ‘burden of taxes’ and associations of losses. The cases of voluntary, self-chosen tax ethics and situational influences on social tax compliance norms have just recently been covered by behavioral approaches towards public administration. In general, social comparisons determine social norms that define internalized standards how to behave. Yet internalized social norms are based on comparisons with others that may determine tax morale (Frey, 1997; Mumford, 2001; Schmölders, 1960). Social norms elicit concurring behavior when taxpayers identify with the goals of a group but also if they feel being treated in a fair manner by that group. Social fairness considerations in a tax reference group may further taxpayer compliance. Fairness is believed to decrease egoistic utility maximization leveraging trust and reciprocity as interesting social norms building factors (Kirchler 2007). Social perceptions of fairness as underlying social norms are therefore potential tax ethics nudges. But psychological facets of fairness for the formation of social norms have been left out. If taxpayers believe that non-compliance is a widespread and socially-accepted, then it is more likely that they will not comply as well. Non-compliance may stem from the notion of unfairness in how the tax burden is weighted heavier on some parts of society.

The respective bonds-and-tax climate stability financing strategy therefore proposes to bear the burden of climate in a right, just and fair way around the globe. In the climate change winner countries, taxation should become the main driver over financing climate stability strategies. Foremost, the industries winning from a warming climate should be taxed. The Winner-Loser-index is based on the cardinal temperatures for
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all GDP contributing sectors. Based on the cardinal temperatures for the three GDP components agriculture, industry and service, the taxation should be enacted for those sectors having most time ahead. The underlying rational is thereby that these sectors will be gaining the most from a warming earth and will therefore be flourishing.

Regarding concrete climate taxation strategies, a carbon tax on top of the existing tax system should be used to reduce the burden of climate change and encourage economic growth through subsidies (Chancel & Piketty 2015). Within a country, high and low income households should face the same burden of climate stabilization adjusted for their disposable income. First, climate justice within a country should pay tribute to the fact that low- and high income households share the same burden proportional to their dispensable income, for instance enabled through a progressive carbon taxation. Finding the optimum balance between consumption tax adjusted for disposable income through a progressive tax scheme will aid to unravel drivers of tax compliance in the sustainability domain. Those who caused climate change could be regulated to bear a higher cost through carbon tax in combination with retroactive billing through inheritance tax. But also developed and underdeveloped countries as well as various overlapping generations are affected differently. Besides progressive taxation schemes to imbue a sense of fairness in climate change burden sharing, inheritance taxation is also a flexible means to reap past wealth accumulation, which potentially caused environmental damage. The burden of climate change mitigation and adaptation could also be allocated in a fair way within society through contemporary inheritance tax in order to reap benefits of past wealth accumulation.

If climate taxation is perceived as fair and just allocation of the climate burden, this could convince taxpayers to pay one's share. A novel ‘service-and-client’ atmosphere could promote taxpayers as cooperative citizens who are willing to comply if they feel their share as fair contribution to the environment. Taxpayers as cooperative citizens would then be willing to comply voluntarily following the greater goal to promote taxpayer collaboration and enhance tax morale in the environmental domain. International comparisons of tax behavior also reveal tax norms being related to different stages of institutional development of the government, which is an essential consideration in sharing the climate change burden in a fair manner between countries. A completely novel approach is to shed light on the benefits of a warming earth in order to derive fair climate gains distribution strategies around the world (Puaschunder 2017).

Introducing financing climate change mitigation through bonds to be paid back by future generations through taxation is an additional means to raise funds for offsetting the losses of global warming. As a novel means to amend individual saving preferences in favor of future generations, Sachs (2014) proposes to mitigate climate change by
debt to be repaid by tax revenues on labor income in the future. In a 2-period model, one generation works in period 1 and retires in period 2. Part of the disposable wage income is saved for consumption in the second period. CO$_2$ emission mitigation imposes immediate costs onto current generations and reduces wages. Greenhouse gas concentrations in period 2 are determined by the emissions in period 1. Wages of the young in the second period are reduced by climate change dependent on greenhouse gas levels. Disposable labor income of the young equals market wage net of taxes. Leaving the current generation with unchanged disposable income allocates the burdens of climate change mitigation across generations without the need to trade off one generation's well-being for another’s. While today’s young generation is left unharmed, the second period young generation is made better off ecologically.

The bonds solution should primarily be pursued in climate change loser countries, in order to offset the costs for climate change in a more intergenerationally harmonious way. Since there are no profiting entities and industries in the losing countries, future generations should be serving as last resort to pay for climate stability. All generations are better off with mitigation through climate bonds as compared to the business-as-usual (BAU) non-mitigation scenario (Sachs 2014). While future generations enjoy a favorable climate and averted environmental lock-ins; the current populace does not face drawbacks on economic growth (Puaschunder, 2017). Governments in loser countries should receive tax transfers in the present from the winning countries. Since here borrowing equals loans or issuing of bonds to be paid back by future generations, the government must pay back debt plus interest payments by raising taxes on later generations. This strategy is justified as for the assumed willingness of future generations to avoid higher costs of climate change prevention and environmental irreversible lock-ins. Overall this tax-and-transfer mitigation policy is thus Pareto improving and overall fair solution across the world and generations.

5. Conclusion

As a novel alternative to raise funds to instigate climate change mitigation and adaptation, the results yield at funding today’s climate stabilization efforts through an international benefits transfer backed by climate bonds and carbon tax. Sharing the costs of climate change aversion between countries and across generations appears as important strategy to instigate immediate climate change mitigation through incentivizing emission reduction and provide adaptation funding opportunities.
While the proposed climate change benefits transfer strategy through bonds and taxation is a novel economically and socio-psychologically superior strategy to nudge people into action and real-world relevant emergent risk prevention means; we currently lack information on the concrete impact of financing climate change mitigation and adaptation as well as transition to renewable energy. The concrete benefits a warming earth and interconnectedness with climate change losses in light of interdependencies and lurking tipping points are unknown, yet hold crucial insights on the model’s sustainability over time.

Overall, the paper thereby provided the first attempt to find a behavioral economics solution to nudge people into necessary climate action based on positive incentives. Positive signals of gain prospects may help engage the many we need for instigating action now on climate justice. This novel, feasible and easily-implementable solution to steer many stakeholders towards climate action is only presented in order to help to derive mitigation policies and communication strategies for a fairer climate stability solution. All these endeavors may lead to a fairer strategy to respond to global warming and hopefully provide a real-world relevant means how to implement climate justice across the globe and over time.

In deriving information on climate justice implementation and management strategies, future research should investigate what institutions and regimes could guide benefits distribution. This information is essential in order to craft institutional climate justice management strategies and define feasible market structures to issue and policies to support climate justice on a global scale. In addition, the fiscal sustainability of climate justice distribution over time should be evaluated in order to estimate real-world relevant climate change mitigation and adaptation market strategies in the finance sector based on future global climate prospects. In this line of research, a more nuanced investigation should follow on what sector-specific gains are expected to flourish as well as what GDP sectors will likely see growth and which ones will likely see a reduction due to changing climate conditions. Further, climate instigated migration should become prospected based on the findings of global climate change winners and losers as well as prospective findings of sector and industry specific climate change-induced growth. Further insights gained could lead to mapping climate induced migration streams and a climate refugee asylum strategy in countries winning from a warming earth. These insights on climate-induced migration could become the backbone of acknowledging climate refugees under the Geneva Convention (Ferreira, forthcoming).

The preliminary findings of beneficial climate change is aimed at paving the way to more solid investigations on the optimal policy mix to combat climate change financed through the distribution of global warming benefits. The established fact of short-
term benefits of climate change should thereby orchestrate the financialization of climate stability. Climate change mitigation and adaptation infrastructure should be derived from balancing the global warming gains around the globe and over time. Future research endeavors should help multiple stakeholders shape economic growth with respect for sustainable development on the basis of climate change burden sharing through global warming benefit transfers enacted through bonds and taxation inbetween countries and inbetween generations. All these endeavors target at serving the greater goal of unfolding climate justice in the 21st century.

References


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Macgowan and Innovation in Stage Design

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ABSTRACT: In April of 1919, the roar of the guns of the Great War had only been silent for a few months. Between that fateful November of 1918 and April of the next year, the world of international politics, economics, and medicine would be challenged by several factors. The collapse of Germany, the establishment of the Soviet Union, the wrath of the Great Influenza, and the return of millions of men from the front would transform society in new ways. It was in this historical moment that modernism began to flourish, and it would continue to do so well into the 1920’s. The Imperial age of neoclassicism, romanticism and opera was fading while a new approach to art emerged (Cozzolino 2016, 13-15). In the immediate post-war era, each art form had its own innovator or innovators. There had been innovators before, but never in history had the ideas and institutions of the “Old World” been so thoroughly discredited as they were in the Aftermath of World War I. In architecture it was The Bauhaus and Art Deco; in literature cynical greats like Hemingway and Fitzgerald would reign supreme. Dali and Picasso’s lusty abstractions dominated painting. All were bridges between what was and what is. In stage design, the same process was occurring, though the names have been forgotten except by experts. Few remember these men and women, but their influence would inspire many luminaries in contemporary entertainment that Americans would instantly recognize: Alfred Hitchcock, Stanley Kubrick, Woody Allen, George Lucas and both Coppolas, Frances Ford and Sofia (Fitch 1983, 42-45). One of these forgotten names is Kenneth Macgowan.

KEYWORDS: set designer, theatrical arts, Macgowan, innovator
In April of 1919, Kenneth Macgowan, this relatively unknown theater critic, writer and dabbler in the new mysterious medium of motion pictures organized a moderately sized exhibition at the Bourgeois Galleries in Manhattan. The exhibition was comprised of a few rooms of stage drawings and sketches, some lectures and a short publication filled with pictures and essays from both Macgowan and some of the participating artists. But the size and duration of the exhibition belied its revolutionary influence on stage design and, soon after, cinema. This exhibition showcased his view of the future of set design. The term he used was abstractionism (Macgowan 1919, 6-7).

Macgowan expended a great deal of effort not only on the organization of the exhibition but on the publication that accompanied it titled *American Stage Designs: An Illustrated Catalogue*. In the opening essay masterfully drafted by him, Macgowan carefully explained why he felt the traditional approaches to stage design had ultimately failed, why abstractionism was a superior approach, and why he thought the time was now for American designers to embrace it. In this paper, we will examine his style as well as several of the sketches in the exhibition. We will also speculate on their deep influence in later cinematic works from the brooding mansions of Hitchcock to the minimal, dangerous briny deep of *Jaws*.

**The Failures of the Past**

Writing on the exhibition, Macgowan and several artists expend a great effort at condemning the generation of set designers that came before. In many respects, this kind of sentiment was very common with other artists that would become collectively known as “The Lost Generation” of the 1920’s. Macgowan and his fellow writers and artists claimed that most of the live American productions of the recent past were short sighted, primarily profit-oriented, resistant of genuine criticism, and embracing of a ridiculous level of ‘realism’ and detached relationships between elaborate sets and set makers and the actors that dwelled within them (Macgowan 1919, 2-4).

Broadway’s obsession with hits, extravagance and profits kept its best minds hard at work on short-term productions where experimentation and artistic integration was discouraged at best and impossible at worst. Macgowan and others claimed that this lack of creativity and experimentation had created a sort of theatrical community and productions that could only be described as “dead-alive.” Additionally, he placed this blame on an almost institutional “system” dominated by the Shubert family and those that sought to compete with them. There was innovation in the theater during the pre-war era, but it was not in the United States. Rather, the best ideas and concepts
were being developed in smaller venues, mostly state-sponsored and/or subsidized, in places like Germany and France. Such theaters were less affected by the huge production costs and unstable market forces that were present in the U.S. Writers, actors, set designers, producers and directors could collaborate and work with and off each other to create things that were genuinely new. If greed was present, it took a back seat to artistic interplay. But then, as with everything European during the antebellum era, the war came and halted everything in a hailstorm of state control, patriotism and military disaster (Macgowan 1919, 2,5).

In this line of criticism, Macgowan was in good company. His voice reflected a growing chorus of artists, patrons and writers for state aid for the theatrical arts, and rhetoric drawing a connection between the forces of capitalism in the arts and their role in the defeat of creativity and innovation. In 1901, America’s most famous “captain of industry” Andrew Carnegie, who himself would give most of his fortune to establish theaters like Carnegie Hall in New York and hundreds of libraries across the U.S. and Britain, said, “On the continent of Europe many theatres are subsidized by the government, but none by English-speaking peoples in any part of the world. It would be an experiment here, and if so to be made, should be by government as in Europe. It does not seem a proper field for private gifts” (Boston Daily Globe 1901).

The connection between artistic quality and government support was firmly made in the press. Writing in the St. Louis Post-Dispatch in 1907, O. Leonard, a columnist, praised Germany’s generous support for public theaters. Leonard thought the constant emphasis of American plays on “happy endings” in order to please audiences severely compromised the quality of the overall field. The theater, according to Leonard, was seen by most Germans as an educational institution. That’s why people were willing to tolerate financial losses and deficits; these losses were tolerable if they brought quality art, which was apparently the case. The annual figure that Leonard quotes for Germany’s support for the arts was an enormous one: about 1.4 million marks. Additionally, he reminds his readers that state’ support emanates from several levels, from the national government, important public officials (such as nobles) and Germany’s growing cities (Leonard 1907).

Macgowan’s admiration of France was also echoed in the newspapers and journals of the time. In 1901 Harper’s Magazine published an extended article that openly pondered why Paris was becoming one of the world’s most beautiful and artistically vibrant cities. The piece revealed that many of the city’s theaters – including its most famous one (The Opera) – received large amounts of state support. But it also mentions the Odeon, which during this period was a city theater that took genuine chances on productions, from experimental plays to Shakespeare. “It is by means of
such management that the city has made herself, [along] with her many thousand lanterns, the *ville luminaire*” (New York Times 1900).

Another cause of failure in the American pre-war theater was excessive praise and a lack of genuine, vigorous criticism. Decades of vaudevillian theater and profiteering had led to poor theater but luminous, undeserving reviews. Criticism was needed in order to artistically improve. Americans were killing their own productions with kindness and applause. Without some degree of pain there could be no growth. American exceptionalism – that being the belief that there was something spiritually superior, wonderful and positive about ideas and products made in the U.S., had infected the pre-war arts in a big way. Most Americans, even educated ones, rarely enjoyed a transatlantic life and were unable to readily compare and contrast the new kinds of performances, theaters and sets between the so-called “Old” World and New. Yet the theaters of the so-called “Old World,” in the years leading up to the Great War were producing superior art (Macgowan 1919, 6-7).

A good example of this undeserved optimism and acclaim could be found in the *New York Times* of February 18, 1900. In its theater-listing page, several productions are announced and noted, with almost every one receiving a suspicious degree of ravenous praise. “No amount of competition” apparently effects the production of *Papa’s Wife*. The Knickerbocker Theater’s production of *When We Were Twenty-One* has “large and enthusiastic audiences at every performance.” While the Empire Theater’s production of *Brother Officers* is so popular huge audiences “tax” the “capacity” of the building. But not to be missed, apparently, at Daly’s Theater is *The Ambassador* with its “splendid cast and sumptuous costuming (Macgowan 1919, 6-7).

Macgowan and his allies also lay the blame for the failures of the pre-war American theater on ‘theatricalism’ and ‘realism.’ Theatricalism was the practice of creating dazzlingly colorful sets that outmatched their own productions and, thus, diminished the overall quality of the entire audience experience. Realism was defined as the construction of elaborate sets designed to completely mimic what they represented, sometimes in excruciating architectural and structural detail. Additionally, these sets were so elaborate that they frequently did not move and remained present for the entire production (Macgowan 1919, 7-8).

Apparently, this problem was so common that it was mentioned at length by set designer John Wenger. Writing in the same publication as Macgowan, Wenger told a story of a “recent” New York City production that had begun in an odd but triumphant way. In the first moments of the production, the audience was so impressed by the elaborate realism and hard work of the set designer that they rose in ravenous sustained applause to demonstrate their appreciation for his or her skill. But it was soon followed
by the equivalent of an artistic disaster. As the play continued, the set remained in all of its former glory, but soon the plot and scene outpaced the background and the entire production became disjointed and disturbed the audience. The ultimate result was soon reached in *artistic failure* (Wenger 1919, 20-22).

Wenger was no erudite set designer that cared only for his art. He stipulated that there was a direct relationship between how an audience perceived and interacted with an entire performance and the direct financial health of an overall theatrical production. Here he – and Macgowan does it as well – was appealing to the very American notion of *profitability*. The Great War was over and the Roaring 1920's was about to begin – an era when national leaders proclaimed that “the business of America was business” (Sobel 1998, 196-97). Another participating set designer and artist was Lee Simonson. In his essay titled “The Necessary Illusion,” he demonstrates his contempt for realism. He saw its ugly head especially in opera, a medium that had, particularly in Europe, long been regarded for its elaborate sets and costumes going back to the 1700's (Simonson, 1919, 18-19).

Simonson recounted a recent visit to see Wagner’s *Ring*. In that particular production designers had expended monumental efforts to recreate a mountainous Rhineland forest, with detail right down to the individual tree trunks. Simonson found the design to be disjointing and misguiding. It was so elaborate that the actors were seemingly hidden within entire scenes, with little or no effort to control lighting to enhance or guide performances. Instead of being elevated to a divine plane where Norse gods and goddesses waged battle, Simonson recounted that he would not have been surprised to see a sign for property sales or a trolley winding its way through the mountains. He faulted the set designer for depriving the audience of one of the key aspects of all theater, that being what he called “the necessary illusion.” The set had to assist the audience in transporting them to another world, but intense realism was actually counter-productive in such efforts. What was needed were more abstract, flexible sets that highlighted the actors and ennobled their efforts to tell a story (Simonson, 1919, 19).

Macgowan also cautioned against excessive use of *perspective* in stage design. First developed in the Renaissance, the use of perspective had long been utilized in the theater to create an illusion of a much larger space, as well as depth where there wasn’t any. While he was not passionately against it, he cautioned that designers had become, in some instances, over-dependent on it as a storytelling vehicle. He was particularly critical of designers that used perspective to create vistas of distant towns and cities, as this effected tended to look rather manufactured and fake. It discredited the production and unnecessarily distracted viewers (Macgowan 1919, 10-11).
For Macgowan and his fellow artists and contributors, it was the combination of all of these aspects, from obsessively ‘realistic’ rooms and entire pieces of architecture to elaborate background paintings that resembled a mountain view that suffocated producers, writers and actors in their storytelling efforts. It had to go, all of it. The new complexities of modern storytelling demanded it; but something had to arise in its place (Macgowan 1919, 11-13).

The New Path of the Theater

In order for the rising American state of the early 1900’s to exceed the achievements of the European past, an innovative approach was needed. This was to be embraced in abstractionism, in which was the combination of three components: simplification, suggestion and synthesis. These three themes continue to resonate on the stages of the world’s theaters (i.e. in Lin-Manuel Miranda’s Hamilton) as well as in some of the greatest movies of the 20th century (Macgowan 1919, 10-12). Simplification, according to Macgowan and his peers, was not the mere ‘toning down’ of elaborate sets. Rather, it was the employment of objects on the stage, from paintings to architectural features to props, that were specifically aimed at enhancing storytelling and enabling the actors to tell their stories. The worst thing that a stage designer could do was create a set that would devour the actors, and thus, the moving means of storytelling. In effect, less was more (Macgowan 1919, 13-15).

For example, to represent the space of a gigantic church in an operatic production of Faust, Macgowan choose a design by Joseph Urban to display at the exhibition. The set consisted of a single gothic-style pillar with an adjoining stained-glass window that would, literally, set the stage and enhance the imagination of viewers. It would create genuine space for the actors to move around, while at the same time never losing the power of place, or, what Macgowan called, “suggestion (Macgowan 1919, 12-13). The story of Faust is one in which a man sells his soul to Satan. The play tells the story of the struggle between good and evil, light and dark. The interplay between these two stark forces is well on display in the set. The gothic pillar, bathed in light, suggests the saving grace and strength of faith, yet it is bathed in darkness. The candelabra flickers to the far left of the scene, with its candles alight while being overwhelmed with gloom; perhaps suggesting the flickering power of the soul while being swallowed by the forces of pathos. A stained-glass window is also visible, with light pouring through; yet the illumination is not enough to conquer the blackness, but simply to interrupt it (Macgowan 1919, 40-41).
The stage itself is designed in a checkerboard pattern. This feature is pregnant with suggestion. Perhaps it symbolizes the chess-like struggle between the human soul and the Devil, or the struggle between God and Satan, played out in a series of moves. The never-ending tug of war between Light and Dark takes many forms, even thoughtful, precise ones. But this is not just a game, it is with the highest of stakes; souls, even all of existence, dangles as prizes to be won. The human soul is just a factor or indicator, a trinket, a pawn (Macgowan 1919, 40-41, Illustration Plates Section). The combined presentation of all these factors creates a vast space where a major part of this story could be told. Actors are empowered by their surroundings in their narrative efforts; they do not inhabit the story, they use the set to tell it.

In another scene presented at the exhibition, Macgowan chose a design by Raymon Johnson for the play King of the Jews. This Passion Play intensely focused on the subject of the last days of Jesus Christ and especially his crucifixion. Unlike the busy Renaissance/Baroque scenes of the past, filled with color, weeping mourners and elements of Roman architecture, this backdrop is stripped down, yet chock-full of meaning and suggestion (Macgowan 1919, 42-43, Illustration Plates Section).

The approach is filled with stark color, and a clear presence of light and darkness. Geography and fauna are replaced with an almost geometric-like set of structures on which long shadows can be cast upon. The setting is stark, smooth, filled with jagged angles that suggested imbalance, that something is seriously amiss in the universe. Shapes overwhelm the human forms in size while maintaining a level of genuine abstraction. There is little décor. On this stage is the triumph of death, unreason, cruelty, and inorganic starkness. Injustice and Indifference are the rule as the Savior of the World is lead off to his death by seemingly omnipresent political forces. Yes, the audience knows He will arise again, but the point is focused on the human side of the story, on the ground – and not in heaven (Macgowan 1919, 42-43, Illustration Plates Section). Johnson's sparse set is also notable for its three levels for the performers. There is a bottom level that comprises most of the stage, a staircase that is obscured by larger geometric forms, and a ten-foot high level where human forms can be well seen, yet partially obscured. These levels could be employed in a multitude of scenes, whether to demonstrate degrees of political or divine power. Finally, the actual backdrop of the state is one of white light, which contrasts with all of the performers – making some of them into near-silhouettes. All is minimized to enhance the power of storytelling; of human presence (Macgowan 1919, 42-43 Illustration Plates Section).

Macgowan was eager to demonstrate how his “New Theater Approach” could be used in opera. To drive his point home, he had two artists display sets from the ancient Greek opera Iphigenia in Tauris. Each scene is completely different, with one from the
first act set outside, and the other situated in a vast ancient Greek palace (Macgowan 1919, 43-44 Illustration Plates Section).

Designer Michael Carmichael Carr created a highly-styled outdoor scene. Emphasis is placed on openness, even airiness. Little attention is given to the exact edges and elaborate features that typified ancient Classical architecture; there are no elaborate fluted columns or hollow pediments filled with nude humans and gods in battle. Instead there is a simple stone stairway leaving up to an entrance to a home carved into a mountain (probably the Acropolis of Ancient Athens). Atop the mountain is the suggestion of a Greek temple, with its classical features greatly subdued. If this is the Acropolis, the great Parthenon is noticeably absent and justifiably so; its presence would overwhelm the entire production. The surface of the mountain is comprised of light and dark colors and there is no attempt to depict genuine geological features such as stones. Trees are depicted as arrow-like with no attempt to render branches or leaves (Macgowan 1919, 44, Illustration Plates Section).

While we cannot tell if the staircase was three dimensional, it would have certainly made sense for it to be, as it would have provided the actors with a variety of levels to perform upon in their efforts to tell a story of gods, goddesses, sacrifice and last-minute salvation. Staircases and platforms also accentuate the presence of the performers in relation to one another, and enhance visibility. It enlarges performing space (Macgowan 1919, 45, Illustration Plates Section).

One of the starkest sets for the same opera is presented by Lee Simonson. Titled “The Palace Interior,” the background is simple yet filled with suggestion and potential. The audience is cut into two portions; the first is almost in the form of a deep, open sink surrounded by knee-high platforms. Also present are gigantic, fluted, thick columns. The scene suggests a place of great authority, one that inspires awe and hierarchy. The actors are present but are overwhelmed by the columns, which may also symbolize the power of government and even divine command. Light and darkness are present as the stage’s foreground is bathed in bright light, which quickly recedes into deep darkness as the interior of the palace is revealed. Here we may have the suggestion that even in the play that is being scene, there are deeper truths, hidden mechanizations at work that perhaps are beyond the understanding of the characters and audience. But it is at the same time majestic and omnipresent (Macgowan 1919, 46, Illustration Plates Section).

Macgowan was also eager to demonstrate his “New Theater” principles could be adopted for non-Western settings. For one play, titled Bushido, he chose a scene designed by Irving Pichel. Though the play is set in Japan and concerns the concept of Japanese feudal honor and family, we see abstractionism very much at work. What is
not presented is an exact replica (or an attempt at one) of a scene in Japan. There are no elaborate pagodas, no bonsai trees, and no lush foliage. Instead we are introduced to a simplified interior of a Japanese home. Our stage is comprised of two levels, a foreground, a short stairway and the main, open level of an interior room. Most actors are situated on or near the floor. There is a large white square in the background, which may indicate a work of art or even a window, but it is plain nonetheless. Costumes suggest Japan, but are not necessarily ornate or particularly detailed. Maximum emphasis is placed on the players, and they are given a vast amount of room in which to move and tell their stories. On stage-right is an entry way and what is supposed to be a screen door or window; players can easily enter and exit the scene. Fluidity, movement, expression is promoted as detail is purposely subdued (Macgowan 1919, 48, Illustration Plates Section).

Macgowan’s Later Career and Influence

After the exhibition, Macgowan would take a grand tour of Western and Central continental Europe, before writing his book Continental Stagecraft, where he expressed his deep admiration for abstractionism across the Atlantic. He would later go on to Hollywood in the 1930’s and 40’s, where he won an Oscar and worked directly with the master of suspense, Alfred Hitchcock (Judnick 2014, 193-95).

Hitchcock, of course, was one of Macgowan’s most devoted students. Time and again the filmmaker would heed his mentor’s advice and tell the richest stories with the most minimal of suggestion. Who could forget the terrifying shower scene in Psycho, which contained no full body images of Norman Bates’ victim being hewn apart alive. Instead, we got close-ups of the showerhead, buzzing steadily and indifferently while water – and terror – cascaded across the screen. There were no expensive replicas of bleeding human limbs; just the image of blood cascading downs the drain. But it wasn’t blood, of course – it was the product of a can of Hershey’s syrup. Macgowan’s inspiration at was clearly at work. Generations of moviegoers would remember the terror of that moment – but the important scene was not on the screen as much as in the imagination (Smith III 1990, 74-76).

Macgowan was so admired that for most of the post-World War II era he was employed as a full-time professor at UCLA. Later, the university not only tenured him but named an academic hall in his honor. He would die in 1963 (New York Times 1963).
Macgowan’s minimalistic approach also had another winner in the form of Steven Spielberg, who employed his techniques and ideas in the hit movie Jaws. The movie begins with a couple running on the dark beach, throwing off their clothes. The naked woman dumps into the water first and the only thing that audience can see in this point is the shape of the woman. The movie does not clearly show what is going on. Then the viewpoint changes and allows the audience to assume that the viewpoint of the camera is showing the perspective of “something” under the water. From this point, the movie slowly builds tension (Jaws 1975). After few minutes of woman swimming, the camera gets closer to the woman as the tempo of the background music increases. Then finally, the increased tension breaks as the woman screams. While the camera is only showing outside of the water, unknown living thing under the water immediately drags the woman. In this point, the audience realizes that the perspective of “something” is the perspective of unknown living thing. Finally, the woman stops screaming as she gets pulled down into the water and shows the man, peacefully lying down on the beach (Jaws 1975).

Although the movie did not clearly illustrate what “something” is, it effectively allowed the audience to feel fear. In fact, showing the minimal increased even more tension and allowed the audience to feel more horrific. And this technique is called minimalism, which maintained throughout the entire movie. For example, the movie only panned blood in the ocean to show people killed by “something”. Also, the movie often revealed the dorsal fin – fin on the top of the shark’s body) instead of showing the entire body (Jaws 1975). Finally, in the very last part, the audience clearly sees what “something” is; the shark (jaws). The tension built throughout the whole movie breaks down in this point and maximizes the fear of the audience. This technique, minimalism, made the movie Jaws so different from other movies and lead to huge success (Jaws 1975).

Today we can see Macgowan’s ideas echoed from Broadway to contemporary cinema. He is an honored voice that will continue to be heeded far into the future.

References


