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GENDER EQUALITY AND POLITICAL PARTICIPATION IN THE EUROPEAN UNION

Abstract

Gender equality and the participation of women in politics has been on the focus of international and European treaties and legislation, being one of the main instruments in supporting and encouraging women's participation in politics.
The study starts with the analysis of European Union conventions and internal legislation and then focuses on secondary legislation and bylaws that regulate gender equality and women's participation in politics. In the last part of the article, the participation in politics and parliaments of women and the amendments that have been made in the internal legislation of some of the EU countries, will be looked at closely.
The article concludes that even the vast legislation in this area, still is not enough to solve the problem of women under-representation and ensure their broadest participation in political institutions and in representative offices.

Key words: G*ender Equality, Gender Quotas, Human Rights, Political Participation.*

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Introduction

Gender Equality is one of the Objectives of Sustainable Development and is already clearly articulated by the priorities set by national documents. Since its beginnings, the European Union institutions have sought to promote the universal character of the protection of women's rights and from the point of view of political participation, it has adopted legal instruments, which have defined and specified the standards for establishing legal quotas and recommendations for states members, as well as for those candidates. The advantage offered by regional instruments is that they enable more effective addressing of existing problems and realize the intended conclusions in time (Christopher McCrudden, Sacha Prechal, 2009).

One of the objectives of the European institutions is the achievement of gender equality, which is essential for fulfilling the mission of protecting human rights, supporting democracy, and preserving the rule of law. In this regard, according to the Council of Europe, even if progress is visible and the legal status of women in Europe has undoubtedly improved over the past decades, effective equality between women and men is far from being a reality (Council of Europe, 2023). The Council's regular monitoring and research show that progress is very slow in relation to women's political participation or access to justice, which can be considered a violation of women's fundamental rights, without forgetting to mention that they constitute a main obstacle to gender equality (Council of Europe, 2023).
The work of the institutions of the European Union regarding the protection of human rights and gender equality has resulted in comprehensive legal instruments and policy guidelines aimed at achieving the advancement and empowerment of women and the effective realization of gender equality in

member states and beyond. In this paper we will briefly analyze the primary and secondary laws that have influenced the developments of gender equality in Europe.

1. Gender equality in the evolution of the law of the Treaties

In primary European law, the principle of gender equality has been recognized since its origins, however, has had a very unsignificant evolution. Indeed, the problem of equal opportunities between men and women already made its first appearance with the Treaty of Rome of 1957, but with an eloquent limitation to the pay aspect, in line with the purely economic purpose pursued by the European Community in its beginnings (Vera Lomazzi, Isabella Crespi , 2019). In fact, the principle of equal pay for men and women for the same type of work was included in the art. 119 of the Treaty establishing the EEC, to favor the full implementation of the principle of competition, eliminating (also) any distortion that could affect the proper functioning of the market, from the point of view of equality between the genders (Bell, 2011). Moreover, the provision had been introduced on the basis of pressure exerted by France which, especially in relation to the industrial sectors where recourse to female labor was greater, feared unfair competition from the States in which the Gender Pay Gap was much wider than what legal system tried to prevent (Bell, 2011). Furthermore, only a few years earlier, the International Labor Organization (ILO) had formally adopted the "Convention on Equal Remuneration” between male and female workers, thus bringing back into international arena a principle that had found recognition already in the first post-war period (Martin Oelz, Shauna Olney, Manuela Tomei, 2013, p. 24).

The perspective begins to change with the Maastricht Treaty, in connection with the introduction of "Community citizenship", which induces the Community to take on new tasks aimed at improving not only working conditions, but more generally the living conditions of those which can now be considered European citizens (Edye, 1997, p. 70). In this way the emphasis of community action shifts to the person, regardless of the exercise of an economic activity. In 1992, in fact, the Agreement on social policy was concluded between the member countries of the European Community (with the exception of the United Kingdom), whose art. 2 called on the Community to support and complete the action of the States on the subject of equality between men and women as regards opportunities and treatment on the labor market, while art. 6 reiterated the duty of each Member State to ensure the application of the principle of equal pay for male and female workers (Edye, 1997, p. 73).

On the sidelines, it is perhaps worth noting how, also in the regard to gender equality, the recognition at a formal-documentary level in primary European law of personal protection needs has been in a certain sense favored by the jurisprudence of the European Court of Justice (Ciancio, 2012, p. 3), which since the mid-1970s he had laid the foundations for the enucleation of a European social dimension, sanctioning that “art. 119 was fully part of the social aims of the Community given that the latter was not limited only to creating an economic unit but it had to guarantee, at the same time, through joint action, social progress and promote the constant improvement of the living and working conditions of the European nations” (European Court of Justice, 1976).

However, a significant turning point at European level only took place with the subsequent reform of Amsterdam, when the principle of equality between men and women was included among the missions of the Community (art. 2 TEC) and its promotion appeared to assume a transversal dimension, referable to all Community policies, where it is established that the Community's action aims to eliminate inequalities, as well as to promote equality between men and women (art. 3, par.2 TEC). (Meenan, 2007) Furthermore, the Treaty of Amsterdam introduces a legal basis for the adoption, by the Community institutions, of measures aimed at combating discrimination based not only on nationality but also on sex (art. 13) and of incentive measures in support of actions of the Member States for the implementation of the fight against gender discrimination (art. 19) (Meenan, 2007).

In this way, since 1997 the concepts of empowerment and gender mainstreaming have begun to take hold, which will soon become the cornerstones of community action in the field of gender policies: the first in its literal translation of "conferral of powers"; the second, metaphorically, as an orientation that considers gender in all public policies, not confining it to a specific sector, as often happens with equal opportunities policies (Éléonore Lépinard, Ruth Rubio-Marín, 2018). But above all, with the Treaty of Amsterdam, the Community demonstrates its desire to go beyond the provision of guarantees to mere formal equality, as had happened up to that moment, opening itself for the first time to the recognition of the legitimacy of instruments for the realization of a substantial equality, now integrated with the "measures that provide for specific advantages" in favor of the under-represented gender (art. 141 TEC) (OECD, 2017).

The principle of the positive actions took on even greater momentum with the drafting of the Charter of Fundamental Rights of the EU, which extended them to all areas, beyond the professional one: after having consecrated to art. 21 the prohibition of discrimination based on sex. In art. 23 the Charter of Nice-Strasbourg declares that “equality between men and women must be ensured in all areas, including in matters of employment, work and pay”, and that “the principle of equality does not prevent the maintenance or adoption of measures providing for specific advantages in favor of the under-represented sex” (Craig, 2012). This act, therefore, intended to make the fundamental values of the Union visible, even before assuming legally binding effect, under the profile in question, was noted for having connected “European identity to a substantial and pervasive concept of equality between genders”, given considered “very significant in the context of a society that is starting to be increasingly multi-ethnic and multicultural, with inevitable different visions of the female role” (EIGE, 2013).

The last stage of the evolution briefly referred to here is naturally represented by the Treaty of Lisbon, which not only has the merit of having attributed to the Charter of Fundamental Rights the same legal value as the Treaties, but also of having expressly included equality between generate among the fundamental values on which the Union is founded (Article 2 TEU) and which the Union itself promotes in its actions (Article 3 TEU and Article 8 TFEU) (EIGE, 2013). Furthermore, the Union undertakes, in the definition and implementation of its policies and actions, to combat discrimination based on sex (Article 10 TFEU).

The European Convention on Human Rights is Europe's fundamental treaty regarding the protection of human rights: Article 1 of the Convention guarantees the rights and freedoms it includes for everyone within the jurisdiction of the 47 member states of the Council of Europe. The principle of non-discrimination based on gender is guaranteed, both by Article 14 and by Protocol 12 of the convention (Council of Europe, 1950). In addition, the

European Social Charter defines the enjoyment of economic and social rights without discrimination.

The Assembly's resolutions on gender equality cover a wide range of issues, including combating gender-based discrimination, achieving a balanced participation of women and men in political and public decision-making, mainstreaming gender policies in education, sports, media and the sector audiovisual, ensuring the standards and mechanisms of gender equality, the protection and promotion of the rights of women and girls. They provide member states with essential standards to develop legislation and establish policies at the national level, which comply with internationally agreed standards in the field of gender equality (Gender Equality Commission, European Council, 2013).

From the point of view of the legislative procedure, on one hand the special procedure applies with unanimous resolution of the Council and approval of the Parliament, when it comes to adopting the appropriate measures to take action against discrimination based on gender, while, on the other hand, recourse is made to the “ordinary” legislative procedure (with the Parliament in the role of actual co-legislator and majority decision-making by the Council) for the definition of the basic principles of the Union's incentive measures “intended to support the actions of the Member States aimed at contributing to the achievement of anti-discrimination objectives” (Article 19, paragraph 1 TFEU) (Isabelle Chopin, Catharina Germaine, 2017).

Provisions of a general nature, therefore, which complement the more traditional ones, specifically aimed at the workplace (Article 153, paragraph 1, letter i and Article 157 TFEU). In other aspects, the Lisbon reform determined, within the framework of the organization of the European Commission, a transfer of responsibilities for gender equality and the fight against discrimination from the Directorate-General for Employment, Social Affairs and Inclusion (EMPL) to the Directorate-General Justice (JUST), symptomatic of the consideration of the problem of gender discrimination as extended to other aspects, beyond the strictly labor one (Isabelle Chopin, Catharina Germaine, 2017).

2. Secondary law and equal opportunities in political representation

An examination of the provisions on gender equality contained in primary European law would give rise to the belief that the European Union is actively promoting positive measures aimed at promoting a rebalancing between the genders also in political representation. Indeed, the affirmation of equality in all fields and the explicit provision of advantageous measures in favor of the underrepresented gender could be considered a source of a constraint on the adoption of positive actions for the benefit of women also in the processes of political representation, European and national.

However, upon closer analysis, the initial impression is much lessened, to the point of even being able to conclude that the European legal system, which has shown itself to be sensitive to gender equality issues since its inception, with more specific regard to gender equality in political participation can be considered a latecomer in comparison, for example, to the United States of America or even to the internal law of some of its own member countries.

Indeed, the European law formulation would only serve to exclude the illegitimacy of measures which, in the absence of that provision, would conflict with the formal logic of equality, the only one expressly stated by the Charter in general terms (Bruneli, 2010), while, in other respects, the provision would not escape the general limit of application of the Text, as codified in its art. 51, according to the respect of the powers of the member countries and the principle of subsidiarity (Cartabia, 2010) . Therefore, it has been observed that from the aforementioned art. 23 could not derive a specific legal obligation for the Member States to ensure gender equality in political representation, because is well known that the Charter of Rights is mainly addressed to the European institutions, making the national ones the addressees of its prescriptions only when they act in application of European law, whereas electoral legislation is the exclusive responsibility of each Member State. In this way, the provision could not establish a new competence of the common institutions in terms of promoting gender equality in political representation in relation to the national and/or local institutions of the member countries (European Commission for Democracy Through Law (Venice Commission), 2013).

On the other hand, the Treaty of Lisbon attributed the same legal value of the Treaties to the Charter; so for this reason the equality between men and women is now expressly accepted among the founding values of the Union, which constitute the "common constitutional platform" of the member countries. And the main objective of the EU's promotional activity, that it may be said that it has functioned as a considerably effective fortification against the entry of new states into the Union, has not operated equally rigorously with regard to the states already adhered, in particular with reference to the application of the "sanctioning" procedure provided for by art. 7 of the TEU (Isabelle Chopin, Catharina Germaine, 2017). This refers to the question about the implementation of the principle of gender equality in political representation in the internal legal systems of the member countries.

When, we analyze the secondary law in the light of primary law, we become more aware that the clarity of the statements of principle contained in the

Treaties does not correspond to an equally firmness of the application provisions as regards the instruments adopted by the European bodies themselves, to ensure gender equality in decision-making processes and, more specifically, in politically representative bodies (Vera Lomazzi, Isabella Crespi , 2019). The numerous documents in this area, in fact, have a purely political value, being mostly recommendations and resolutions with which the European institutions themselves and the Member States, as well as the representative subjects concerned are urged to take the most appropriate initiatives to solve the problem of female under-representation and ensure the broadest participation of women in political institutions and in representative offices (European Commission, 2023).

3. Gender equality and political participation in the Europe

Indeed, it does not seem superfluous to analyze the way in the various countries of the Union the objective of ensuring equal participation of men and women in the places of political representation is pursued. Necessarily starting with synthesis, the analysis highlights a tendency of assimilation of methods and results between geographically close areas, or even historically and culturally close, although with some differences.

It is well known and established that the highest female presence in elective institutions in Europe is traditionally the prerogative of the Scandinavian countries, where for some time now it has exceeded 40% on average, and where, moreover, the principle of gender equality is so ingrained in the culture of those peoples to be pervasive of every aspect of not only political but also civil life. On the one hand, this gives rise to highly evolved welfare systems, also in terms of institutions aimed at reconciling the function of family care with the possibility of participation in public life on a level of effective equality between men and women; and, in other respects, it has not made it necessary to resort to legislative quota systems, since political parties have long spontaneously resorted to strategies to promote female candidates and, conversely, to secure the consent of female electors. As for the solutions autonomously adopted by the parties, in Sweden, for example, since 1993 the Social Democrats have used the zipper system in the composition of the lists, also making use of equal quotas (50% of women and 50% of men), as well as the Left and the Greens, respectively, since 1993 and since 1997 (Lenita Freidenvall, Drude Dahlerup, 2013). All the parties, moreover, have used internal quota systems for the selection of candidates since the end of the 70s - very early 80s, while the Liberal Party already in 1972 he introduced a policy to ensure that each sex had a minimum of 40% in nominations to all House Councils and Commissions. However, when the parties started using gender quotas, the female presence in the national Parliament had already reached 30% (Lenita Freidenvall, Drude Dahlerup, 2013).

Sweden is followed by Finland, which, in 2011 managed to have over 40% representation of women in parliament, while an increase of about 10% results from 2002 to 2020, while this country, in contrast to Sweden, applies legislative quotas. Finland stands out in terms of women's political representation. Women hold 45.6% of seats in parliament, and in December 2019, 34-year-old Social Democrat Sanna Marin became the world's youngest prime minister to lead a coalition with four other parties, all but one of them led by women under the age of 35. Finland has a long history of women's political representation. In 1906, before gaining independence, it became the first country in the world to grant women full political rights (Parliament of Finland, 2021).

In contrast to the group of Nordic countries, Denmark does not implement any kind of quotas, even those provided voluntarily in the statutes or regulations of the parties. The analysis shows that Denmark, from 2002, for a period of 18 years, has had the lowest increase in the participation of women in parliament, of 1.7% , compared to the countries of the Nordic group and has in percentage of the presence of women in parliament, with 39.7% (European Institute for Gender Equality, 2021).

Following the Scandinavian model, other legal systems in Northern Europe, despite not having legislative quotas, have for some time exceeded the threshold of 30% of female presence in political bodies thanks to forms of quotas freely adopted by the parties in the formation of electoral lists. In Germany, in particular, female representation in the Bundestag, despite the presence of a mixed electoral system, rapidly increased - going from a percentage of 6.8 in the first legislature (1949-53) and in any case below 10% until the elections of 1983, to the 15% threshold in 1987, to exceed the 30% threshold in less than ten years – since the main parties began using quota systems (Davidson-Schmich, 2016). Among them, first of all, the Greens, who, since their formation in the 1980s, have foreseen by inserting it in the Statute of the 25 % (1990) to 33% (1994) up to the current 40% (since 1998); while the Christian Democrats have adopted since 1996 the rule that at least one third of the candidates on the lists and of the party leaders must be female (Petra Ahrens, Sabine Lang, 2022).

In addition to Germany and the Netherlands, a massive voluntary quota system is also adopted in Luxembourg, with a female presence in the national Parliament now just under 30%, after many years in which, however, the participation of women in decision-making, in general, to political activity has been decidedly scarce (European Institute for Gender Equality, 2021).

The result can be also considering the effect of the gender mainstreaming policy finally adopted across the board by government institutions for the purpose of eliminating any discrimination based on gender and allowing the full inclusion of women in every social sphere, without this, however, translating into the adoption of legislative quotas. This is unlike the other three original states contracting parties to the Treaty of Rome, which instead arrived at this outcome, albeit through different paths.

France and Italy follow with a presence in 2020 of about 38% from the 10% participation in parliament, which they had in 2002, and respectively, implement the majority and mixed representation system. Meanwhile, both countries have adopted and implement two types of quotas, legislative and voluntary party quotas. Their remarkable results in women's representation in parliament can be attributed to initiatives by political parties, along with prevailing socio-economic, institutional, and cultural factors (United Nations, 2020). In Switzerland, unlike most European countries, women only gained the right to vote and stand in national elections relatively recently, in 1971. This makes recent progress even more impressive, where in the 2019 parliamentary elections, women won over 40% of seats in the lower house and now hold key positions across the political spectrum.

The history of legislative quotas in Belgium is less traumatic and, has recorded a progressive increase. The legislative quotas being introduced for the first time in 1994 for a maximum of 2/3 of candidates of the same sex, they were initially applied on a transitional basis only to local elections and in the more limited percentage of 75%, to allow the political forces to adapt to the new rules, especially since the inadmissibility of the defaulting list was foreseen as a sanction for the violation (European Institute for Gender Equality (EIGE0, 2022). Subsequently, from 1999, the legislation was extended to elections at all levels, including those for the European Parliament. Then in 2002, following the reform aimed at giving constitutional coverage to the legislative quotas through the modification of the articles 10 and 11 of the Constitution, the electoral legislation was modified, introducing the rule according to which the difference between the candidates of the two sexes present in the lists cannot be greater than one and that the two top positions of each list cannot be occupied by persons of the same sex.

Conclusion

The participation of women in parliament is included in their political and civil rights, which cannot be studied separately from the principle of gender equality, which places women in an equal position in all fields with men. Gender equality is of particular importance to this study, because there can be no real democracy if women, who make up about 50 percent of the global population, are represented in parliamentary assemblies by 25 percent of the members. Therefore, the increase in the representation of women in the highest legislative body of the countries has a positive effect on the increase in the quality of democracy.

In the achievement of gender equality, various actors have also had a direct impact through the imposed policies. The main international actors, as well as regional ones, such as the UN, the EU, the Council of Europe and the OSCE, or the Venice Commission, have been important catalysts in the development of economic, social, and political equality for women, which have gradually developed during last decades. These actors succeeded in creating a framework for the institutionalization of equal rights for participation in decision-making levels in various fields, such as politics, employment, economy, etc. However, the objectives and goals set in relation to gender equality and the form of specific quotas proved to be much more difficult to achieve. In this context, we can state that true gender equality at levels of women's participation of over 40 percent is still to be achieved by all countries in the world.

Legislation in this area, although vital, is not in itself sufficient to achieve gender equality, due to the very fact that the mindset and socio-cultural references regarding gender discrimination must first change. This change must start with the public, as the views of ordinary citizens influence the political priorities of the national authorities they elect, the strategies adopted to take direct action to reduce the gender gap that actually exists.

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ALFRED NELA[2]

PSYCHOLOGICAL EFFECTS OF WAR ON CHILDREN

Abstract

Wars and armed conflicts have caused social trauma around the world, with children being the most vulnerable group. Worldwide, one in four children lives in a country often affected by armed conflicts, natural disasters or epidemics.

The study aims to provide an overview of research on the psychological impact of war conflicts on children, including types of war-induced trauma. The systematic literature review was based using Elsevier, Google Scholar and PubMed databases.

After the classification and detailed analysis of specific issues, several main psychological factors were identified, which influence the deterioration of the psychological condition of children affected by armed conflicts, terrorism and political violence. Children's continued exposure to them is associated with mental health problems including post-traumatic stress (PTSD), depression, suicidal thoughts or behaviors, dissociative disorders, depersonalization, derealization, numbing, catatonia, conduct disorders, and especially aggression and behaviors violent criminal.

The results show that the crisis caused by wars in children has significant effects on mental health, such as: anxiety, depression, post-traumatic stress, sleep disorders and suicidal thoughts. The cited studies recommend increasing human resources in the identification, diagnosis, rehabilitation and psychosocial support of children who are displaced from war zones to other countries.

Keywords: *mental health, armed conflict, crisis, exposure to war trauma, suicidal ideation.*

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EFEKTET PSIKOLOGJIKE TË LUFTËS TE FËMIJËT

Abstrakt

Luftërat dhe konfliktet e armatosura kanë shkaktuar trauma sociale në mbarë botën, ku fëmijët janë grupi më i rrezikuar. Në shkallë botërore një në katër fëmijë jeton në një vend të prekur shpesh nga konfliktet e armatosura, fatkeqësitë natyrore apo epidemitë.

Studimi synon të ofrojë një përmbledhje të hulumtimeve mbi ndikimin psikologjik të konflikeve luftarake tek fëmijët, duke përfshirë llojet traumave të shkaktuara prej luftës.

Shqyrtimi sistematik i literatures u bazua duke përdorur bazat e të dhënave Elsevier, Google Schoolar dhe PubMed.

Pas klasifikimit dhe analizimit të detajuar të çështjeve specifike, u identifikuan disa faktorë kryesorë psikologjikë, që ndikojnë në përkeqësimin e gjendjes psikologjike të fëmijëve të ndikuar nga konfliktet e armatosura, terrorizmi dhe dhuna politike. Ekspozimi i vazhdueshëm i fëmijëve ndaj tyre shoqërohet me probleme të shëndetit mendor duke përfshirë stresin post-traumatik (PTSD), depresionin, mendimet ose sjelljet vetëvrasëse, çrregullimet disociative, depersonalizimi, derealizimi, mpirje, katatoni, çrregullime të sjelljes dhe veçanërisht agresioni dhe sjelljet e dhunshme kriminale.

Rezultatet evidentojnë se kriza e shkaktuar nga luftërat tek fëmijët ka efekte të konsiderueshme në shëndetin mendor, si: ankthi, depresioni, stresi post-traumatik, çrregullimet e gjumit dhe idetë vetëvrasëse. Studimet e cituara, rekomandojnë rritjen e burimeve njerëzore në identifikimin, diagnostikimin, rehabilitim dhe mbështetjen psikosociale të fëmijëve që zhvendosen nga zonat e luftës në vende të tjera.

Fjalë kyçe: *shëndeti mendor, konflikt i armatosur, kriza, ekspozim ndaj traumave të luftës, idetë vetëvrasëse.*

1. Hyrje

Luftërat e zhvilluara në çerekshekullin e fundit prekin pothuajse ekskluzivisht vendet me burime të ulëta dhe zakonisht lidhen me një sërë faktorësh rreziku në nivele të ndryshme ekologjike, p.sh. varfëria ekstreme, mungesa e burimeve për sigurimin e shëndetësisë, prishja e sistemit shkollor, si dhe rritja e shkallës së dhunës në familje dhe komunitet. Fëmijët janë veçanërisht të ndjeshëm ndaj stresorëve të përjetuar nga konfliket e armatosura dhe për pasojë, efektet e tyre në disa aspekte të jetës si: shëndeti mendor, fizik, arritjet akademike dhe marrëdhëniet shoqërore janë prezente.[3]

Mbi një miliard fëmijë në mbarë botën jetojnë në vende ose territore të copëtuara nga konfliktet e armatosura, lufta ose terrorizmi, ku 90% e fëmijëve dhe adoleshentëve në botë jetojnë, kryesisht me të ardhura të ulëta dhe të mesme. Konflikti i armatosur mund të zgjasë gjatë gjithë fëmijërisë, si në Liberi ku lufta civile zgjati nga viti 1989 deri në vitin 2004. Në vitin 2016, Komisioni i Lartë i Kombeve të Bashkuara për Refugjatët raportoi se 59.5 milionë njerëz në mbarë botën u zhvendosën me forcë, dhe mbi gjysma e tyre ishin fëmijë nën moshën 18 vjeç.

Efektet e luftës kanë çuar në zhvendosje të brendshme dhe të jashtme, dhunë, sëmundje, ndarje familjare dhe kërcënim të trafikimit të fëmijëve. Të marra sëbashku, rreziqet e shkaktuara nga lufta, jetesa në zonat e konfliktit, ikja dhe migrimi i detyruar janë të shumëfishta dhe mund të kenë ndikime të përjetshme në mirëqenien fizike, mendore, sociale dhe zhvillimore te fëmijët.

Konfliktet e armatosura kanë një ndikim të konsiderueshëm në shëndetin mendor në popullatat e prekura, veçanërisht tek grupet vulnerabël siç janë fëmijët. Ekspozimi ndaj ngjarjeve traumatike është faktori kryesor i pasojave të luftrave në shëndetin mendor tek fëmijët. Megjithatë, për fëmijët në veçanti, efektet e dëmshme të traumës së luftës nuk kufizohen vetëm në diagnozat specifike të shëndetit mendor, por përfshijnë një grup të

[3] Bürgin, D., Anagnostopoulos, D, Vitiello, B., Sukale, Th., Schmid, M., Fegert, J.M. (2022). Impact of War and Forced Displacement on Children's Mental Health Multilevel, Needs-Oriented, and Trauma-Informed Approaches, *European Child & Adolescent Psychiatry*, *31*: 845–853. https://doi.org/10.1007/s00787-022-01974-z

gjerë dhe të shumanshëm të rezultateve zhvillimore që lënë pasoja të konsiderueshme në marrëdhëniet me familjen, bashkëmoshatarët, performancën në shkollë si dhe kënaqësinë e përgjithshme në jetës.[4]

2. Efektet psikologjike të luftës te fëmijet

Sipas Organizatës Botërore të Shëndetësisë, nga konfliktet e armatosura, 10% e fëmijëve që përjetojnë ngjarje traumatike në një fazë të mëvonshme do të shfaqin simptoma të traumës, ndërsa 10% të tjerë do të zhvillojnë ndryshime në sjellje ose shqetësime psikologjike që i pengojnë të funksionojnë në jetën e përditshme.[5] Smith (2001) pohon se variablat më të rëndësishme që përcaktojnë ndikimet e luftës në shëndetin mendor të fëmijëve janë: privimi i burimeve bazë si: strehimi, uji, ushqimi, shkolla, kujdesi shëndetësor; marrëdhëniet e prishura familjare për shkak të humbjes, ndarjes ose zhvendosjes; stigma dhe diskriminimi duke ndikuar ndjeshëm në identitet; një pikëpamje pesimiste, ndjenja e vazhdueshme e humbjes dhe pikëllimit, pamundësia për të parë të ardhmen me optimizëm dhe normalizimi i dhunës.[6]

Konfliktet e armatosura shoqërohen shpesh me ndryshime të sjelljes te fëmijët, për shembull, një fëmijë mund të përjetojë trauma, stres, ankth apo depresion mbylljen e shkollës, shkatërrimin e infrastrukturës nw vendbnimin e tij, humbjen e anëtarëve të familjes apo miqëve (Liu, 2017).[7]

[4] UNICEF. (2023, February). 365 days of war and displacement for Ukraine’s children, *Report.* https://www.unicef.org/eca/reports/365-days-war-and-displacement-ukraines-children

[5] Childhood Museum.(2023). Impact of War on Children's Mental Health. https://warchildhood.org/impact-of-War-on-childrens-mental-health/

[6] Smith, D. (2001). Children in the Heat of War. *APA Monitor,* 32(8):29. https://www.apa.org/monitor/sep01/childwar

[7] Liu, M. (2017). War and Children, *American Psychiatric Association.* https://doi.org/10.1176/appi.ajp-rj.2017.120702

Ekspozimi i vazhdueshëm ndaj traumës shoqërohet me probleme të shëndetit mendor duke përfshirë çrregullimin e stresit post-traumatik (PTSD), çrregullimet emocionale, depresionin dhe idetë vetëvrasëse. Stresi toksik, tek fëmijët mund të pengojë zhvillimin e trurit dhe organeve të tjera dhe të rrisë dëmtimin psikopatologjik, si dhe dëmtimin kognitiv dhe emocional.[8] Efektet ka të ngjarë të vazhdojnë deri në moshën madhore edhe pas përfundimit të luftës.[9]

Ekspozimi traumatik mund të jetë i drejtpërdrejtë ose indirekt. Ekspozimi i drejtpërdrejtë ndodh kur një fëmijë ka përvojë personale me një incident traumatik, siç është jeta në një zonë konflikti ose përjetimi i vdekjes së një prindi. Anasjelltas, ekspozimi indirekt ndodh nëpërmjet televizionit, internetit ose dëgjimit të të tjerëve duke folur për një ngjarje traumatike. Ekspozimi indirekt përmes mediave mund të shkaktojë gjithashtu shqetësime të konsiderueshme. Pas sulmeve të 11 Shtatorit dhe bombardimeve në Oklahoma City, fëmijët që shikuan më shumë mbulim televiziv të ngjarjeve traumatike përjetuan më shumë simptoma të stresit posttraumatik (Fremont, 2004).[10]

Janë kryer studime të ndryshme për të përcaktuar incidencën e PTSD që shkaktohet nga ekspozimi ndaj ngjarjeve traumatike të luftës. Një studim i kryer me fëmijët kuvajtianë që kishin përjetuar luftën, zbuloi se 70% e tyre

[8] Shonkoff, J.P., Garner, A.S., Committee on Psychosocial Aspects of Child and Family Health; Committee on Early Childhood, Adoption, and Dependent Care; Section on Developmental and Behavioral Pediatrics Collaborators expand (2012). The Lifelong Effects of Early Childhood Adversity and Toxic Stress, *American of Academy of Pediatrics 129* (1): 232–246. https://doi.org/10.1542/peds.2011-2663

[9] Samara, M., Hammuda, S., Vostanis, P., El-Khodary, B., Al-Dewik, N. (2020). Children's Prolonged Exposure to the Toxic Stress of War Trauma in the Middle East, *PMC.* https://doi: 10.1136/bmj.m3155.

[10] Fremont, W.P (2004).Childhood Reactions to Terrorism-Induced Trauma: A Review of the Past 10 Years, *Journal of the American Academy of Child & Adolescent Psychiatry (*43), 4,381-392. https://doi.org/10.1097/00004583-200404000-00004.

shfaqën simptoma të PTSD që varionin nga mesatarja deri në nivel të lartë (Nader et al., 1993).[11] Një studim i mëvonshëm që përfshiu një kampion fëmijësh iranianë të cilët kishin parë një varje publike pranë shkollës së tyre në Isfahan zbuloi se 75%, raportuan një tendencë për simptoma të moderuara deri në të rënda të PTSD (Attari et al., 2006).[12] Sipas një hulumtimi të kryer në Palestinë, 41% e fëmijëve të Rripit të Gazës, kishin tendencë për të shfaqur simptoma të moderuara deri në të rënda të PTSD (Thabet & Vostanis, 2000).[13] Gjetjet e një tjetër studimi, treguan se incidenca e stresit post-traumatik në 121 fëmijë palestinezë të ekspozuar ndaj bombardimeve ishte dy herë më e lartë se rezultatet e gjetura në studimin e mëparshëm, 87% shfaqën PTSD në nivelin mesatar deri në të rëndë (Qouta et al., 2003). Një studim i kohëve të fundit me familjet tamile në Sri Lankën e pasluftës zbuloi se ekspozimi i fëmijëve ndaj traumave masive ishin parashikuesit kryesorë të viktimizimit të vetë-raportuar të fëmijëve në familjet e tyre. Gjetjet pasqyruan se rreth 47% e fëmijëve shfaqën PTSD të moderuar, 30.4% shfaqën PTSD të rëndë (Fasfous at al., 2013).[14] Një hulumtim ku ishin të përfshirë 96 fëmijë sirianë të moshës 10-14 vjeç, zhvilluar në një kamp pritës në Mynih-Gjermani, ku 45% e familjeve kishin raportuar se lufta civile ishte shkaku kryesor i largimit, 25%

[11] Nader K. O., Pynoos R. S., Fairbanks L. A., Al-Ajeel, M., & Al-Asfour, A. (1993). A Preliminary Study of PTSD and Grief Among the Children of Kuwait following the Gulf crisis. *British Journal of Clinical Psychology, 32*, 407-416. http://dx.doi.org/10.1111/j.2044-8260.1993.tb01075.x

[12] Attari, A., Dashty, S., & Mahmoodi, M. (2006). Post-traumatic Stress Disorder in Children Witnessing a Public Hanging in the Islamic Republic of Iran. *Eastern Mediterranean Health Journal*, *12*, 72-80. https://apps.who.int/iris/handle/10665/117055

[13] Thabet A. A., & Vostanis, P. (2000). Post traumatic Stress Disorder Reactions in Children of War: *A longitudinal study. Child Abuse & Neglect, 24, 291-298.* http://dx.doi.org/10.1016/S0145-2134(99)00127-1

[14] Fasfous, A.H., Peralta-Ramírez, I.P., Pérez-García, M. (2013). Symptoms of PTSD among Children Living in War Zones in Same Cultural Context and Different Situations, *Journial of Muslim Mental Health.* https://doi.org/10.3998/jmmh.10381607.0007.203

ishin gjithashtu në rrezik personal, 21% raportuan se kishin humbur shtëpitë e tyre (Soykoek, 2017)[15].

Aktualisht dy studime janë realizuar në lidhje me efektet psikologjike të luftës në Ukrainë. I pari ishte një studim ndërseksional i cili mati çrregullimet e stresit post-traumatik (PTSD), dhe zbuloi se 28.0% e 1,505 adoleshentëve të moshës 10-15 vjeç shfaqnin simptoma të PTSD (Kar, 2009). Megjithatë, studimi u krye në një qytet jo në gjendje lufte dhe përvojat e adoleshentëve të luftës nuk u matën. Studimi i dytë ishte një studim gjatësor që mati rrezikun e PTSD dhe depresionit tek adoleshentët. Autorët zbuluan se 33.9% e 160 adoleshentëve të moshës 15 deri në 17 vjeç që kishin PTSD zhvilluan depresion krahasuar me 8.5% pa PTSD.

Fëmijët mund të përjetojnë PTSD akut, me hipereksitim, ripërjetim dhe ndërprerje të gjumit, ose PTSD kronike, e karakterizuar nga shkëputje, afekt i kufizuar dhe trishtim.[16] Ekspozimi ndaj traumës rrit si reagimet e brendshme ashtu edhe ato të jashtme tek fëmijët. Reagimet e brendshme, të tilla si depresioni, mendimet për vetëvrasje, shqetësimi dhe ankthi ishin të përhapura në mesin e të rinjve liberianë të ekspozuar ndaj konfliktit të armatosur dhe në një studim të 300 fëmijëve refugjatë sirianë në Turqi (Chrisman & Dougherty, 2014). [17] Këta fëmijë refugjatë sirianë, të cilët ishin ekspozuar ndaj luftës, zakonisht shfaqnin ankth dhe frikë të tepruar, të manifestuara me sjellje dhe varësi ndaj prindërve dhe frikë për të mbetur vetëm ose për të fjetur në errësirë. Pas 11 Shtatorit, 15% e nxënësve të

[15] Soykoek, S., Mall, V., Nehring, I., Henningsen, P., Aberl, S. (2017). Post-traumatic Stress Disorder in Syrian Children of a German refugee Camp, *The Lancet, 389, (10072)*, 903-904. *https://doi.org/10.1016/S01406736(17)30595-0*

[16] Kar, N. (2009). Psychological Impact of Disasters on Children: Review of Assessment and Interventions. ***World J Pediatr*** *5* (1): 5–11. https://doi: 10.1007/s12519-009-0001-x.

[17] Chrisman, A.K., Dougherty, J.G. (2014). Mass trauma: Disasters, Terrorism, and War. ***Child Adolesc Psychiatr Clin N Am*** ; 23(2):257–279. https://doi.org/10.1016/j.chc.2013.12.004

shkollave të qytetit të Nju Jorkut të anketuar kishin zhvilluar simptoma të agorafobisë, 12% kishin zhvilluar ankth ndarje, 10% kishin zhvilluar ankth të përgjithësuar dhe 9% kishin zhvilluar sulme paniku (Fremont,2014).[18] Sjelljet e jashtme, të tilla si delikuenca, ngacmimi dhe përdorimi i drogës dhe alkoolit, gjithashtu u rriten pas traumës.[19]

Të gjitha këto studime zbuluan një incidencë të lartë të PTSD tek fëmijët e ekspozuar ndaj situatave të luftës dhe konfliktit. Megjithatë, studime të tjera kanë gjetur shkallë më të ulët të incidencës. Për shembull, një studim i kryer në Liban zbuloi se vetëm 20% e fëmijëve libanezë që ishin ekspozuar ndaj bombave dhe sulmeve terroriste plotësonin kriteret diagnostikuese për PTSD (Saigh, 1991). Rezultatet e paraqitura treguan se shkalla e PTSD ishte rritur rreth 1,5 për 1 mijë banorë në krahasim me popullatën e përgjithshme.[20] Fëmijët nuk u ekspozuan vetëm ndaj luftës në vendin e tyre, por edhe ndaj ngjarjeve të shumta traumatike gjatë udhëtimit. Një studim i zhvilluar pas uraganit Katrina ekzaminoi çrregullimet e stresit posttraumatik (PTSD) dhe çrregullimet shoqëruese në 70 fëmijë parashkollorë (mosha 3-6 vjeç) dhe kujdestarëve të tyre. Shkalla e PTSD tek fëmijët ishte 50.0% duke përdorur kriteret e modifikuara sipas moshës. Niveli i PTSD ishte 62.5% për ata që qëndruan në qytet dhe 43.5% për ata që u evakuuan (Scheeringa & Zeanah, 2008).[21]

[18] Fremont, W.P. (2014). Childhood Reactions to Terrorism-Induced Trauma: A review of the past 10 years. ***J Am Acad Child Adolesc Psychiatry*** *43* (4):381-392. https://doi: 10.1097/00004583-200404000-00004

[19] Liu, M. (2017). War and Children**,** *American Psychiatric Association Publishing.* https://doi.org/10.1176/appi.ajp-rj.2017.120702

[20] Saigh, P. A. (1991). The development of posttraumatic stress disorder following four different types of traumatization. *Behavior Research and Therapy*, *29*, 213-216. http://dx.doi.org/10.1016/0005-7967(91)90110-O

[21] Scheeringa, MS., Zeanah, CH. (2008). Reconsideration of harm's Way: Onsets and Comorbidity Patterns of Disorders in Preschool Children and Their Caregivers Following Hurricane Katrina. *J Clin Child Adolesc Psychol*; 37: 508-518. https:DOI: 10.1080/15374410802148178

Një studim gjatësor i realizuar në Rripin e Gazës me 234 fëmijë të moshës 7 deri në 12 vjeç, të cilët kishin përjetuar konflikte lufte, një vit pas vlerësimit fillestar, pra gjatë procesit të paqes. Shkalla e fëmijëve që raportuan reaksione të moderuara deri në të rënda të PTSD, ishte ulur nga 40.6% në 10%. Reagimet PTSD priren të ulen në mungesë të stresorëve të mëtejshëm, megjithëse një pjesë e konsiderueshme e fëmijëve ende paraqesin një sërë problemesh emocionale dhe të sjelljes (Thabet, 2020).[22]

Një studim ndërseksional përfshiu 2766 nxënës të moshës 11 deri në 17 vjeç që jetonin në rajonin e Donjeckut të shkatërruar nga lufta dhe në Kirovograd në Ukrainën qëndrore, u zhvillua nga shtatori 2016 deri në janar 2017. Të dhënat e raportuara treguan se traumat e luftës dhe stresi i përditshëm tek adoleshentët ishte rreth 60%, tek adoleshentët që kishin qenë dëshmitarë të sulmeve të armatosura ishte 14%, tek ata të cilët kishin qenë viktima të dhunës dhe ishin detyruan të largoheshin nga shtëpitë e tyre ishte 28% (Osokina et al., 2023).[23]

Sipas një studimi tjetër i cili kishte për qëllim vlerësimin e çrregullimeve të stresit posttraumatik midis fëmijëve dhe adoleshentëve në zonat e prekura nga konflikti në rajonin e Amhara në Etiopi. Nga 846 fëmijë, 69.8% prej tyre kishin përjetuar trauma, 36.45% kishin zhvilluar çrregullime të stresit posttraumatik (Biset, 2023).[24]

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[22] Thabet, A.A., P Vostanis, P. (2020). Post traumatic Stress Disorder Reactions in Children of War: A longitudinal study, *Child Abuse Negl, 24* (2):291-8. https://doi:10.1016/s0145-2134(99)00127-1.

[23] Osokina, O., Silwal, S., Bohdanova, T., Hodes, M., Sourander, A., Skokauskas, N. (2023). Impact of the Russian Invasion on Mental Health of Adolescents in Ukraine, *Journal of the American Academy of Child & Adolescent Psychiatry, (62), 3*, 335-343. https://doi.org/10.1016/j.jaac.2022.07.845

[24] Biset, G., Goshiye, D., Negesse Melesse, N., Tsehay, T. (2023). Post-traumatic Stress Disorders among Children and Adolescents in Conflict-Affected Zones of Amhara Region, *Pediatric Psychology*, 13. https://doi.org/10.3389/fpsyg.2022.1052975

Një hulumtim i zhvilluar në Bosnjë-Hercegovinë me 186 fëmijë, nga të cilët 48.4%, ishin refugjatë. Rezultatet treguan se çrregullimet e stresit post-traumatik (PTSD) ishin të pranishme tek 51.6% e fëmijëve. Prevalenca e PTSD ishte më e lartë në mesin e fëmijëve që humbën një prind, por jetuan me prindin e mbijetuar, pastaj midis fëmijëve në jetimore. Depresioni ishte i pranishëm tek 22.6% fëmijë pa dallim midis grupeve. Fëmijët me shkallën më të ulët të çrregullimeve psikologjike ishin ata që jetonin me të dy prindërit (Hasanović et al., 2006).[25] Sipas një meta-analize që vlerësoi prevalencën e përgjithshme të PTSD te fëmijët refugjat, rezultatet treguan se 22.71%, kishin raportuar simptoma të PTSD dhe 13.81% paraqitën nivel të lartë të depresionit (Blackmore et al, 2020b).[26] Një hulumtim tjetër përfshiu 24,786 fëmijë refugjatë të shpërngulur në vendet e Europës, të dhënat e paraqitura raportuan norma të PTSD që varionin nga 19.0% në 52.7% (Khamis et al., 2019).[27] Gjetjet treguan se të miturit e pashoqëruar kishin simptoma më të larta të PTSD-së se të rinjtë e tjerë të shoqëruar me prindërit apo kujdestarët (Michelson & Sclare 2009).[28]

Të dhënat e një studimi me anë të vetë-raportimit u mblodhën nga një kampion me 2004 prindër të fëmijëve nën 18 vjeç nga popullata e përgjithshme e Ukrainës afërsisht 6 muaj pas pushtimit nga Rusia. Të gjithë

[25] Hasanović, M., Sinanović, O., Selimbašić, Z., Pajević, I., Avdibegović, E. (2006).Psychological Disturbances of War-traumatized Children from Different Foster and Family Settings in Bosnia and Herzegovina, *Clinical Science, Croat Med J.*47:85-94. https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2080380/

[26] Blackmore, R., Gray, K.M., Boyle, J.A., Fazel, M., Ranasinha, S. (2020b). Systematic Review and Meta-Analysis: The Prevalence of Mental Illness in Child and Adolescent Refugees and Asylum Seekers. *J.Am.Acad.Child Adolesc.Psychiatry 59*:705–14. https://doi: 10.1016/j.jaac.2019.11.011

[27] Khamis V. (2019). Posttraumatic Stress Disorder and Emotion Dysregulation Among Syrian Refugee Children and Adolescents Resettled in Lebanon and Jordan. *Child Abuse Negl*. 89:29–39. https://doi: 10.1016/j.chiabu.2018.12.013

[28] Michelson,D., Sclare, I., (2009). Psychological Needs, Service Utilization and Provision of Care in a Specialist Mental Health Clinic for Young Refugees: A Comparative Study. *Clin. Child Psychol. Psychiatry* 14:273–96. https://doi: 10.1177/1359104508100889

pjesëmarrësit ishin ekspozuar ndaj të paktën një faktori stresues të lidhur me luftën dhe numri mesatar i ekspozimeve ishte 9.07. Për më tepër, 25.9%, plotësuan kriteret diagnostikuese e PTSD. Pjesëmarrësit që kishin ekspozimin më të lartë ndaj stresorëve të lidhur me luftën kishin dukshëm më shumë gjasa të plotësonin kriteret për PTSD, krahasuar me pjesëmarrësit që ishin më pak të ekspozuar (Karatzias et al., 2022).[29]

Në një studim të realizuar në Palestinë me 1029 nxënës të moshave 11-17 vjeç, rezultatet e raportuara treguan se shumica e fëmijëve dhe adoleshentëve kishin përjetuar trauma personale rreth 88.4%, kanë qenë dëshmitarë të traumave të të tjerëve rreth 83.7%. Të dhënat treguan gjithashtu se prevalenca e PTSD ishte 53.5%. Fëmijët që kishin përjetuar trauma personale, trauma ndaj të tjerëve dhe prishjen e pronës kishin dukshëm më shumë gjasa të diagnostikoheshin me PTSD në krahasim me ata që nuk e kishin përjetuar. Trauma më e rëndë ishte trauma personale e ndjekur nga dëshmimi i traumës dhe më pas vëzhgimi i prishjes së vendbanimeve apo pronave (El-Khodary et al., 2020).[30]

3. Diskutime

Ekspozimi i fëmijëve në konfliket luftarake, ndikon në shfaqin e çrregullimeve mendore krahasuar me fëmijët në popullatën e përgjithshme. Shqetësimi i një fëmije pas traumës mund të anashkalohet për shkak të vështirësive të fëmijëve në komunikimin ose artikulimin e përvojave të tyre. Të rriturit priren të nënvlerësojnë reagimet e stresit posttraumatik të

[29] Karatzias, Th., Shevlin, M., Ben-Ezra, M., McElroy, E., Redican, E., Vang, M.L., Cloitre, M., W. K. Ho, G., Lorberg, B., Martsenkovskyi, D., Hyland, P. (2022). War exposure, Posttraumatic Stress Disorder, and Complex Posttraumatic Stress Disorder among Parents Living in Ukraine during the Russian War, *Acta Psychiatrica Scandinavica.* https://doi.10.1111/acps.13529

[30] El-Khodary, B., Samara, M., Askew, Ch. (2020). Traumatic Events and PTSD Among Palestinian Children and Adolescents: The Effect of Demographic and Socioeconomic Factors, *Child and Adolescent Psychiatry (11).* https://doi.org/10.3389/fpsyt.2020.00004

fëmijëve të tyre dhe përgjigja e tyre fillestare ndaj efekteve të traumës tek fëmijët e tyre mund të jetë mohim . Ndërsa më parë besohej se fëmijët nuk i kuptonin ose nuk mbanin mend ngjarjet traumatike, tani po rritet vetëdija se fëmijët janë shumë të cenueshëm ndaj streseve të luftës dhe terrorizmit. Murthy dhe Lakohminarayana (2006) rishikuan të gjitha studimet mbi shëndetin mendor të fëmijëve të kryera në zonat e konfliktit të armatosur në: Afganistan, Ballkan, Kamboxhia, Çeçeni, Irak, Izrael, Liban, Palestinë, Ruandë, Sri Lanka, Somali dhe Ugandë. Ata arritën në përfundimin se trauma e luftës çon në pasoja afatgjata në psikikën e fëmijëve, sa më i zgjatur është konflikti, aq më të rënda janë simptomat psikologjike.[31] Një rishikim sistematik i literaturës arriti në përfundimin se fëmijët refugjat, përejtojnë përkeqësim të shëndetit mendor kur ndahen nga kujdestarët e tyre kryesor (MacLean et al., 2019). Një meta-analizë rreth shëndetit mendor për fëmijët refugjat, zbuloi një lidhje pozitive midis traumave të mëparshme dhe simptomave të stresit post-traumatik (Hou et al., 2020).[32] Shumë studime tregojnë se leje qëndrimet e përkohshme që nuk ofrojnë mbrojtje të përhershme, ndikojnë në përkeqësimin e shëndetit mendor (Blackmore et al., 2020a). Ky faktor mund të kontribuojë në PTSD për shkak të frikës se mund të dëbohen apo kthehen në vendin armiqësor ose sepse mund të kufizojë aksesin në mundësi punësimi, përfitime qeveritare ose të drejta të caktuara për fëmijët në vendin pritës (Nickerson et al., 2011)[33]. Efektet

[31] Murthy, SS., R. Lakshminarayana .(2006). Mental Health Consequences of War: A Brief review of Research Findings. *World Psychiatry 5* (1):25-30. https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1472271/

[32] Hou, W.K., Liu, H., Liang, L., Ho, J., Kim, H, .(2020). Everyday Life Experiences and Mental Health Among Conflict Affected Forced Migrants: A Meta-Analysis. *J.Affect.Disord.264:*50–68. https://doi: 10.1016/j.jad.2019.11.165

[33] Nickerson, A., Steel, Z., Bryant, R., Brooks, R., Silove, D .(2011). Change in Visa Status Amongst Mandaean Eefugees: Relationship to Psychological Symptoms and Living Difficulties. *Psychiatry Res 187* 267–74. https://doi: : 10.1016/j.psychres.2010.12.015

psikologjike nga konflikti i armatosur, në Ukrainë, tek fëmijët janë të konsiderueshme. Bazuar në studimet e cituara një pjesë e konsiderueshme e prindërërve raportojnë nivele të larta shqetësimi si trishtim dhe palumturi, gjithashtu ata deklaruan se fëmijët e tyre ishin shumë të shpërqendruar dhe kishin probleme me përqendrimin (Hyland et al., 2022). Studimet e zhvilluara pasluftës në Sri Lanka dhe Ugandë kanë treguar se, krahas përvojave të vetë prindërve të abuzimit të fëmijëve, raportet e fëmijëve për keqtrajtim u shoqëruan me ekspozimin e prindërve ndaj luftës dhe ashpërsinë e simptomave të PTSD-së, si dhe me konsumimin e alkoolit nga prindërit.

Konflikti dhe lufta mund të dëmtojnë mjedisin e një fëmije dhe më pas të dëmtojnë aftësinë e fëmijës për t'u rikuperuar nga një ngjarje traumatike. Për shembull, lufta civile e Liberisë 1989–2004 dëmtoi infrastrukturën e shkollave dhe shërbimeve shëndetësore, gjë që dëmtoi aftësinë e Liberisë për të trajtuar lëndimet ose për të adresuar shqetësimet. Fëmijët që kanë akses në më shumë burime (p.sh., status më i lartë socio-ekonomik dhe arsim cilësor) priren t'i kalojnë më lehtë shqetësimet psikologjik.

4. Përfundime

Hulumtimet e mëparshme kanë konstatuar se traumat e luftës ndikojë në mirëqenien psikologjike tek fëmijët. Transferimi i detyruar i ekspozon fëmijët ndaj stresorëve shtesë, duke përfshirë ndarjen ose humbjen e anëtarëve të familjes, bashkëmoshatarëve të ngushtë, komunitetin etj. Ekspozimi ndaj traumave të luftës rrit si reagimet e brendshme ashtu edhe ato të jashtme tek fëmijët. Reagimet e brendshme, të tilla si depresioni, mendimet për vetëvrasje, shqetësimi dhe ankthi ishin të përhapura në mesin e të rinjve liberianë dhe refugjatëve sirianë të ekspozuar ndaj konfliktit të armatosur. Këta fëmijë të cilët ishin ekspozuar ndaj luftës, shfaqën ankth dhe frikë të tepruar, të manifestuara me sjellje të varura, ngjitje pas prindërve dhe frikë për të mbetur vetëm ose për të fjetur në errësirë. Ngjarjet traumatike dhe stresi i përditshëm ishin të lidhura fort me shqetësimin psikologjik tek adoleshentët që jetonin në një rajon të shkatërruar nga lufta në Ukrainë. Këto gjetje mund të ndihmojnë në kuptimin, matjen dhe adresimin e ndikimit afatgjatë që do të ketë lufta aktuale në përshkallëzim në Ukrainë në shëndetin mendor dhe funksionimin social të fëmijëve dhe adoleshentëve.

Mbështetur në rezultatet e studimeve, rekomandohet të ndërmerren kontrolle masive të fëmijëve dhe adoleshentëve për identifikimin, diagnostikimin e çrregullimeve të shëndetit mendor dhe të rriten burimet njerëzore për trajtimin, rehabilitimin dhe mbështetjen psikosociale.

Ndërhyrjet duhet të marrin parasysh sfondin e fëmijëve duke përfshirë gjininë, moshën, vendin ku ata jetojnë dhe statusin e tyre socio-ekonomik (p.sh., të ardhurat e familjes, niveli arsimor i prindërve, madhësia e familjes) për të lehtësuar simptomat psikologjike dhe për të rritur qëndrueshmërinë e tyre.

Praktikat e prindërimit duket se luajnë një rol vendimtar për mirëqenien psikologjike të fëmijëve në një kontekst lufte, si një rrezik dhe një faktor mbrojtës. Rrjedhimisht, programet adekuate të kujdesit shëndetësor për komunitetet e traumatizuara nga lufta kërkojnë qasje në nivel individual dhe familjar. Ky i fundit do të vlerësonte dhe trajtonte problemet e mundshme midis prindërve, si dhe në marrëdhëniet prind-fëmijë. Kjo mund të ndalojë një rreth vicioz të mundshëm të traumave të luftës, psikopatologjisë dhe dinamikave jofunksionale të familjes, duke përfshirë keqtrajtimin e grave dhe fëmijëve.

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ALBAN TUFA[34] & ERLIS ÇELA[35]

DEFINING MULTIMEDIA JOURNALISM: A SYSTEMATIC LITERATURE REVIEW

Abstract

There are many perspectives on communication and journalism today, and this is a consequence of both technological and cultural changes. In this increasingly dynamic situation in the field of communication and media, what can still be said that communication continues to remain multimedia. The development of platforms and journalistic practices has created and intersected new fields. Multimedia journalism is also typical of this intersection of disciplines, the intersection of two disciplines in the fields of communication: journalism and multimedia. This paper, based on the systematic review of the literature, tries to re-examine the definition of the term "multimedia journalism" going back to its beginnings, to reach our days. At the end of the paper, it is concluded that the term "multimedia journalism" originates from and is closely related to the traditional definition of multimedia.

Keywords: *redefinition, multimedia journalism, multimedia, multimedia narrative, literature review*

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Introduction

Interest in multimedia has grown day by day, both in the most developed countries and in Albania. While in-depth research in this field, it has been developed around the world and the best work practices have been implemented in various industries, specifically in multimedia journalism, and such communication models with these multimedia forms have also been adopted in our country. Televisions and other organizations now have their own developers of multimedia products, their own online platforms, special staff for multimedia storytelling, and some of them have embraced mobile journalism, thus going towards the universal journalist. Now the communication is not massive, going towards the personalization of contents on that scale never tried before. However, beyond any degree of personalization, communication continues to remain indisputably multimedia. In this perspective, embracing new technologies and work practices requires other studies for it, which also gives rise to the need to revise the definition of the concept of multimedia journalism.

There are three dominant perspectives on the use and application of multimedia such as computer sciences (Banerjee, 2019), education sciences (Vagg, Balta, Bolger, & Lone, 2020) and communication sciences (Costello, 2017). These three perspectives have led to the development of the most diverse theoretical concepts and practices in communication and information systems in developed societies. However, these perspectives are determined by an essential element such as the medium or in other words, the mediators (Costello, 2017). In this perspective, since the beginning of the development of the concept of multimedia, researchers have mostly emphasized the elements that participate in sending a message. In communication practices, both in dynamic media and in static media, researchers in the field of multimedia communication have emphasized the importance of these types of media in categorizing a product as multimedia. Of course, the concept of multimedia is not a separated concept from other forms and concepts of communication. Some authors associate the concept of multimedia with convergence (Deuze, 2004), others associate it with communicating visually and flexibly (Marshall, 1995), on the other hand others associate it with hypermedia communication (Delanyl & Landow, 1994). An interesting point of view remains the connection of multimedia with semiotics, treating the relationship between multimedia elements as signs that carry meanings (O'Neill, 2008). By highlighting these points of views and connections made to multimedia in general and multimedia journalism in particular, its definition always becomes controversial and consequently even more difficult to understand. However, the focus of this study is to review the connections between multimedia and journalism, giving us the concept of multimedia journalism.

Methodology

The methodology used in this paper is the method of systematic literature review, which is used by researchers in the field of communication and journalism, this method has proven to be successful in studies of a theoretical concepts and specifically in studies that try to define or redefine concepts (Tandoc, Zheng, & Ling, 2017; Potter, 2010). This research method serves to provide different perspectives from different authors on the same concept. Based on the systematic literature review, this paper collects definitions about multimedia and multimedia journalism in databases such as: *Google Scholars; Science Direct; JSTOR; Google Books;*

Microsoft Academic; Research Gate and *Educational Resources Information Center*, several international dictionaries as well as several Journals, such as *Journalism; International Communication Journal; Digital Communication; Learning, Media and Technology;* etc. The paper begins with the definition of multimedia and it ends with the definition of multimedia journalism. In both sections, the definitions are listed from the oldest to newest. The search on these platforms is done in two forms. In the cases where multimedia was searched for, was used only "multimedia" as a key word, while for multimedia journalism was used only "multimedia journalism".

The definition of Multimedia

From the literature review, there are over 22 definitions of multimedia. These definitions belong to several perspectives, but most of them have to do with multimedia as a discipline of communication. Most of the definitions are from the 2010s, which makes us understand that multimedia has been mostly studied after the 2010s, as a result of frequent technological changes. These definitions are chronologically listed from 1998 to 2023.

1. Multimedia seems to be defined by the hardware required rather than the user experience." For example, despite the statement that "any computer application that uses a video or image disc from a CDROM, uses high-quality sound, or uses high-quality video images on a screen can be called a multimedia application," I doubt that anyone would to use the term multimedia for a computer application that simply plays a piece of music (Purchase, 1998).

2. Developments in new media are leading to the development of new narrative techniques that engage audiences in more contextualized and navigable news reporting. This interactive narrative spans a wide range of communication modes (eg, text, images, video, graphics), including non-linear writing, or hypermedia (i.e., links)-and offers opportunities for extreme personalization and increased involvement of the audience (Pavlik, 2001).
3. Multimedia is characterized by the coherent combination of at least two different communication media in conveying messages. So described, multimedia is not necessarily computer-based. For example, television is a multimedia system and was so even before electronic computers were invented. Component media that can appear within multimedia structures include natural language, images, music, and so on (Connolly & Phillips, 2002).
4. Multimedia "involves the integration of more than one medium in a form of communication" and "refers to the integration of media such as text, sound, graphics, animation, video, image and spatial modeling in a computer system" (Astleitner, 2004).
5. Multimedia elements include visual input which may take the form of text, pictures, diagrams, videos or animations and auditory input which may consist of sounds, cues/suggestions, music, narration or instructions. Multimedia elements are used in combination within multimedia environments to produce "stories" (Astleitner, 2004).
6. In multimedia materials, text can accompany graphics, still and animated pictures, video, sound, music and sound effects (Fletcher & Tobias, 2005).
7. In technical terms, multimedia consists of: text, graphics, images, sound, video, numerical data, as well as hypertext and hypermedia. Hypermedia is

a term that represents a logical extension of the term hypertext. In hypermedia, in addition to text and graphics, audio and video recordings as well as hyperlinks are used to create a general non-linear medium of information. So, hypermedia is an extension of hypertext which supports graphics, sound and video elements in addition to text elements (Limani, 2007).

8. The term "multimedia" refers to any technology that enables the "fully digital distribution of content presented using an integrated combination of audio, video, images (two-dimensional, three-dimensional) and text" along with the ability to support interaction of the user. Multimedia can be delivered to computers via CD-ROM, DVD, the Internet, or other devices such as mobile phones and personal digital assistants, or any digital device capable of supporting interactive and integrated delivery of digital audio, video, images, and text (Torrisi-Steele, 2009).
9. Multimedia is any combination of text, art, sound, animation and video delivered to you by computer or other electronic or digitally manipulated means. It is richly presented feeling. When you weave together the sensual elements of multimedia-colorful pictures and animations, engaging sounds, compelling video clips, and raw textual information-you can electrify the thought and action centers of people's minds. When you give them interactive control of the process, they can be fascinated (Vaughan, 2011).
10. From the point of view of narratology, interdiscursive analysis and the description of a new narrative system in the media, we arrive at the so-called "digital discourse, which has a multimedia nature and contains visual and acoustic elements and linguistic and non-linguistic elements" (Albaladejo, 2011).

11. Multimedia is a woven combination of digitally manipulated text, photographs, graphic art, sound, animation and video elements. When you allow an end user-also known as the viewer of a multimedia project-to control what and when elements are delivered, it's called interactive multimedia. When you provide a structure of linked elements through which the user can navigate, interactive multimedia becomes hypermedia (Vaughan, 2011).
12. Multimedia refers to applications that use multiple modalities to their advantage, including text, images, drawings, graphics, animation, video, sound (including speech), and, most likely, interactivity of some kind. This is in contrast to media that use only rudimentary computer screens, such as text only or traditional forms of printed or hand-produced material (Li, Drew, & Liu, 2014).
13. Multimedia is considered communication and cultural exchange through text, image, sound, touch, and voice (Goggin, 2016).
14. To the makers of the term “multimedia” shall include text, audio, photographs and video (Medvedeva, 2016).
15. Multimedia is a form of communication that serves our ears, eyes and minds at discrete times or continuously. It's not just the medium of audio, or video, or the written word. It is a combination of these elements for maximum effect (Gitner, 2016).
16. Multimedia can be thought of as a super-medium of sorts because it consolidates many of the previously discrete and no combinable products of human communication (legacy media forms) within a single convergent channel of expression and delivery. Simply put, multimedia is any combination of these five components: text, graphics, video, audio, and

animation in a delivery format that consumers can interact with on a digital device (Costello, 2017).

17. Multimedia uses different elements such as audio, images, graphics and animation. Thus, multimedia creates an audio-visual environment either on the desktop or on the smartphone screen, as well as on local or global environments (Banerjee, 2019).
18. Multimedia is a computer platform, communication network or software tool that involves the interactive use of at least one of the following types of information: audio, image, animation, video, text and graphics (Banerjee, 2019).
19. The term “Multimedia” is described as a combination of sound, text, animation, video or art provided by a computer or other digital platform and includes simple learning tools such as videos or animations to complex learning tools such as Virtual Reality (VR). and 3D. Augmented Reality (AR) (Vagg, Balta, Bolger, & Lone, 2020).
20. Multimedia is an evolving, shape-shifting concept that is integral to our daily activities, whether intentionally or unintentionally. Multimedia can simply be defined as the use of various forms of media to exchange information. These media can include audio, photos, videos, text, movies, podcasts and animations (Kennedy, 2021).
21. Content is primary to media creation. Different classifications of content are presented, as well as the importance of cultural perspective and attention to ethical and legal concerns. The range of visualization techniques is numerous and multimedia in nature (Roberts-Breslin, 2022).
22. Use, Embedding or Interweaving of Certain Media. Multimedia “a technique (such as combining sound, video, and text) to express ideas (as in communication, entertainment, or art) in which several media are used; also:

something (as software) using or facilitating such a technique" (Merriam-Webster, 2023).

Table 1. Compound elements of multimedia according to definitions

ıors	ıents					
Purchase, 1998	Video disc	Image on CDROM	Display	-	-	-
Pavlik, 2001	Text	Image	Video	Graphics	Hypermedia	Nonlinear writing
Connolly & Phillips, 2002	Natural language	Image	Music	-	-	-
Astleitner, 2004	Text	Sound	Graphics	Video	Image	Spatial modeling
Astleitner, 2004	Text/	Chart	Video/	Sounds/Music	Signals/ Suggestions	Narrative/ Instructions
Fletcher & Tobias, 2005	Picture	Graphics	Animations	Animated pictures	Video	Sound/music/
Limani, 2007	Text	Graphics	Still pictures	Sound	Video	Sound effects
Torrisi-Steele, 2009	Text	Video	Image	Three-dimensional image	Text	Hypertext/ Hypermedia
Vaughan, 2011	Audio	Art	Two-dimensional image	Animation	Video	User interaction
Albaladejo, 2011	Text	Acoustic elements	Sound	-	-	Digital tools
Vaughan, 2011	Visual elements	Photography	Linguistic elements	Sound	Animation	-
Li, Dreë, & Liu, 2014	Digital tex	Image	Graphic art	Graphics/	Video	Video elements
Goggin, 2016	Text	Image	Drawing	Animation	Voice	Sound
Medvedeva, 2016	Text	Audio	Sound	Touch	-	-
Gitner, 2016	Text	Video medium	Photography	Video	-	-
Costello, 2017	Audio medium	Graphics	The medium of the written word	-	Animation	-
Banerjee, 2019	Text	Image	Video	Audio	-	Interaction
Banerjee, 2019	Audio	Image	Graphics	Animation	Text	-
Vagg, Balta, Bolger, & Lone, 2020	Audio	Text	Animation	Video	Computer art	Graphics
Kennedy, 2021	Sound	Picture	Animation	Video	Movies/ Podcasts	Platform
Merriam-Webster, 2023	Audio	Video	Video	Text	-	Animations

Table 1., presents the elements of a total of 22 definitions for multimedia, arranged by year, from the earliest to the latest. In it, the elements of each definition are manually placed, focusing on the author, the year and the compound elements of the definition. All these present us with a detailed exploration of the ways in which multimedia has been defined in different years by different researchers.

What is noticed in the table above, is that most of the definitions have in their composition 6 or more multimedia elements, or in other words, they have more than 6 mediums. On the other hand, some definitions have 4 to 5 elements which mainly focus on text, audio, photo, video and animation. It is interesting that despite these definitions that have several elements of multimedia, there are also 4 other definitions that include only 3 elements or mediums. These types of definitions focus on three types of media which, although expressed in different terms, still appear to us as text, audio and image. In what the table presents, it is noted that the definitions that have a more technical approach to multimedia present it with more elements, but however, some elements can change, those that remain unchanged are text, image, video and sound.

But if we take these basic elements, they have been expressed in different forms in different years by different authors. For example, when it comes to text, which is presented to us as the basic form of multimedia, in some definitions it takes different forms such as natural language; linguistic element and medium of the written words. These forms of expression come from definitions that tend to group multimedia elements for example as Gitner does, defining multimedia as the combination of audio medium; the medium of video and the medium of the written words (Gitner, 2016), or as Albaladejo does in saying that multimedia consists of visual elements, acoustic elements and linguistic elements (Albaladejo, 2011). On the other hand, throughout the definitions there are elements mentioned only once which are difficult to group, such as spatial modeling, digital tools, computer art and platform, giving the definitions a much more current dimension.

The definition of multimedia journalism

Based on the literature review, 19 definitions of multimedia journalism have been found, which in some cases also appear as multimedia news packages, or as forms of multimedia storytelling. Definitions are listed from the oldest to newest to see how the concept of multimedia journalism has been defined by different researchers in different years. Unlike the definitions for the concept of multimedia, those for multimedia journalism arise later. Most of the definitions are found during the years 2010-2020, while chronologically they are listed from 2001 to 2023.

1. Object-oriented multimedia refers to the creation of digital objects in full-motion video and audio. Using mpeg-4 or even next-generation web technology, storytellers can create articles that incorporate linear and multi-linear narrative forms by making every image within a video stream a digital object (Pavlik, 2001).
2. A multimedia storytelling (multimedia journalism) can be defined as “the presentation of a news package on a website using two or more media formats, such as (but not limited to) spoken and written words, music, moving and still images, graphic animations, including interactive and hypertextual elements”. (Deuze, 2004)
3. Multimedia journalism combines text, pictures, audio, video, and graphics to give audiences additional ways to understand information (Stencil, 2004).

4. A multimedia package is the integration of more than one medium in combination with interactivity related to a story, event or information (Zerba, 2004).
5. Two ideal concepts of multimedia in journalism have appeared. First, it is the presentation of a story package on a news website using several media formats, such as (but not limited to) text, images, photographs, audio, video, graphics, and animation. Second, there is the integrated (though not necessarily simultaneous) presentation of a news package through various media, such as (but not limited to) newspapers, magazines, radio, television and/or news websites (Vobicˇ, 2011).
6. When taken in the digital environment, long-form narrative journalism gains added value from the use of multimedia techniques: photographs, audio, video, graphics, maps, etc. (Lassila-Merisalo, 2014).
7. The visual narrative is evolving. This has progressed from images that are formed on glass plates, on film rolls, to digital images and videos that are taken with mobile phones, the technology of which will be discussed later. Photos are no longer seen only in printed or projected form; they are sent by e-mail and shared on websites and social networks. Audiences that were once built through print media are now being reached on an even wider and faster scale through Facebook, Twitter and Instagram, through both still and motion images (Gitner, 2016).
8. Multimedia journalism can take at least two forms. First, traditional multimedia journalism refers to stories that use the Christmas tree format, where "multimedia elements such as videos, photo slideshows, maps and graphics are add-ons, placed alongside the main text story like ornaments hanging on a tree ". Second, multimedia journalism can take the form of embedded multimedia journalism. In this case, the main story is usually text-

based and told in a linear fashion. However, compared to traditional multimedia presentation, multimedia elements in an integrated plan are “integrated into the main story, so they are viewed at appropriate points in the story” (Pincus, Wojcieszak, & Boomgarden, 2016).

9. Multimedia Narrative or mojo creates raw user-generated content (UGC) for media; and features user-generated stories (UGS) for online, paywall and web TV formats. Whether it's creating from UGC or UGS, mojos need to know how to capture and compose powerful images quickly (Burum & Quinn, 2016).
10. Multimedia journalism refers to stories that use more than two media models, such as text, images, and video (Bebić & Volarević, 2016).
11. The digital shift has created new opportunities in the practice of journalism, making it possible to combine a variety of media modalities in journalistic products, such as, but not limited to, text, audio, video, photographs and other visuals. The term multimedia journalism aptly describes this development (Pincus, Wojcieszak, & Boomgarden, 2016).
12. An integrated multimedia narrative is called hypermedia. Although this connection between hypertext and multimedia elements reaches areas such as literary storytelling, cinema, advertising or video games, studies in journalistic multimedia narrative have considered it as a macro genre (Sánchez-García & Salaverría, 2019).
13. The main elements of visual journalism include photographs and videos, cartoons and animations, data visualizations, multimedia presentations and graphics. In a semiotic perspective, visual journalism (multimedia because it combines at least two forms) communicates meaning through a multitude of interconnected signs (Dynnild, 2019).

14. Multimedia journalism is journalism that uses at least two media platforms and/or media formats to produce and present a news or feature story. In terms of media platforms, this means covering a story through at least two different (online) media channels, for example, a news website and a video platform. In terms of media formats, this means combining at least two modes of text in one news story, for example, written text, with video and/or pictures. (Menke, 2019)
15. The fusion of previously separate platforms such as television, newspapers, websites and mobile phones paved the way for convergence and multimedia journalism, in which images, verbal texts and design come together in compelling visual storytelling. (Dynnild, 2019)
16. A multimedia story is a combination of text, still images, video clips, audio, graphics and interactivity presented on a website in a non-linear format in which the information in each medium is complementary and not redundant (Stevens, 2020).
17. Multimedia journalism involves using text, images, sound, video clips, graphics to tell stories in an engaging way. Professionals working in multimedia journalism use digital tools and social media platforms to share their stories with a specific audience online. The purpose of these stories is to inform, educate or entertain that specific audience (beonair.com, 2022).
18. Today's multimedia journalism combines different media, including print and digital media (such as online publications and websites), as well as television, film, photojournalism and radio – any platform that helps journalists tell their stories. Anyone interested in pursuing a career in multimedia journalism will benefit from knowing the multimedia journalist job description, the average multimedia journalist salary, and what skills they will need (College, 2022).

19. Multimedia journalists combine traditional journalism with innovative design and visuals to deliver unique stories (Indeed, 2023).

Table 2 Compound elements of multimedia journalism according to definitions

Authors	Elements					
Pavlik, 2001	Digital objects	Video	Audio	Linear narrative form	Very linear narrative form	-
Deuze, 2004	Spoken/written words	Music	Moving images	Still images	Graphic animations	Hypertext elements
Stencil, 2004	Text	Photography	Audio	Video	Graphics	-
Zerba, 2004	+ a medium	Interactivity	Story	Event	: INFORMATION	-
Vobicˇ, 2011	Text	Image	Photograph y	Audio	Video	Graphics/A nimation
Lassila-Merisalo, 2014	Photography	Audio	Video	Graphics	Map	-
Gitner, 2016	Digital images	Digital video	Mobile phones	Page	Social networks	-
Pincus, Ëojcieszak,& Boomgarden, 2016	Video	Photography	Map	Graphics	Main text	-
Burum & Quinn, 2016	User-generated content for media	User Generated Content for the Platforms	Powerful images	-	-	-
Bebić & Volarević, 2016	Story	Text	Image	Video	-	-
Pincus, Ëojcieszak, & Boomgarden, 2016	Text	Audio	Video	Photography	Other views	-
Sánchez-García & Salaverría, 2019	Hypermedia	Multimedia elements	-	-	-	-
Dynnild, 2019	Photography	Video	Cartoon	Animation	Data visualization	Graphics
Menke, 2019	Web page	Video platform	Written text	Video	Photography	-
Stevens, 2020	Text	Static pictures	Clip	Audio	Graphics	Interactivity
Beonair.com, 2022	Text	Image	Sound	Clip	Graphics	-
Hibert College, 2022	Print media	Digital media	Television	Movie	Photo journalist	Platform
Indeed, 2023	Traditional journalism	Design	Innovative look	-	-	-

Table 2, as we saw in table 1, summarizes all definitions found in relation to multimedia journalism. These definitions are divided into author, year and elements. All definition elements are collected and tabulated manually. Although in general the separation of elements is easy and understandable, in some cases it is difficult to separate some elements, this is a consequence of the complexity of the issue and the concept of journalism itself. In these cases, having no other way, the separation is done arbitrarily. The number of definitions for multimedia journalism is 19 and definitions with more than 5 elements generally prevail. However, there are cases when some definitions have more or less elements. The extreme case is that of Sánchez-García & Salaverría where only two elements such as hypermedia and multimedia elements are found in their definition (Sánchez-García & Salaverría, 2019). However, the term multimedia is a grouped form of other elements which can mean at least two other elements.

Interestingly, most definitions for multimedia journalism firstly coincide with each other, and secondly they coincide with the definition of multimedia itself. The only difference between the two types of definitions is in the text element. If in definitions for multimedia researchers refer to it as text, or written word, when it comes to multimedia journalism text also appears as traditional journalism, print media, main text, linear narrative, story, event, and spoken or written words.

Discussion and Conclusions

The literature review shows that most of the definitions of multimedia and multimedia journalism are similar. The basis for the definition of this form of journalism comes from the definition of multimedia as a form of communication. Based on the existing literature in the last three decades, the definition of both concepts has been completed, guided by technological developments and communication practices. These definitions are built on the main elements of multimedia such as text, sound, photo, video, graphics and animation, as well as adding different elements depending on technological developments. These concepts are redefined as follows:

- Multimedia refers to the combination of elements such as: text, sound, photo, video, graphics, animation, hypertext, hypermedia and finally, interactivity.
- Multimedia journalism refers to the combination and/or integration of elements such as: written text or traditional journalism, voice, sound, audio, photo, video, animation, maps, graphics, data visualization, cartoons, internet, social networks, platforms, design, computer art and interactivity.

Looking at the definitions for the concept of multimedia journalism, some interesting trends are noticed over the years:

First, in the definitions of multimedia journalism, elements such as data visualization, cartoons, internet, social networks, platforms and consequently interactivity are added from year to year. These added elements push the definition towards user experience.

Second, maps, or graphic maps appear as additional elements different from the graphics themselves. Although maps are graphical representations and part of multimedia design, these elements appear separately, giving the definition a bias again towards the user experience, where in most cases of multimedia journalism, maps appear as interaction elements. (KQZ, 2021)

Thirdly, multimedia journalism also requires such elements of hypertextuality and hypermediality. These two elements are also related to the user experience, where through links and hyperlinks it crosses over to other hypermedia materials.

Fourth, in many definitions of multimedia journalism, it also appears as a multimedia narrative, in the form of telling a story or issue in multimedia forms.

Based on the above elements, it is clear that multimedia as a form of communication and journalism is increasingly oriented towards maximizing the user experience. After this literature review of multimedia journalism, other studies from other perspectives with other methods are suggested, such as the perspective of multimedia journalists themselves as practitioners of this profession; journalist; media manager and editors and audience or user perspective.

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ERLIND HYSENI[36] & ISA ERBAŞ[37]

THE EFFECT OF TECHNOLOGY ON MOTIVATION IN EFL CLASSROOMS

Abstract

This study is conducted with the purpose of analyzing the effects that technology has on the motivation of EFL classrooms. This study presents and analyzes different theories regarding to the implementation of technology in EFL classrooms. The study reveals the advantages and barriers of technology implementation in EFL classrooms, as well as ways of integrating technology in these classrooms. This study is conducted by using the mixed research methods, which includes a teacher questionnaire to collect qualitative data and a student questionnaire to collect quantitative data. The participants of the study are 2 teachers and 90 students from a secondary public school. The results of the study show that teachers are aware of the positive effect that technology plays in the motivation of EFL learners, but don't integrate it in their EFL classrooms. On the other hand, EFL learners see technology as a great tool for their success and want to learn English through technology, except textbooks. Teachers have to take in consideration their learners' needs in order to increase their motivation, interest and participation in the lesson. It is needed further research with a greater number of participants from different schools to discover the situation in other schools, too.

Keywords: *motivation, technology, EFL classrooms, English teaching and learning process, English as a foreign language.*

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INTRODUCTION

Background of study

Technology has become part of every filed, and its integration and effects cannot be underestimated in education as well as in other fields. Implementation of technology in the field of education has been a topic of numerous and different studies. As it has been approved by various of studies, technology has a positive effect if integrated in the EFL classroom. Technology increases learners' motivation and participation. It also helps EFL learners to develop the four language skills.

In the process of teaching and learning, technology can be one of elements which has a positive effect in the attitude of students (Ilter, 2009, p.136). Technology is a helpful factor in the process of expanding ones' critical thinking and also in the process of resolving problems and in the process of creating higher degrees of understanding (Bebell, Russell, O'Dwyer, Tucker-Seeley, 2005). Through the years, methods of teaching a foreign language have changed a lot. Teaching has changed from a traditional one with the teacher in its center to a modern one with the learner in its center. Since the process of a foreign language learning requires motivation, technology has to be integrated in this process to increase learners' success in the acquisition of English as a foreign language.

This study aims to emphasize the positive effects of technology, which can be life changing for education and to reveal the great influence of technology in the motivation of EFL students. This study is a great source of information about the relationship between technology and achievements in EFL classes. The important facts about technology and its influence in the motivation of EFL students are revealed throughout this study.

Research questions

This study aims to answer to these questions:

- Are EFL teachers aware of the importance of technology in the motivation of their EFL learners?
- Are EFL learners aware of the importance of technology in their motivation?
- Is technology implemented in EFL classes?
- Have EFL teachers been trained to implement and use technology in their classes?
- Does technology integration motivate EFL students?

Limitations

One typical limitation of this study is the sample size.

The first one is related with the number of teachers being interviewed. Since there are only two EFL teachers in the school where this study was conducted. The second one is related with the number of students. There have participated only 90 students, which is a low number. The selected student sample represents the population of the 6^{th}, 7^{th}, 8^{th} and 9^{th} grade of one of the the secondary school public schools. The validity of the study depends on their honesty while answering the questions. There should be conducted a further investigation with a bigger number of participants to get more conclusive results.

Hypothesis

Technology increases EFL learners' motivation in the process of learning English as a foreign language.

Methodology

This study is conducted by using a mixed approach; qualitative and quantitative approaches. 2 teachers and 90 students of the secondary school have taken part. The authors used close-ended and open-ended questionnaires.

LITERATURE REVIEW

The involvement and importance of technology in the educational field cannot be discussed. Students will excel in their education if the way in which they engage with the world is mirrored by their learning environment (Christen 2009). If students find the usage of technology enjoyable in their everyday life, they will also find it enjoyable using it in education. This will lead and motivate the increase of students' motivation and participation in the classroom.

Motivation in EFL Classrooms

Motivation, it is considered to be a fundamental concern among teachers (Linnenbrink and Pintrich, 2003). 0ne of the several problems in classrooms is students' motivation.

Motivating students is a continual problem in the educational field. According to Linnenbrink and Pintrich, there are no clear-cut solutions to this problem, there exist several strategies can help teachers deal with it.

In a classroom, there are different types of learners. The learners who avoid tasks and don't finish their assignments are known as reluctant learners. If these types of learners have a low self-efficacy, they won't be motivated to learn (Sanacore, 2008). If the tasks given cause excitement or if students feel that what they are doing is worthy they can be considered motivated (Linnenbrink and Pintrich, 2003). According to Harmer 2007, the instructional process can be disrupted because of a serious problem such as unmotivated and uncooperative students. Students don't show interest and don't participate in the lesson because of the usual and routine activities. This kind of phenomenon is frustrating in English language teaching.

Technology Usage in EFL Classrooms

Different studies have been conducted to prove the positive effect that technology has on learners.

According to Mayora, 2006, it has been proved that students' interests are motivated by technology use. O'Dwyer, Tucker-Seeley, Russell and Bebell state that thanks to technology, students' critical thinking skills, their high levels of understanding and problem solution can be developed (O'Dwyer, Russell, Bebell, Tucker-Seeley, 2005). According to a study conducted by Baytak, Tarman & Ayas, the integration of technology into classroom curriculum improved the process of learning. Students of those classrooms reported that the process of learning is funnier when technology is implemented. Students' motivation, engagement and positive outcomes are some of benefits that technology brings. The focus of the study by Godzicki, Krofel & Michaels (2013) was motivation among elementary and middle school students. The target of this study were some problematic behaviors such as non-completion of home assignments and unpreparedness for class and boredom during the class. The results showed that students were likely to engage more in an activity when technology is involved. As Atkinson (2000) states that students' motivation is affected positively by teachers' motivation and technology.

Teachers have to create activities that include technological tools as a result of students' positive reaction and increase of motivation towards technology. If students are motivated to complete a task, it is likely for them to have an excellent performance. Dorney (1998), considers motivation as the first stimuli at the beginning of EFL learning and as the driving force that supports the long and sometimes tiresome learning process. Language learners can develop their language skills in the classroom when they have desirable and real communication factors and suitable ones play a major role in the development of their language skills (Wang 2001, 2004). The possitive effect of technology use includes learnes' motivation in EFL classrooms and also and it also ease their engagement in speaking, reading, writing and listening (Case and Truscott (1999), Leu and Leu (1997), Anderson and Speck (2001) & Deeler and Grey (2000).

Integrating Technology in EFL Classrooms Through Technological Devices

Mobile phones

According to several pedagogical theories mobile phones are considered to be useful technological tools in an EFL classroom. According to Reinders, 2010, tools which increase students' input to the language, will have a great contribution in this process. Mobile phones use for educational purposes requires full preparation by teachers.

Practical activities through mobile phones in EFL classes include:

- **Text messages**

  This usage of mobile phones can make possible the increase of students' motivation related to writing and improvement of EFL students writing skills.

  A text message can also be useful, because students can write the vocabulary which they learn in the classroom and then they can review it.

- **E-portfolio**

  Mobile phones can serve to keep students' portfolios. Teachers can also use mobile phones to evaluate students' portfolios. Students can see in any time the deadlines for assignments through different programs that can be installed in their mobile phones.

Computers

Computers are other technological tools that motivate EFL learners to learn. The usefulness of computers in EFL classrooms has been approved a lot by EFL pedagogues and luminaries. Expect motivation, the implementation of computers in EFL classes help EFL students to improve other skills. Several studies have concluded that computers develop and improve students' writing skills (Kasper 2000). Students improved their writing skills while using word processing. This process resulted in an improvement of students' writing skills (Cunningham 2000).

EFL students can practice their speaking skills through different social network sites such as Skype, Yahoo, Facebook. These sites contain audio and video talk. This kind of communication is seen as very useful for the improvement of speaking skills and pronunciation. (Payne and Whitney 2002).

Through computers EFL students can develop their reading comprehension skills. EFL students can understand the text with the help of visual systems and verbal ones (Chun and Plass, 1996). These computer programs also help EFL students to learn vocabulary faster in comparison with the traditional way of learning.

The integration of computer and its use about language testing and language assessment in the field of foreign language, has been supported by scholars such as Douglas and Chapelle (2006); Stantsfield (1990) and Dandonoli (1989). EFL students can test themselves, while online tests can be prepared by EFL teachers through different websites or programs.

Interactive boards

An Interactive white board which is an interactive electronic board. It is a device which is used together with a computer for the purpose of presentation. This board is used for different purposes, including educational ones. Interactive White boards are included in different learning backgrounds and support many different learning styles (Chapell, 2003). Interactive Whiteboards increase student engagement during the learning process (Beeland, 2002). Interactive white boards make EFL students more motivated and more willing to participate in lessons (Latham, 2002).

Interactive white boards in an EFL classroom help to:

- Enhance oral skills: The Interactive white board encourages communication and brings people together (Abraham and Liou 1991; Chapelle 2003)
- Present new cultural and linguistic elements: Interactive white boards make it easier to show linguistic and cultural elements (Bacon, 2011; Allen, 2010).

- Supports conversations and interactions in an EFL classroom: Interactive white boards enhance teacher-student conversations and interaction.

Because of the facilities this technological device enables students feel relaxed, motivated and interact with each other. IWB make students excited, make the school climate change and make the instruction enhanced (Harper, Dzaldov & Booth, 2011; Harden-Threw, 2012). The perception of EFL students in a classroom where IWB were used was that these technological devices facilitated the language learning process (Schmid, 2008).

iPads in the EFL classroom

iPads are technological tools that are used in different fields. iPad are motivational tool for students in the language learning environment. They provide visual impetus and audio impetus as well as practice, which improves their English vocabulary acquisition (Wang,2015). The incorporation of iPads in the EFL classroom increased students' motivation and learning. It also fostered students' collaborations and autonomy (Albadry, 2015). Students are involved more when English language is learned through iPads. It is easier for students to complete tasks by using iPad devices (Hilton and Canciello, 2013). According to Y.Wang (2017), the use of iPads enables student-centric learning through interactive exercises and videos. Students showed a higher level of satisfaction.

Integrating Technology through Different Tools in EFL Classrooms

Comic maker

This tool makes the process of reading and writing entertaining. Students can create their own characters and write their own comics. Comics foster learner's engagement and make them discover more reading materials. When it comes to the development of a learners' reading skills, the time spent by a learner on reading is the most important element (Cummins, 2003, p. 20). Since reading is such an important form of input, comics are a great way of motivating and engaging EFL students to develop their reading skills. According to Cary (2004), comics lead to productive and relevant discussions in English language classrooms.

Kahoot

Kahoot is a game-based learning platform. It is used for the purpose of reviewing students' knowledge, for formative assessment. Through this application teachers and learners can break up from traditional classroom activities. Lack of motivation can result a negative atmosphere in the classroom and can bring a reduction of learning outcomes (O. L. Liu, Bridgeman, & Adler, 2012). Well-designed video games motivate and engage students (Gee, 2003). As we understand through different studies Kahoot affects positively and increases students' motivation, learning performance and attitude.

Videos

Videos are an effective tool for language learners. A video can include different materials such as songs or movies. The students' attention is captured when there are movies integrated in EFL classrooms (Tognozzi, 2010); increase the students' motivation (Ruusunen, 2011); students' academic writing skills are improved (Baratta & Jones, 2008). It has been proved that movies play a significant role in the development of reading, speaking, writing and listening skills (Baratta& Jones, 2008; Ismaili, 2013, Martin & Jaen,2009; & Rokni & Ataee, 2014; Yaseen& Shakir, 2015).

Teachers and Their Attitude Regarding Technology Integration in EFL Classrooms

Since technology implementation is such an important issue, it is important to know the teachers' attitude toward technology in EFL classrooms. Their age and their knowledge about technology influence their attitudes. There are two types of teachers' attitude towards technology in EFL classrooms (Arno, 2012). The first one is the technophile teacher. A technophile teacher is a teacher who uses and supports the use of technology in his classroom. The second one is the technophobe teacher. A technophobe teacher is a teacher who is afraid of technology. A teacher's lack of confidence, lack of facilities and lack of training make them react negatively (Dudeney & Hockley, 2007). The technology integration in the classroom is influenced by the teachers' attitude towards technology. This is a strong reason why teachers should be trained and should be skilled in implementing and using technology in their EFL classes.

Technology can enrich the way how we think (Georges,2013). If traditional learning shows the teacher as the main and the only source of information, it is high time to change this kind of learning. A teacher's role is to transmit information and also to ensure new tools with the aim of getting knowledge (Marek, 2014). According to Arno, a teacher has the duty of designing courses and also materials for the creation of important activities that guide students (2012, p. 97). In case of an online teacher, he/she should do more than designing materials and ensuring participation.

This includes integrating a variety of skills in different dimensions such as pedagogic, organization, technological and also affective one. Since we live in a technological era, technology must be part of the language learning process in EFL classrooms. Teachers have to improve themselves and develop their skills in order to implement technology in their EFL classes to involve students when they lose their learning motivation and participation.

Advantages of Using Technology in EFL Classrooms

Implementation of technology increases the learners' interest and motivation (Pourhosein 2015). This idea is also supported by another researcher. According to Genc (2009), technology makes EFL students motivated easily. Different technological equipment, including computers, makes students feel free and encouraged. Technology makes students be motivated, active and involved in the process of language learning. Authentic materials provided by technology, offer the advantages of high quality and low price which result in a growth of popularity of the education in distance process (Genc, 2009, p. 137). Technology helps an EFL classroom to become more learner-centered. Through technology there is achieved an involvement of students in real life and there are introduced different kinds of materials (Mohamed, 2014). Technology provides resources and materials in addition to the traditional textbooks. Technology increases the learners' concentration and teachers have the possibility to choose materials based on learners' needs (Cutter, 2015).

Barriers of Using Technology in EFL Classrooms

Despite of the several scholars who support the positive effects of technology in EFL classrooms, there are some other scholars that show barriers of the implementation of technology in EFL classrooms. A primary obstacle is the lack of technology investments, which is a big problem for teachers who want to use technology in their classrooms. Lack of technology investment is the most important barrier that teachers find when they want to use technology in their classrooms (Imad,2015). For teachers, the most important difficulty in the process of technology implementation is the absence of technological investments (Imad,2015). Another important barrier is teachers' lack of ICT knowledge and their lack of training courses. Technology implementation faces different challenges such as technological instruments' absence, lack of such elements as information and time related to the use of programs and devices. Lack of efficient training courses is also considered a challenge as it causes the discouragement the progress of teachers and the training of language learning process (Imad, 2015, p. 85). Teachers don't have sufficient experience and they also lack trainings, confidence and facilities. Even though teachers may wish to use technology in their teaching, schools can lack the facilities and also can be untrained for the use of technology feasible in their school (Mohamed, 2014, p. 3). Other scholars and researchers support this idea, too. According to Dudeney & Hockley (2007), teachers generally lack ICT trainings and schools don't have enough equipment to implement technology in EFL classrooms. Internet access is another barrier that impedes the successful implementation of technology in classrooms. Another problem is the lack of technical assistance to maintain technological devices in a good condition. Absence of technical support in schools and lack of Internet access are obstacles in the process of using technology in EFL classrooms (Pourhosein, 2015).

Despite of the existence of some barriers of technology implementation in EFL classrooms, the number of advantages technology offers for EFL students are much more important. Technology has to be an inseparable part of EFL classrooms because of the great benefits it brings for EFL students and as well as for EFL teachers.

Technology and Inclusive Education

In different schools there are different types of students including students with learning disabilities. Different studies have been conducted and the results show that technology has a positive influence on the process of learning of these students. Students with disabilities or with other problems have much more difficulties in the learning process since they feel different from their classmates. When technology is integrated in a classroom made of students with at-risk factors (disability, economic disadvantage) it plays a positive role and increases social interaction (Ernst & Moye, 2013). A study conducted by Floyd and Judge (2012) showed that the use of assistive technology supported and provided an effective accommodation for students with learning disabilities. Assistive technology means that the teacher allows a student with disability to access education at the same rhythm as a regular one, by establishing and maintaining an inclusive environment. A report published by Future lab (2009), showed numerous ways about how technology can create an inclusive atmosphere in classrooms. Implementing technology through mobiles resulted in the creation of an authentic and meaningful learning experience. Audio-visual media foster a sense of community. Based on the results of these studies it is clear that technology affects positively to create an inclusive education by increasing social interaction and encouraging a sense of community.

METHODOLOGY

This study aims to examine the role of technology on the motivation of EFL classrooms. This study aims to serve as a contribution to other studies in this area. To conduct this study a mixed research method; quantitative and qualitative research is used with the aim to explain the main problem of the study. This study includes a sample of 90 students and two teachers from a public secondary school. Questionnaires served to collect information on the attitudes, beliefs and knowledge of EFL teachers and EFL students about the topic of technology implementation and its effect of motivation in EFL classrooms. Through close-ended questionnaires it was aimed to discover teachers' thoughts on the relationship of technology and motivation in EFL classrooms. Teachers are different from each other in age and work experience terms. Teachers and students were assured about confidentiality. There was enough time in their disposal to complete the questionnaires.

Questionnaires

The teachers' questionnaire consisted of 8 open-ended questions. These open-ended were chose in order to allow teachers express their opinions, beliefs and comments. Teachers' questionnaire intended to discover their attitudes and opinions in relation with the topic of the thesis. Both teachers teach in all grades of this school.

Questionnaires were completed by two teachers and 90 students. Students' questionnaire consisted of two close-ended questions and a list of 6 statements. This questionnaire made possible the collection of quantitative data. Through this questionnaire it is aimed to discover the thought and feelings of students related to technology and motivation. The first part of the questionnaire consists of two close-ended questions. These questions made possible to understand students' attitudes and opinion about English as a subject. The second part of the questionnaire consisted of 6 statements. Students could specify their level of agreement to the statements by choosing one of the options included in the 5-point Likert's Scale (strongly agree- agree – natural – disagree – strongly disagree). The statements aim to discover if students learn English through different methods including technology and how they see the idea of integration of technology in their EFL classroom.

Observation

Observation was another method used to collect data. Observations took place in a 3-month period. During the observation process, it was observed the extent to which EFL teachers used technology in their EFL classrooms. Another element observed was the level of motivation of EFL students and their engagement during the class. The data obtained through questionnaires and observations served to give answers to the research questions.

RESULTS

This section includes and provides the results obtained from the questionnaires.

Teachers' questionnaire results

The teachers that completed the questionnaires are from the same school and have different work experience. They answered to eight questions related to technology and motivation in EFL classrooms. They answered the first question "Can you define motivation with some simple sentences?" as follows. Both of them defined motivation as the desire of a person to do something. As regards to the second question, "Do you consider motivation a crucial element for a successful language learning process?" they answered as follows. They both agreed that motivation is important for a successful language learning process. One teacher extended his opinion further by saying that students' lack of motivation is equal to failure in a language learning process. The other teacher just answered shortly by saying yes. As regards to the third question, "Can you mention the factors that make a student feel motivated to learn a foreign language?" they said. One teacher mentioned that the level of preparation of a student affects his motivation to learn a foreign language. If a student has low level of preparation his motivation to learn will be low too. The other teacher mentioned that the way how the lesson is organized influences the motivation of a student. The answers for the fourth question, "Do you use technology in your EFL classroom" are as follows. Both teachers said they don't use technology in their classrooms. As regards to the fifth question, "Does technology affect the motivation of EFL students? If yes, in which manner? they answered as follows. They both agreed they technology affects the motivation of students. According to one teacher, if technology is present their motivation will be higher because they use technology all the time. The other teacher said that technology makes students more motivated, but also can distract them. Their answers for the sixth question, "Have you ever been trained for implanting and using technology in your EFL classrooms" are as follows. They said that they have participated in different trainings, but have not been trained yet related to the topic of technology implementation in their classrooms. As regards to the seventh question, "Have you ever thought of using technology in your EFL classrooms" they answer as follows. One teacher says he has thought but hasn't applied it yet. The other teacher says no. As regards to the eighth question, "What are the reasons that technology isn't integrated in your EFL classrooms" their answers as follow. One teacher says that their school doesn't provide any kind of technological device to make the integration of technology possible. The other teacher says that they don't have the proper conditions and that they aren't skilled enough in using technology.

Students' questionnaire results

The first question was asked with the intention to understand the number of students who like English as a subject. According to the survey, 89 % (80 out of 90 students) like English. On the other hand, the percentage of students who don't like English is 11 %. (10 out of 90 students). This shows that the majority of students like English.

In the 2nd question, the majority of students consider English is important for their future. 94 % (85 out of 90 students) answered yes to the question, while 6 % (5 out of 90 students) don't consider English is important for their future.

According to the results in the 3rd question, 89 % (80 out of 90 students) strongly agree with the statement and 11 % (10 out of 90 students) agree with the statement. This result shows that teachers use only textbooks as source materials.

In the 4th question, it is clear that only 1 % (4 out of 90 students) disagree with the statement. 99 % (86 out of 90 students) strongly disagree that their teacher uses technology.

As regards to the fifth question the results show that 76 % (70 out of 90 students) strongly agree that teaching English only through textbooks makes the lesson boring. 18 % (15 out of 90 students) agree with the statement and 6 % (5 out of 90 students) disagree with it.

As it is in the 6th question, the majority of students strongly agree that learning English through technological devices or apps makes the lesson more interesting. 76% (70 out of 90 students) strongly agree with the statement, 11 % (10 out of 90 students) agree with the statement, 8 % (7 out of 90 students) don't have a clear opinion or are neutral and 5 % (3 out of 90 students) disagree with the statement.

As regards to the statement in the 7th question, again the majority of students strongly agree that learning English through technology has a positive impact on EFL students by increasing their motivation and participation. 72 % (65 out of 90 students) strongly agree with the statement, 17 % (15 out 90 students) agree, 9 % (8 out of 90 students) are neutral and 2 % (2 out 90 students) disagree with the statement.

In the last question, 61 % (55 out of 90 students) strongly agree that through technology they can develop their reading, writing, speaking and listening skills. 22 % (20 out of 90 students) agree with the statement, 11 % (10 out of 90 students) are neutral and 6 % (5 out of 90 students) are neutral.

Observations

As it was mentioned in the methodology section, observations in the classrooms where the study was conducted were used to gather data. From the data gathered during this process it was concluded that EFL teachers don't integrate technology, but only they use the textbooks. Even the listening parts aren’t provided to the students through technological tools, but through the teachers themselves. Another element observed was that the motivation of students during the English subject. Little interest was shown by some EFL students, while the majority of them weren’t motivated and didn’t engage during the class.

An analysis of the Spark Textbooks

In this section, the Spark Elementary, Spark Pre-intermediate and Spark Intermediate textbooks which are used at this school, are analyzed in terms of technology usage. The books are written by Virginia Evans and Jenny Dooley and they are published by Express Publishing in 2010. Through this analysis, it is aimed to discover if these textbooks include and demand the use of technology in the EFL classrooms. These books include different materials for the students and materials for the teachers. Through the presentation of these materials, it can be understood if these textbooks demand the use of technology in the EFL learning process. In the table below there are presented the relevant materials for students and teachers.

Students’ materials	Teachers’ materials
Student’s book	Teacher’s book
ieBook	Workbook
Workbook	Teachers’s Resource Pack & Tests CD-ROM
Grammar book	Grammar Book
	Class CDs
	IWB software
	Grammar Key
	Teacher’s Resource Pack & Tests

By looking at the table presented above, it is easily understood that the books include different technological materials such as ieBook, Teacher's Resource Pack & Tests CD-ROM, class CDs and IWB software. These technological tools are included with the aim of learning English as a foreign language not only by textbooks, but also by technological devices and apps.

Another part where it is shown the importance of using technology in the EFL classrooms was shown in Spark 1. In this paragraph there is given the description of ICT and its relation with the language learning process. It is stated that the use of ICT can improve the quality of education, make information easily accessible and extend students' learning opportunities. (Spark 1, page 8).

In the four textbooks, there are described types of learning styles and learners and the exercises and materials offered by the textbooks to make the process of learning more helpful. There are presented three type of learners and the materials they need to learn better.

It is stated that:

- Visual Learners learn best from visual displays such as videos, diagrams, illustrations, flashcards (Spark 2, page iv).
- Auditory Learners learn best from reading a text aloud or using a CD player (Spark 2, page iv).

There are a lot of exercises that require the assignments to be completed with the help of technology, specifically internet. Some examples are:

1. Which countries are in Europe? What are their capital cities? Collect information. Present it to the class. You can use the key phrase: European capital cities (Spark 1, page 16)

2. Collect information about an endangered animal in your country or in another country under the headings. Post your comments on Mary's blog (Spark 3, page 53).
3. Are there stories about misterious creatures in your country? Collect information, then write a short paragraph about it. Read it to the class "(Spark 4, page 23).

Below there will be presented the units of one of the textbooks used by the participants of the study. The book is titled Spark 2 and it consists of 8 units. The majority of the units include one exercise per unit that requires the use of ICT. In the table below there are presented the units of the books and their ICT exercises.

Units	ICT exercises
2. Myths & Legends	Find information about another ancient civilisation and write a short article about it.
3. Let's party!	Think of a festival in your country. Collect information and then write a short paragraph about it.
4. Sports & Chores	Collect information, then write a short text on how we can protect the environment. You can use the key phrase: protect the environment.
5. Our wonderful world	Collect information about extreme places. Present it to the class. You can use the key words: extreme places.

7. Experiences	Think of something that a visitor should definitely see when they visit your country. Collect information about it and write a short text for a tourist website.
8. Places around us	Think of a popular market or shopping centre in your town / city. Collect information, then write a paragraph about it.

To conclude, the textbooks used in the secondary school where the study was conducted include, require and offer the opportunity to integrate technology in their EFL classrooms.

DISCUSSION

Using technology in the classroom is discussed a lot recently because of its worldwide use. Technology has become an inseparable part of every field and has become an inseparable item for everyone. The role of technology in all the fields where it has been included has affected them drastically. Since technology is everywhere, it cannot be avoided its inclusion in the field of education. There exist different theories about the relationship of technology and education and its effect on different elements in the field of education. In this study, different topics were discussed related to the effects of technology in the EFL classrooms, especially in the motivation of EFL students.

Teaching has changed a lot during different periods. The methods used, the organization of the lesson, the role of the teacher and the role of the student are not exactly the same as they were before. In the past, teaching a foreign language was through different methods that put the teacher in the center of the language learning process. The teacher was seen as the only source of information. Teachers had to present theory and students had the duty of learning by heart different rules and vocabulary. Textbooks were used to complete exercises and to learn the theoretical part.

With the passing of the years, from a traditional process of teaching and learning where the teacher was the center of the process, education changed to a modern process of teaching and learning. In the center of this process, it is not the teacher, but the student. Students learn through interactive methods by taking in consideration each learner's needs. Teacher still continues to be an important part of the learning process, but he/she is seen now as a helper of the students to learn things and to develop their critical thinking. The teacher motivates, inspires and encourages students through different interactive methods.

In the technological era in which we are living, it has been widely discussed the integration of technology in the EFL learning process. Different studies conducted on the effects of technology in the motivation of EFL students, suggest that despite of some obstacles that may appear, technology should be integrated in the EFL classrooms as a result of the positive influence.

As regards to the first question of the study, it was found that EFL teachers are aware of the importance of technology in the motivation of their students. According to them technology can increase their motivation. Related to the second question of the study, it was found that EFL students are aware of the importance that technology plays in their motivation. The majority of them consider technology an important tool to increase their motivation and engagement. As regards to the third question, the results showed that technology isn't implemented in EFL classrooms. Some reasons for this lack are EFL teachers' lack of skills to implement technology and lack of facilities in their school. Related to the fourth question, it was found that EFL teachers haven't participated in training courses related to technology implementation in their EFL classes. As regards to the last question, it was found that technology implementation increases students' motivation in the process of learning English as a foreign language. This conclusion is based on the several studies and several language scholars as well as this study.

Observation in the EFL classrooms where the study was conducted showed that the EFL students' lack of motivation and lack of engagement during the English as a foreign language learning process.

As regards to the hypothesis of this study based on the results of the study, it is approved. Since teachers are aware of the importance that technology has about their students' motivation and since EFL students think that they can be more motivated if they learn English through technology, these findings can be considered as strong evidence to state that this hypothesis is approved.

As it was shown in the literature review chapter, numerous scholars agree that technology can increase EFL learners' motivation. As Pourhosein, 2015 stated, the inclusion of technology increases the motivation and the interest of learners. Another scholar who supported this idea was Genc. The technology causes the motivation of EFL learners in an easy way (Genc, 2009).

The findings of this study are supported by the theories of these scholars. As it was concluded in the result section, the results of the students' questionnaires showed that EFL learners are more motivated to learn English if they learn through technology. So, the results of the students' questionnaires and the theories in the literature review section support each other.

As regards to the teachers' questionnaires, the main results showed that teachers don't use technology because of different factors such as lack of training courses, lack of abilities to use technological devices and lack of their school's infrastructure. These results are supported by many scholars. According to Imad, 2015, the challenges when implementing technology include different elements such as absence of technological instruments, lack of information about the use of technological devices and lack of trainings about EFL teachers.

Although this process of technology implementation has its barriers according to some scholars and also according to this study, where teachers admitted they lack skills and facilities to implement technology, this fact shouldn't be seen as a reason to avoid the implementation of technology in EFL classrooms. As it was stated in the literature review chapter, EFL teachers should implement technology in their EFL classrooms despite of the challenges. This conclusion was also supported by this study where teachers and students see technology as important element for the increase of EFL learners' motivation.

Based on the different studies conducted about the effect of technology on the motivation of EFL learners and based on the results of this study it is important to highlight that technology has to be integrated in the EFL classroom because of the positive effect it has on the motivation of EFL learners.

CONCLUSION

The aim of this study was to analyze the effects of technology in EFL classroom, with a special emphasis on the effect of technology on the motivation of EFL learners. The main hypotheses of the study was that teachers of the secondary school don't integrate technology in their EFL classrooms.

The main findings of the study show that the integration of technology is seen as important and positive from teachers' and students' point of view. The effect of technology on motivation is also considered positive by teachers and students, too. However, it was found that even though teachers know the importance of technology related to motivation in EFL classrooms, they don't use it. It is true that lots of schools in Albania lack a modern infrastructure, but it is possible to use technology through mobile phones or computers. On the other hand, students strongly affirmed that they want to learn English not only through textbooks, but also through technology because it makes them more motivated and interested to learn. From the information gathered through observation it was approved that teachers don't integrate technology and EFL students aren't motivated to learn English only through textbooks. Teachers have to take in consideration their learners' needs in order to increase their motivation, interest and participation in the lesson. It is needed further research with a greater number of participants from different schools to discover the situation in other schools, too.

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FIORALBA MARKJA[38] & ERISA DATJA[39]

THE ALBANIAN PENAL POLICY TOWARDS CORRUPTION IN JUSTICE

Abstract

Corruption is increasingly defined as an issue that affects the whole of society. This is because it affects sectors that are vulnerable and have an impact not only within Albania but also outside of it. The justice system remains one of the most sensitive areas that are directly affected by corruption.

The need to develop and implement some appropriate policies that fight corruption in the justice system has become increasingly imperative. It starts with justice seekers, for whom an impartial judicial system is a fundamental right, and with judges and prosecutors and other categories in the system, who are increasingly exposed to public criticism. One way is to fight corruption by investigating, arresting and punishing those involved in it. It is advisable that state administration institutions systematically and periodically evaluate the progress of the services they offer to the public and see the effectiveness of the measures and instruments used to prevent abuses of office.

This requires increasing the investigative powers of the police and the prosecution, strengthening inspection and control mechanisms.

Key words: *criminal policy, justice system, penal policy, corruption, increasingly imperative.*

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ENTRY

Corruption is a widely used concept during the last few years in Albania and elsewhere, with an effective fight against the phenomenon considered as a prerequisite for the very existence of the rule of law as well as an indicator of good governance. Integrity in the public system, corruption and the fight against corruption are all phrases that represent a whole range of behaviors that have created their space in the common vocabulary of politicians, NGOs, the media or the general public, whose sensitivity to the phenomenon has increased significantly.

This is mainly due to the monitoring of the European Union, considering the integration of Albania in the key areas of the justice system in a broad sense. The predominance of the subject in the monitoring carried out by the European Commission is very clearly emphasized by the fact that two of the four standards were related to the fight against corruption, both at the central and local levels.[40]

More complicated ways of dealing with corruption are those aimed at preventing it. They are related to the construction and strengthening of institutions, systems and procedures that, on the one hand, reduce as much as possible the factors and incentives that push people, who work in them, to engage in corruption and, on the other hand, to increase as much as possible the incentives that push people to leave it. In other words, the prevention of corruption is related to good governance.

One way is to fight corruption by investigating, arresting and punishing those involved in it. This requires increasing the investigative powers of the police and the prosecution, strengthening inspection and control mechanisms.

[40] United Nations Guide to Practical Anti-Corruption Measures for Prosecutors and Investigators, UN, Vienna, 2004, p. 23;

An important factor of preventive strategies is the increasingly stable opposition to corruption by citizens as users of public services. This requires citizens to be provided with the opportunity to know, not only their rights and responsibilities, but also the consequences that corruption brings to society and to them as individuals[41]. Such a thing could be more effective, if it were part of a wider policy, which, in addition to the aim of creating a good citizenship, would have as an objective, especially in the field of education, that students to have the conviction that the opposition to corruption goes beyond their personal interest and is based on the common view of the features of this type of citizenship.

International standards for preventing and fighting corruption in justice. In today's world, threats across national borders to the rule of law continue to become more complex. Crime knows no borders and recent corruption and money laundering scandals in Europe show that even developed legal and law enforcement regimes do not always stop crime. There is a growing awareness that governments need to react quickly and take concerted action on a scale not seen in the past.

Corruption and money laundering, often left unchecked, have created instability in entire countries and regions. Southeastern Europe is particularly vulnerable to these threats due to its geographic location as a transit point for many international smuggling[42] routes.

[41] http://www.thefreedictionary.com/favouritism [access: 20.01.2016]
[42] United Nations Guide on Practical Anti-Corruption Measures for Prosecutors and Investigators, UN, 2004, p. 55.

UNITED NATIONS CONVENTION AGAINST CORRUPTION

This convention was created with the aim of promoting and strengthening measures for the prevention and fight against corruption so that these measures are efficient and effective, encouraging, facilitating and supporting international cooperation and technical assistance in the prevention of the fight against corruption. The other purpose of this Convention is the promotion of integrity, responsibility and regular administration of public affairs and public[43] property.

Thus this convention started as an initiative of the states party to this convention based on some basic standards as well as starting from the seriousness of the problems and risks that come from corruption for the stability and security of societies, damaging institutions and the value of democracy, ethical values and justice and endangering essential development and the rule of law.

This convention was born as a need to see the connection that is created between corruption and other forms of crime, especially organized crime and economic crime, including money laundering.

Of great concern are cases of corruption involving large amounts of wealth, which can constitute an essential part of resources for states, and which threaten the political stability and healthy development of these states. Thus the States Parties were convinced that corruption does not continue to be an issue of one country, but a transnational phenomenon that affects all societies and economies, making international cooperation for its prevention and control essential.

[43] United Nations Convention against Corruption, 2006, p. 15.

Also, member states were convinced that a comprehensive and multifaceted approach is required to effectively prevent and fight corruption, also convinced that receiving technical assistance can play an important role in increasing the capacity of states, including strengthening capacity and building institutions, to prevent and fight corruption effectively.

Seen in this context, the illegal profiteering of personal wealth can be particularly harmful to democratic institutions, national economies and the rule of law, determined to prevent, detect and more effectively circumvent international transfers of ill-gotten wealth. illegal and to strengthen international cooperation for asset recovery.

Recognizing the basic principles of the fair application of the law in criminal trials and in civil and administrative trials for the recognition of property rights and bearing in mind that the prevention and eradication of corruption is a responsibility of all states and that they must cooperate with each other, with the support and involvement of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, if their efforts in this area are more effective than anything else.

The principles of orderly administration of public affairs and public wealth, justice, accountability and equality before the law, and the need to guarantee integrity and promote a culture to reject corruption as well as evaluating the work of the Commission for the prevention of crime and criminal justice and the United Nations Office on Drugs and Crime in preventing and fighting corruption.

More complicated ways of dealing with corruption are those aimed at preventing it. As in any other field, we can say that corruption is seen as one of the most threatening factors for society. Like many other countries, a part that can be affected the most is the justice system, from which all other areas are followed and influenced, since corruption in itself is a violation of any transparency with the law. Seen from this point of view, Albania, adhering to European standards, has ratified several conventions which already have the force of law. Some of them are:

LAW No. 8778, dated 26.4.2001 ON THE RATIFICATION OF THE "CRIMINAL CONVENTION ON CORRUPTION"

The "Criminal Convention on Corruption" has been ratified, made in Strasbourg on 27.1.1999[44], which aims to take preventive measures against corruption that directly harms the rule of law, democracy and human rights, as well as lowers the level of good governance. , transparency and social justice by hindering competition, economic development and risking the sustainability of democratic institutions and the moral foundations of society.

This Convention provides for measures to be taken at the national level regarding corruption and its impact on society. The Convention provides that each Party shall adopt such legislative and other measures as are necessary to establish as a criminal offense under its national legislation, when committed for the purpose of promising, offering or giving, directly or indirectly, any advantage, which it does not belong to any public official

[44] Criminal Law Convention on Corruption, Strasbourg, January 27, 1999, p.35.

of that party, for himself or for someone else, towards him/her[45], to act or not to act in the exercise of his/her functions.

Such a definition is seen as the most necessary, not leaving behind the other definitions, but in itself and in practical cases, corruption is practiced by the majority of public officials and all of their subordinates. This is seen and proven by the cases presented to the court for violation of the basic rules in the workplace.

Also, another provision made in this convention is International Cooperation, which includes the parties in a cooperative relationship where they offer each other the widest measures of mutual assistance, through the rapid processing of requests by the authorities that, in accordance with the laws their national, have the right to investigate or prosecute criminal offenses established in accordance with this convention.

LAW No. 8635, dated 6.7.2000, ON THE RATIFICATION OF THE CIVIL CONVENTION "ON CORRUPTION"

This Convention stipulates that each participating party must provide in national law effective regulations for persons who are harmed as a result of corrupt practices, give them opportunities to protect their rights and interests, including the opportunity to be compensated for the damage[46].

This convention makes all the provisions regarding the self-determination of corruption, the compensation of the damages that come as a result of it, the reliability, the responsibility of the state, the protection of employees as well as the international cooperation.

[45] Criminal Law Convention on Corruption, Strasbourg, January 27, 1999, p.37
[46] LAW No. 8635, "ON THE RATIFICATION OF THE CIVIL CONVENTION ON CORRUPTION" dated July 6, 2000, page 10

PENAL CODE OF THE REPUBLIC OF ALBANIA
provides that the object of criminal offenses in the economic and financial field are the legal relationships established by law in this field and specially protected by the criminal law[47]. The objective side of criminal offenses in the field of economic and financial crimes is that this activity is generally carried out with illegal active actions such as corruption. The subject of criminal offenses in the economic and financial field can be any person who has reached the age of criminal responsibility and is responsible before the law. From the international recommendations and standards today, it is required to introduce responsibility for physical and legal persons (business partners), which can and will be subject to criminal offenses and punish the responsible persons, managers of legal entities, with fines or imprisonment. The characteristic subjective side is that for all criminal offenses in the economic and financial field, they are committed with direct and indirect intent. Violation of the activity of the economic and financial field does not only affect the interest of the state but also of the individual, □ as a result the legislation does not only protect the state but also the freedoms and rights of man. Criminal offenses against state activity committed by citizens are provided for in articles 244-246.

Article 244 provides - Active corruption of persons exercising public functions and Article 244/a - Active corruption of foreign public servants (added by law no. 23/2012).

Article 245 provides - Active corruption of high state officials or local elected officials (Amended by law no. 9275, dated 16.9.2004, article 19).

[47] Criminal Code of the Republic of Albania, 2014, page 56

Article 245/1 provides - Exercising illegal influence on persons exercising public functions (added by law no. 9275, dated 16.9.2004, article 20) Amended by law no. 23/2012).

ANTI-CORRUPTION CODE OF CONDUCT FOR THE BUSINESS COMMUNITY

Every day, businesses face new and previously unknown challenges and due to their inability to adapt, they cannot face these challenges[48]. As part of the global business community that is constantly and rapidly developing, businesses need to adapt to stay among the best and to be competitive in international and domestic markets. Enforcing fair competition practices and embracing high ethical standards are increasingly becoming key principles for any business. Commitment to the implementation of the Anti-Corruption Code of Conduct helps businesses to be in line with international best practices and is a good indicator of the values and culture that businesses want to embrace and implement.

The Anti-Corruption Code of Conduct and its guidelines derive extensively from international best practices and from other documents that have been used as reference, which have been adapted to the Albanian needs and context. Detailed interviews were conducted with actors from both the business community and the public sector in order to adapt international principles to the Albanian context. This document was also discussed with representatives from Albanian businesses, representatives of Albanian business associations and foreign ones operating in Albania and with representatives of the public administration.

[48] Anti-corruption code of conduct for the business community in Albania, 2017, p. 45.

The purpose of this document is to offer the Albanian business community a reference and guidance tool to deal with anti-corruption practices in accordance with the best international principles. The reader can obtain further information by reading the following documents which have been used.

Innovation of the legal framework on corruption

The reform of the legal framework of the justice system started in 2016. The first stage of this reform concerned the change of legal and constitutional provisions, which are directly related to the reform of the existing justice institutions and the creation of new justice bodies, such as vetting governing bodies, anti-corruption and organized crime institutions, vetting bodies. One of the main goals of this reform is to immunize the institutions of the justice system against the phenomenon of corruption, as well as to increase and strengthen the responsibility, professionalism and impartiality of the functionaries of these institutions, separating from them the political connections or influences, those of the crime of organized or any other type of illegal influence.

To achieve this, the legislator has provided two mechanisms, one medium and one long-term. The first medium-term reform mechanism is vetting, or transitory reassessment, which aims to clean up the judicial system, removing from it corrupt prosecutors and judges, those related to organized crime or who are professionally [49]incompetent. Judges of the Constitutional Court and the Supreme Court, judges of all levels, prosecutors of all levels,

[49] https://mb.gov.al/2013/11/03/rezultatet-ne-betejen-anti-korrupsion/

including the General Prosecutor, as well as other entities provided for in the constitution, will be subject to vetting.

The second reform mechanism that aims to guarantee the fight against corruption in the longer term is the establishment and operation of specialized institutions against corruption and organized crime, such as the National Bureau of Investigation, the Special Prosecutor's Office and the Court Against Corruption and Organized Crime. These institutions are responsible for the investigation and trial in a specialized manner of criminal offenses of corruption and organized crime, as well as criminal charges against officials and high officials, etc.

The fight against corruption cannot be successful without improving the practices and procedures of investigation, prosecution and trial of corruption cases, as well as measures to prevent it. Often times, in proceedings related to corruption, evidence is quite difficult to obtain. This is also the reason why, within the framework of the justice reform, it was deemed necessary to set up specialized institutions for the investigation and trial of criminal offenses in the field of corruption.

Institutions

According to our legislation, the prosecutor carries out the criminal prosecution and represents the charge in court on behalf of the state. He directs and controls the preliminary investigations and the activity of the judicial police, as well as performs any investigative action he deems necessary. Investigative acts are secret, until the defendant has learned about them. In case of need for the continuation of the investigations, the prosecutor can order the preservation of secrecy for special acts until the end of the investigations.

The investigations carried out by the prosecutor's office, including cases of corruption or abuse of office, have been closed, therefore the public has not been able to receive the appropriate information about what has been reached at their conclusion. Specifically, the information is limited to those cases, for which the prosecutor's office has decided not to initiate investigations or dismiss the criminal case. As a result, the media, but also the public, were able to obtain information mainly about cases, for which the prosecutor has filed criminal charges against the defendant/s in court, given that court hearings are public, but also due to the fact that a part of courts publish court decisions on their official websites.

In conditions where the perception of corruption in our country is high among the citizens themselves, investigative media has played an important role in denunciation and public reporting of cases or corrupt practices. Often, many of the criminal cases investigated and tried with the criminal charge of corruption were initiated thanks to the public reporting of the investigative media.

Likewise, independent constitutional institutions or those established by law, which have audit or control powers, have played an important role in setting the prosecution body in motion. Here we single out the High State Control and the High Inspectorate of Declaration, Control of Assets and Conflict of Interest, whose annual reports are examined and discussed in the assembly, as well as published on their official websites.

A very important source of information to provide data or facts that evidence various forms of corruption, abuse of official position or fraud to the detriment of property or public goods are whistleblowers, who are otherwise known as whistleblowers. A more detailed information about the history, signaling models in the world, as well as the Albanian signaling model. Whistleblowers or whistleblowers are people who report corruption, tax fraud or other violations of legislation to the responsible institutions, often putting their work or safety at risk. Many states have found it difficult to identify fraudulent or corrupt practices and, among other things, have relied on citizens (natural persons) to report or denounce corruption, theft and wrongdoing in the public and private sectors.

CONCLUSIONS

If large numbers of people in emerging democracies become disillusioned with the democratic experiment and begin to feel nostalgic for times of greater security, then the chances are that the old, failed remedies will be tried once again, impoverishing more beyond their lives. By adapting a holistic concept and raising the awareness of all key actors in the anti-corruption reform process, a country or community can increase its capacity to limit corruption at levels.

But none of this can be resolved without a conscious and determined political leadership, without high levels of public awareness and support, without a motivated and well-led private sector, and without the effective intervention of justice bodies in the war. against corruption. Corruption today appears openly in public administration sectors. The facts that speak of corruption in public administration are very current and measurable. Until recently, systematic measurements of corruption by state institutions were considered difficult. But today there are international structures for statistical measurement of corruption, such as: the World Bank, the World Organizations for crime studies, the World Economic Forum, Transparency

International (TI), etc., which conduct annual periodic surveys to measure corruption at the national and international level.

It is advisable that state administration institutions systematically and periodically evaluate the progress of the services they offer to the public and see the effectiveness of the measures and instruments used to prevent abuses of office. The best selection of employees through the selection procedures, the evaluation criteria of their work, the study of the public opinion on the services and the correctness of the service of different agencies, the establishment of some indicators for measuring the performance of the employees, can be some of the instruments for minimizing abuses and increasing quality and transparency with the public.

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Gjergj SINANI[50]

LUXURY AND CORRUPTION AS FACTORS OF THE DECADENCE OF SOCIETIES

Abstract

This article attempts to undertake an in-depth analysis of two specific factors that lead to the decadence of societies, luxury and corruption, in the light of the work of the French political philosopher of the 18th century, Montesquieu. After establishing the strong relationship of the desire for luxury and corruption, the study will put forth that this desire is rooted in the inequal distribution of wealth and that it inevitably leads to the corruption of legal instances, the judiciary, politics and all other institutions that ensure the well-being of a society. In addition, the paper will maintain that this sort of corruption is to be found in monarchical rules, republics and monist rules, alike and that it turns all sort of political systems into oppressive despotic rules, in which this very corruption strips people of the citizenship quality. Still referring to the philosophical work of Montesquieu and to the historical examples he relies upon, the author will draw parallels between ancient and modern despotic rules, such as the communist dictatorship of Albania. The timelessness and universiality of the phenomenon will also be emphasized by its ability to corrupt principles and the fact that other philosophers, such as one of the precursers of Montesquieu in the West - Vico - and Ibn Haldun, who, centuries apart in a different part of the world, reached the same based conlusions on the corruptive impact of luxury and decadence on all sorts of political rules.

Key words: *luxury, decadence, despotism, corruption, Montesquieu*

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LUKSI DHE KORRUPSIONI SI FAKTORË TË DEKADENCËS SË SHOQËRIVE

Abstrakt

Nën dritën e veprës së filozofit politik francez të shekullit të 18-të, Montesquieu, ky artikull ka për qëllim të bëjë një analizë të thellë të dy faktorëve specifikë që çojnë në dekadencën e shoqërive, luksi dhe korrupsioni. Pasi të tregojë lidhjen e fortë që ekziston mes dëshirës për luks dhe korrupsionit, studimi do të nxjerrë në pah se kjo dëshirë i ka rrënjët në shpërndarjen e pabarabartë të pasurisë dhe se, në mënyrë të pashmangshme, kjo çon në korrupsionin e instancave juridike, gjyqësorit, politikës dhe të gjitha institucioneve të tjera që presupozohet të sigurojnë mbarëvajtjen e një shoqërie. Për më tepër, studimi do të bëjë të qartë se ky lloj korrupsioni mund të prekë monarkitë, republikat madje dhe regjimet moniste dhe se ka aftësinë të kthejë çdo lloj sistemi politik në një regjim shtypës despotik, ku, prej korrupsionit, njerëzit humbin edhe veçorinë e të qënit qytetarë. Duke vijuar t'i referohet veprës filozofike të Montesquieu-s dhe shembujve historikë ku ai mbështetet, autori do të tërheqë paralele midis regjimeve despotike të hershme dhe atyre moderne, siç ishte diktatura komuniste në Shqipërisë. Universaliteti dhe veçoria e të qënit i pakohë i fenomenit do të theksohet gjithashtu nga korruptimi i parimeve dhe nga fakti që filozofë të tjerë, si Vico, një prej pararendësve të Montesquieu në Perëndim dhe Ibn Haldun, i cili, në një kohë tjetër në një anë tjetër të botës, arritën në të njëjtat përfundime të bazuara rreth ndikimit korruptiv të luksit dhe dekadencës në të gjitha llojet e sistemeve politike.

Fjalë kyçe: *luksi, dekadenca, despotizmi, korrupsioni, Montesquieu*

Hyrje

Kur përshkruan regjimet qeverisëse, republikat, monarkinë dhe despotizmin, Monteskjë ndalet edhe në parimet lëvizëse të këtyre regjimeve; republikat kanë si parim dashurinë për lirinë, monarkitë nderin dhe despotizmi frikën. Në filozofinë e tij të lirisë, ai i paralajmëronte bashkohësit për rreziqet e despotizmit dhe në funksion të ndalimit të rrezikut të despotizmit, ai përpunon edhe teorinë e ndarjes së pushteteve me qëllim që të parashikoheshin diga ndaluese ndaj valës së despotizmit. Luksi dhe korrupsioni janë bashkëshoqërues të despotizmit, por prirja drejt luksit rrezikon edhe format e tjera të qeverisjes si republikat dhe monarkitë, sidomos kur këto të fundit nuk drejtohen nga nderi dhe fryma e moderimit.

Luksi dhe Despotizmi

Për Monteskjënë, luksi është në përpjestim me pabarizinë e pasurive. Sipas tij, në republikat ku ndarja e pasurive bëhet në mënyrë të barabartë, nuk mund të ketë luks. Sa më pak luks që të ketë, aq më e përsosur është republika. Për ta provuar këtë, ai i referohet shembujve të antikitetit. Kështu, luksi nuk ekzistonte te romakët e parë apo te lakedemonët. Nisur nga shembujt e histories, Monteskjë paralajmëron:

> "Në masën që luksi vendoset në një republikë, shpirti kthehet drejt interesit personal. Për njerëzit që nuk u duhet më shumë sesa e nevojshmja, u mbetet të dëshirojnë lavdinë e atdheut dhe të tyren. Por, një shpirt i korruptuar përmes luksit ka shumë dëshira të tjera: shpejt bëhet armik i ligjeve që e shtrëngojnë. Luksi që filloi të njohë garnizoni i Reges bëri që të therte banorët." (Montesquieu 1979, 227)

Duke iu referuar historisë së Romës antike, ai na thotë se sapo romakët u korruptuan, dëshirat e tyre u bënë të shfrenuara. Kjo duket në çmimet që ata u vendosën gjërave. Gjithmonë duke iu referuar Romës, ai tregon për shqetësimin e magjistratëve dhe të njerëzve "plot me ide", në kohën e Augustit, për korrektimin e zakoneve dhe luksit të grave. Referuar shembujve nga historia, Monteskjë thekson:

"Pra, luksi është i nevojshëm në shtetet monarkiste: ai është kështu edhe në shtetet despotike. Te të parët, është një zakon që e bëjnë ata që zotërojnë lirinë: Në rastet e tjera, është një abuzim që bëhet për avantazhe të skllavërisë së tij; kur një skllav, i zgjedhur nga zotëria e tij për të tiranizuar skllevërit e tjerë, i pasigurtë për të nesërmen e pasurisë së çdo dite, nuk ka tjetër lumturi veçse atë të kënaqjes së krenarisë, dëshirave dhe lakmisë së çdo dite. E gjitha kjo na shpie në një refleksion: republikat përfundojnë te luksi: monarkitë te varfëria." (Montesquieu 1979, 227)

E ne mund ta shtyjmë refleksionin deri në kohën tonë. Ndërsa dikur mbikëqyrësit e plantacioneve keqtrajtonin të ngjashmit e tyre në funksion të padronëve e të njëjtën sjellje shfaqnin edhe kapot të kampeve të përqëndrimit ndaj bashkvuajtësve të tyre, ndërkohë që padronët modernë plotësonin tekat e lakmive të tyre.

Për të përforcuar rrezikun e luksit për qeverisjet republikane dhe monarkiste dhe për pasojat fatale të luksit Monteskjë i referohet shembullit të Kinës. Në fillim dinastitë kineze fillonin mjaft mirë dhe virtyti që ishte në fillim nuk ishte në fund të dinastive. Kështu "pas tri apo katër princave të parë, korrupsioni, luksi, kotësia, qejfet pushtonin pasuesit; ata mbylleshin në pallate, shpirti i tyre dobësohej, jeta e tyre shkurtohej, familja binte; të mëdhenjtë ngriheshin, eunukët akreditoheshin; vendoseshin në fron vetëm fëmijë; pallati bëhej armik i perandorisë; një popull përtac që e banon, shkatërron atë që punon;

perandori vritet ose shkatërrohet nga një uzurpator, që themelon një familje, prej nga pasuesi i tretë ose i katërt, në të njëjtin pallat, do mbyllet akoma më shumë" (Montesquieu 1979, 233).

Karakteristikat e Despotizmit, Fenomenit të Pakohë

Të gjitha format qeverisëse që Monteskjë bën objekt të analizës, ai i shikon në marrëdhënien që ata kanë me lirinë. Që më 1721, nën një mbulesë artistike dhe nën një sfond lindor, *Letrat persiane*, bënin kritikën e politikës autoritare të periudhës së Regjencës në Francë. Por në mënyrë të veçantë, letra CIV mund të konsiderohet parathënia e *Frymës së ligjeve*. Në të, Uzbek i shkruante mikut të vet Rika se "pushteti pa kufij," që nënkupton një princ që shkatërron subjektet e veta, "nuk mund të jetë legjitim". Pra Monteskjë shikon në ekceset e autoritetit burimin e despotizmit. Nga ana tjetër, njohuritë e tij të thella historike dhe kontaktet e tij të gjera gjatë udhëtimeve të shumta, i kanë lejuar atij ta shikojë despotizmin në raport me ligjin.

Në veprën e tij, *Konsiderata mbi shkaqet e madhështisë së romakëve dhe të dekadencës së tyre*, ai bën dallimin midis qeverive që mbështeten te ligji dhe ato që nuk e njohin ose abuzojnë me ligjin. Këto të fundit për të janë monstruoze. I tillë është despotizmi që përfaqëson një denatyrim të politikës. Ndërsa ushtrimi i pushtetit politik kërkon "ligje fikse dhe të vendosura, despoti dëgjon vetëm kapriçon e tij" (Montesquieu 1979, 131). Duke marrë si shembull Romën në periudhën e aleancës ndërmjet Pompeut, Krasit dhe Qezarit, Monteskjë na jep një përshkrim sesi drejtuesit e këqinj korruptojnë popujt e tyre:

"Pompeu, Krasi dhe Qezari ja dolën mbanë për mrekulli: ata vendosën një pandëshkueshmëri për të gjitha krimet publike; gjithçka që mund të ndalte korrupsionin e zakoneve, gjithçka që mund të bënte një polici të mirë, ata e shaktërruan; dhe, meqë legjislatorët kërkonin t'i bënin qytetarët e tyre më të mirë, ata punonin t'i bënin më të këqinj. Pra, ata futën zakonin për të korruptuar popullin me çmimin e parasë dhe, kur u akuzuan si intrigantë, korruptuan edhe gjyqtarët" (Montesquieu 1968, 105-6).

Sa i ngjan kjo pikturë kohës sonë, me përjashtim të faktit se drejtuesit tanë të partive nuk kanë madhështinë e Pompeut apo të Qezarit.

Është gjenial mendimi i Monteskjësë se është e vështirë të kuptohen që në fillim projektet e tiranisë, "i cili, në fillimet e tij është i lehtë dhe i dobët, por i shpejtë dhe i gjallë në fund; që në fillim tregon një dorë për të ndihmuar dhe, ndërkohë, shtyp me një pafundësi krahësh." Kjo frazë e fundit duket se përmbledh të gjitha tipet e despotizmit duke përfshirë dhe ato që njohën epokat moderne deri te despotizmi i kuq.

Dishepulli i tij, Tokëvili, na jep një përshkrim të shkëlqyer të gjendjes shpirtërore të popullit në aristokraci dhe në despotizëm:

"Në shoqëritë aristokratike, - shkruan ai, - populli lëshohet vullnetarisht në hovet e një gëzimi zhurmëmadh dhe të flaktë, që i largon menjëherë nga soditja e mjerimit të vet; banorët e demokracisë, nuk duan aspak që të mbahen dhunshëm jashtë vetvetes dhe është gjithmonë për të ardhur keq nëqoftëse e humbasin këtë vështrim. Ndaj këtyre kalimeve të kota, ata preferojnë zbavitje të thjeshta dhe qetësuese, që u ngjajnë çështjeve të tyre dhe që nuk i harrojnë" (Tocqueville 2013, 273).

Pasi bën këtë dallim ndërmjet njerëzve nën aristokraci dhe atyre nën demokraci, ai nxjerr një përfundim në formën e një maksime të përgjithshme: "Nën despotizmin, popujt lëshohen herë pas here në thirrjet e një gëzimi të marrë; por në përgjithësi, ata janë zemërlënduar dhe të përqëndruar, sepse kanë frikë" (Tocqueville 2013, 274). Si ilustrim mjafton të përmendim praktikën e paradave ushtarake, manifestimeve madhështore dhe të kushtueshme të regjimeve moderne diktatoriale.

Kështu, despotizmi e fillon punën duke abuzuar me entuziazmin e popullit. Pra çështja më themelore për një diktaturë është sesi ta përgjumë popullin. Dhe ja Monteskjë më se aktual kur shkruan: "Skllavëria fillon gjithmonë nga përgjumja. Por një popull i cili nuk njeh qetësi në asnjë situatë, që pyet vazhdimisht vetveten dhe ndodhet në situata të mundimshme, nuk do të mund të përgjumet kurrë." (cituar në Montesquieu 1968, 386)

Pavarësisht nga fakti se në këtë pohim Monteskjë ka parasysh shembullin e Anglisë dhe ndikimin e klimës, ne mund të dallojmë universalitetin e gjykimit të Monteskjësë, domethënë se skllavëria fillon gjithmonë nga përgjumja e popullit. Problemi që shtrohet para një regjimi politik dhe që Monteskjë jep përgjigje me veprën e vet është çështja se kush mund dhe duhet t'i kundërvihet tendencës për despotizëm drejt së cilës shkon çdo pushtet.

Njerëzit, do të ishte një përgjigje. Por përgjigjen më të saktë e gjejmë te filozofia iluministe dhe veçanërisht te Monteskjë. Jo njerëzit, por qytetarët. Ka një dallim thelbësor ndërmjet këtyre dy termave. Qytetarët janë njerëz të ditur me kurajo qytetare, të cilët janë në gjendje të frenojnë tendencën drejt despotizmit, por, në të njëjtën kohë, ata janë të parët që e pësojnë nga tiranët. Kjo e vërtetë shprehet në këtë formulë të famshme të Monteskjësë: "Qytetari mund të vdesë dhe njeriu të mbetet" (Montesquieu 1968, 275).

Kjo ide gjeniale e Monteskjësë është një nga të vërtetat më të thella të filozofisë politike. Pra, nëqoftëse qytetari vdes, atëherë rruga është e hapur drejt vendosjes së despotizmit. Historia e vendosjes së çdo diktature fillon përmes një dehje të përgjithshme dhe, *en sourdine*, vepron procesi i eliminimit të kundërshtarëve potencialë që e kuptojnë dhe luftojnë kundër vendosjes së diktaturës. Është e rëndësishme të nënvizohet fakti se procesi i likuidimit fizik të kundërshtarëve mbetet një shqetësin i vazhdueshëm për çdo regjim despotik.

Që despotizmi të funksionojë, duhet që për disa persona të mos ekzistojë nocioni i barazisë para ligjit dhe, nga ana tjetër, nuk duhet të ekzistojë pavarësia e institucioneve. Gjithçka duhet të varet nga kapriçiot e princit, siç thoshte Monteskjë, ose nga shefi i partisë, do të shtonim ne në epokën e despotizmave modernë. Parimi i frikës mbetet thelbësor në funksionimin e despotizmit.

"Qeveria despotike ka si parim frikën, por popujve të ndrojtur, injorantë, të shtypur nuk u duhen ide të reja. Kur ju mësoni një kafshë, ju i kushtoni kujdes ndërrimit të të zotit, mësimit dhe të ecurit, ju e qëlloni trurin e tij me dy ose tre lëvizje dhe jo më shumë." (Montesquieu 1968, 185)

Despotizmi nuk do qytetarë, por subjekte të nënshtruar. Për arritjen e këtij qëllimi mekanizmi ishte frika që, siç shprehej Monteskjë, i shërbente despotit apo diktatorit, për të mbytur kurajon dhe për të shuar edhe ndjenjën më të vogël të ambicies.

Por ka edhe më. Për despotizmin Monteskjë shkruante se praktikon akuzat antijuridike, letrat anonime dhe spiunazhin, të cilat ai i konsideron si rrugët më të turpshme të korrupsionit, mjetet më të egra të tiranisë. Në librin e 7-të, Monteskjë ka dy kapituj me titujt e mëposhtëm, "S*piunët në monarki"*, kapitulli XXIII dhe kapitulli XXIV me titull, "*Mbi letrat anonime"*. A duhen spiunët në monarki? - pyet Monteskjë dhe përgjigjet se spiunazhi ndoshta do të ishte i lejueshëm nëqoftëse ushtrohet nga njerëz të ndershëm. Për më tepër, në qoftë se marrëdhëniet e princit me subjektet e tij bazohen mbi besimin, sinqeritetin dhe mbi bazën e ligjeve, nuk ka nevojë për spiunë, por nëqoftëse këto marrëdhënie bazohen mbi dyshimet dhe frikën, atëherë princi ka nevojë për spiunë. Ai shton se roli i tyre është i rëndësishëm për të krijuar një imazh të gabuar rreth karakterit të vërtetë të princit, për ta paraqitur atë të pafajshëm rreth gjendjes së vendit, në rast se ajo është e keqe. Madje edhe në rastin e mynxyrave publike nuk akuzohet aspak personi i tij; qahen se ai nuk e dinte, ose se ai ishte i rrethuar nga njerëz të korruptuar: "a sikur ta dinte princi", - thotë populli" (Montesquieu 1968, 349). Kur populli mbetet në këtë mentalitet, diktatorët ndjehen të sigurtë në fronet e tyre.

Ndërsa, përsa i përket letrave anonime ato janë edhe më të këqija, sepse personi mund të bjerë pre e paragjykimeve dhe të dënohet pa e njohur publikisht abuzuesin. Për të treguar poshtërsinë e letrave anonime, Monteskjë bën një paralelizëm duke iu referuar një shembulli nga historia. Tartarët, përmend ai, se ishin të detyruar që të vendosnin në shigjeta emrin e tyre me qëllim që të njihej dora që e kishte lëshuar. Me fjalë të tjera, në qoftë se ata që akuzojnë një njeri e bëjnë në funksion të së mirës publike, ata nuk duhet ta bëjnë akuzën përpara princit, por përpara gjyqtarëve ose magjistratëve, ndryshe letrat anonime janë një mënyrë për të ndihmuar shpifësit në synimet e tyre, qofshin karrieristë, qofshin për përfitime. Akuzat publike para gjykatës kanë vlerë për të mirën publike, ndërsa atyre që parapëlqejnë letrat anonime Monteskjë u përgjigjet me fjalët e perandorit Konstandin: “Ne nuk duhet të dyshojmë mbi dikë, të cilit i mungon akuzuesi, ndërkohë që atij nuk i mungon armiku” (Montesquieu 1968, 350).

Praktika të tilla, që qëndrueshmërinë në pushtet e bazojnë mbi veprimatrinë e spiunëve dhe letrave anonime, për fat të keq nuk e hasim vetëm nën despotizmin që përshkruan Monteskjë, por edhe në regjimet diktatoriale moderne, madje edhe në kushtet e diktaturave të proletariatit.

Një pasojë tjetër fatale e despotizmit shihet në fushën e edukimit. Në despotizëm edukimi duhet të jetë servil. “Edukimi, - shkruan Monteskjë, - është në një farë mënyre zero. Duhet hequr gjithçka, me qëllim që të jepet diçka; të fillohet duke bërë subjekte të këqinj, për të bërë një skllav të mirë” (Montesquieu 1968, 159). Në të gjitha llojet e despotizmit edukimi synon përgatitjen e vullneteve të ndrydhura dhe servile përpara autoritetit, qoftë ky princi, fyhreri apo sekretari i parë. Kjo është arsyeja pse regjime të tilla krijojnë ligje kundër mendimit të lirë, siç janë krimi i fyerjes së mbretit, parimi *fuhrerprincip* apo ligji i agjitacionit dhe propagandës gjatë periudhës së komunizmit në shoqërinë tonë.

Ideja themelore e Monteskjësë kur flet për regjimet despotike është se ato bazohen mbi padrejtësinë. Sipas tij ka një lidhje të ngushtë ndërmjet padrejtësisë dhe njerëzve që e ushtrojnë pushtetin. Një gjë e tillë është e kuptueshme, sepse në qeveritë despotike gjithçka varet nga trillet e tiranit, i cili rrethohet nga lakej që duan të përfitojnë nga pushteti që u jep princi. “Qeveria, - shkruan ai, - nuk mund të jetë e padrejtë pa patur duart që e përdorin për vete. Përvetësimi i të hollave të shtetit është i natyrshëm në shtetet despotike.” Pak më poshtë ai do të preçizojë:

> “Duke qenë i zakonshëm ky krim, konfiskimet janë të dobishme. Përmes kësaj ngushëllohet populli, paraja që del prej këtej është një tribut, që princi do ta mblidhte me vështirësi prej subjekteve të rrënuar, madje nuk ka, në këto vende, asnjë familje që do të ruajë” (Montesquieu 1968, 191).

Pikërisht kjo shpjegon varfërinë ekstreme në vendet ku ekziston despotizmi. Gjithçka qëndron në faktin se “në këto qeveri, autoriteti nuk mund të balancohet; autoriteti i magjistratit më të vogël nuk është më shumë se ai i despotit” (Montesquieu 1968, 192). Nisur nga kjo analizë, Monteskjë bëri edhe një parashikim gjenial mbi shkaqet se pse lulëzon kopracia, fenomen, të cilin Balzaku do ta përshkruajë më vonë në mënyrë artistike. Varfëria dhe pasiguria e pasurisë, na thotë Monteskjë, në shtetet despotike e bëjnë të natyrshmë fajdenë. Secili e shton çmimin e parave të tij në përpjestim me rrezikun që ka duke e dhënë hua. Pasojë e kësaj është përhapja e mjerimit në të gjithë vendin. Pyetja që lind në këtë rast është ajo se cili është motivi nxitës i njerëzve për të vepruar në shoqëritë despotike. Edhe njëherë përgjigja e Monteskjësë karakterizon të gjitha rregjimet despotike pavarësisht nga koha e ekzistencës së tyre: “në shtetet despotike, ku nuk ka as nder dhe as virtut, mund të nxitesh për të vepruar vetëm nga shpresa për komoditetet e jetës” (Montesquieu 1968, 193).

Pikërisht, sepse nuk vepron virtuti dhe preokupimi kryesor i njerëzve është sigurimi i komoditeteve të jetës, kjo bën që midis njerëzve të mbretërojë servilizmi, bindja, hipokrizia dhe profesioni i spiunit, me qëllim që të fitohen poste dhe favore nga princi. Edhe në këtë rast vepron padrejtësia, sepse: “[në] qeveritë despotike, ku abuzohet njëlloj me nderin, postet dhe rangjet, princi bëhet fare lehtë një harbut dhe një harbut princ” (Montesquieu 1968, 195-6).

Kjo dëshmon edhe për një tipar tjetër të despotizmit ku emërimi i posteve bëhet në mënyrë krejt arbitrare pa marrë parasysh dijet dhe aftësitë e individit.

Për shkak të mbretërimit të padrejtësisë në shtetet despotike kompromentohet edhe ideja e barazisë. Në këtë rast është mjaft impresionuese përgjigja që jep Monteskjë: “Të gjithë njerëzit janë të barabartë në qeveritë republikane, ata janë të barabartë dhe në qeverinë despotike: në të parën sepse ata janë gjithçka; në të dytën sepse ata janë asgjë” (Montesquieu 1968, 202).

Kësaj situate i shtohet edhe mënyra arbitrare e bërjes së ligjeve. Kështu tabloja e despotizmit bëhet plotësisht e qartë duke i shtuar edhe këtë karakteristikë të fundit, që është, sipas gjykimit të Monteskjësë, fakti se:

“Gjykimet që jepen nga princi do të jenë një burim i pashtershëm padrejtësish dhe abuzimesh; kurtizanët do t’i zhvasin këto gjykime për shkak të kotësisë së tyre. Disa perandorë romakë patën vrullin e të gjykuarit; asnjë mretëri nuk do ta trondiste më shumë universin sesa padrejtësitë e tyre” (Montesquieu 1968, 206).

Edhe për këtë fenomen historia i ofron shembuj të shumtë. Ai i referohet Tacitit, i cili na thotë se Klaudi, duke i dhënë vetes atributet e dhënies së gjykimit të çështjeve dhe funksionet e magjistratëve, u hapi rrugën të gjitha llojeve të grabitjeve. Po kështu, Neroni, pas Klaudit, deklaroi se ai do të përkujdesej shumë për të qenë gjykatës i të gjitha çështjeve me qëllim që akuzuesit dhe të akuzuarit të mos i nënshtroheshin vetëm pushtetit të disa njerëzve të paskrupuj. Në regjime të tilla, gjithnjë duke iu referuar shembujve nga historia, Monteskjë thekson se krijohet një situatë nëtë cilën çdo gjë përqëndrohet te oborri dhe veçanërisht te princi. Ai sjell nga Zozime një përshkrim të mbretërisë së Arkadius, ku "kombi i shpifësve" u shtua aq shumë sa infektoi dhe oborrin. Kur vdiste një njeri, supozohej se ai nuk kishte lënë fëmijë dhe meqë princi ishte budalla dhe mbretëresha e dhënë ndaj ekceseve, u sekuestrohej pasuria dhe për njerëzit e moderuar vdekja ishte më e dëshiruar. Një gjendje e tillë e gjërave shkatërronte dhe drejtësinë. Për këtë i referohet një përshkrimi të oborrit të Justinianit nga Prokopi:

"Kishte dikur, - shkruante Prokopi, - shumë pak njerëz në oborr: por, nën Justinianin, meqë gjyqtarët nuk kishin liri për të dhënë drejtësi, gjykatat e tyre ishin bosh, ndërkohë që pallati i princit gumëzhinte nga thirrjet e palëve që paraqisnin çështjet e tyre. Tërë bota e dinte si shiteshin gjykimet, madje dhe ligjet." (Montesquieu 1968, 207)

Kur Roma drejtohej nga meritat dhe virtyti, ajo ishte republika më e përparuar. Kur korrupsioni dhe veset pushtuan tërë organizimin shoqëror dhe shtetëror, Roma shkoi drejt rënies. Por rënia e perandorisë më të fuqishme nuk do të ishte pa pasoja për botën antike. Me një mprehtësi dhe qartësi që nuk mund të mos na habisë për forcën parashikuese të Monteskjësë, në Librin e 23-të dhe kapitullin XXIII me titull "Mbi gjendjen e universit pas shkatërrimit të romakëve", ai do të shkruante:

"Rregullimet që bënë romakët për të shtuar numrin e qytetarëve të tyre e patën pasojën, kur republika e tyre, nga fuqia e institucionit të saj, i duhej të riparonte vetëm humbjet që ajo bënte përmes kurajos së saj, përmes guximit të saj, përmes qëndrueshmërisë së saj, përmes dashurisë së saj për lavdinë dhe madje edhe përmes virtytit të saj. Por, shpejt ligje më të mençura nuk mundën të ringrinin veçse një republikë në vdekje, një anarki të përgjithshme, vetëm një qeverisje ushtarake, veçse një perandori të ashpër, veçse një despotizëm të lartë, veçse një monarki të dobët, vetëm një oborr budalla, idiot dhe supersticioz që i kishin rrëzuar në mënyrë suksesive: u pat thënë se ata e kishin pushtuar botën veçse për ta dobësuar dhe lëshuar pa mbrojtje barbarëve. Kombet gote, getike, sarazine dhe tartare e rrëzuan me rradhë; shpejt popujve barbarë iu duhej të shkatërronin popujt barbarë. Kështu, në kohën e fabulave, pas përmbytjeve dhe kiameteve, dolën nga toka njerëz të armatosur, që vetshfaroseshin" (Montesquieu 1968, V II, 130-1).

Në kaq pak rreshta na shpaloset një histori e tërë që mund të na shërbejë për të kuptuar edhe kohën tonë. Analiza e tij është aq e detajuar sa ndalet edhe te shpopullimi si pasojë e politikave të gabuara. Kemi shpopullime që vijnë nga luftërat, sëmundjet si kolera, apo uria, por që mund të riparohen nëse ruhet ende shpirti i punës dhe industrisë. "E keqe e pashërueshme, - shkruan ai, - është kur shpopullimi vjen nga dora e gjatë, nga një ves i brendshëm dhe një qeveri e keqe" (Montesquieu 1968, V II, 133).

Korruptimi i Parimeve

Ne pamë se korrupsioni i çdo forme qeverisje fillon nga parimet. Madje për të edhe demokracia mund të korruptohet. Tek Monteskjë gjejmë idenë gjeniale se pushteti popullor nuk nënkupton patjetër lirinë e popullit dhe historia na tregon se edhe demokracia mund të jetë tiranike. Këtu ai na paralajmëron për ambiguitetin e barazisë, të cilën Tokëvili do ta trajtojë më në hollësi, nisur edhe nga përvoja amerikane:

"Parimi i demokracisë korruptohet - shkruan ai - jo vetëm kur humb shpirti i barazisë, por edhe kur merr shpirtin e barazisë ekstreme dhe që secili do të jetë i barabartë me ata që zgjedh për ta komanduar. Si pasojë dhe në çast populli, duke mos mundur ta durojë vetë pushtetin që krijon, do ta bëjë gjithçka vetë, të veprojë si senat, të ekzekutojë si magjistrat dhe t'i zhveshë të gjithë gjyqtarët." (Montesquieu 1968, Vol I, 243)

Për të argumentuar këtë ide, duke evokuar *Banketin* e Ksenofonit, ai e jep si shembull të republikës ku populli abuzon me demokracinë ku çdo njeri jep arsyet e veta se pse është i kënaqur. “Unë jam i kënaqur, - thotë Karmidi, - për shkak të varfërisë time. Kur isha i pasur isha i detyruar t’u hyja në zemër shpifësve, duke e ditur shumë mirë së isha në gjendje të merrja prej tyre më shumë të këqia nga sa mund t’u bëja atyre: republika më kërkonte gjithmoinë një shumë të re dhe unë nuk mund t’ia refuzoja. Qëkurse jam bërë i varfër kam përfituar nga autoriteti, asnjë nuk më kërcënon, unë i kërcënoj të tjerët. Unë mund të eci ose të qëndroj. Tashmë të pasurit ngrihen nga vendet e tyre dhe më hapin udhë. Unë jam një mbret, unë isha skllav. Unë i paguaja një tribut republikës, sot ajo më ushqen. Unë nuk kam më frikë se mund të humbas, unë shpresoj të fitoj” (Montesquieu 1968, Vol I, 243). Nuk ka dyshim se kjo pjesë e Banketit të Ksenofonit tingëllon shumë aktuale. Por përtej Ksenofonit, është esenciale rikthimi te mendimi dhe stili i Monteskjësë, për të shijuar mprehtësinë dhe aktualitetin e konkluzioneve të tij si dhe për të shijuar stilin e tij të bukur. Më poshtë paraqiten të plota dhe pa komente konkluzionet e tij që shfaqin haptayi se në çfarë rrethanash demokracia ndodh të korruptohet.

“Populli bie në këtë fatkeqësi, kur ata të cilëve u beson pushtetin, duke dashur ta fshehin korrupsionin e tyre, kërkojnë ta korruptojnë. Me qëllim që populli të mos i shohë ambiciet e tyre, ata flasin vetëm për madhështinë e tij; me qëllim që populli të mos e shohë kopracinë e tyre, ata i përkëdhelin pa rreshtur të tijën. Korrupsioni do të shtohet midis të korruptuarëve. Populli do t’i shpërndajë të gjitha mallrat publike; dhe, meqë do ta prekë përtacia në administrimin e çështjeve, ai do të dojë t’i bashkojë varfërisë së vet argëtime luksi. Por, me dembelizmin dhe luksin e tij, vetëm pasuria publike do të jetë objekti i tij” (Montesquieu 1968, Vol I. 244).

Pas kësaj analize të hollë, Monteskjë mund të konsiderohet një filozof pararendës që shekuj më parë, ravijëzon me përpikmëri imazhin e tiranëve të kohës modern, kur shkruan:

"Formohen tiranë të vegjël, që kanë të gjithë veset e njëshit. Shpejt ajo çka mbetet nga liria bëhet e padurueshme. Atëherë ngrihet një tiran i vetëm dhe populli humb gjithçka, deri dhe avantazhet e korrupsionit të tij". Së fundi ai do të deklarojë në formën e një rregulli të përgjithshëm. "Pra, demokracia ka dy ekcese për të evituar: frymën e barazisë, që e çon te aristokracia, ose te qeverisja nga një i vetëm; dhe frymën e barazisë ekstreme, që e çon në despotizmin e një njeriu të vetëm dhe despotizmi i njëshit mbaron me pushtimin." (Montesquieu 1968, Vol I. 244)

Monteskjë hedh dritë edhe mbi korruptimin e rendeve monarkiste. Ai thekson: "Një gjë e tillë ndodh kur princi u heq funksionet natyrore disave për t'ua dhënë të tjerëve dhe meqë është më i dashuruar pas fantazive të veta sesa vullnetit [...], meqë u heq të mëdhenjve respektin e popullit, i shndërron ata në instrumente të ndyra të pushtetit arbitrar [...]" (Montequieu 1968, Vol I. 248-9). Pra, parimi monarkist korruptohet, kur shpirtërat, veçanërisht ata të poshtër, përfshihen nga vaniteti dhe tërë veprimtaria e tyre drejtohet në kënaqjen e kapriçiove të princit dhe jo t'i shërbejnë Atdheut.

Së fundi, Monteskjë konkludon se përsa i përket parimit të qeverisë despotike ai korruptohet pareshtur, "sepse është i korruptuar në natyrën e vet" ose siç do të shprehej Epikuri "nuk është likeri i prishur, është vazoja" (Montesquieu 1968, Vol I. 252).

Paraardhësit e Moteskjë mbi Luksin dhe Korrupsionin

A ka qenë vetëm Monteskjë i shqetësur për luksin dhe korrupsionin, apo ka patur edhe autorë të tjerë? Natyrisht që ka patur edhe autorë të tjerë, por ndoshta kjo bëhet një çështje e mprehtë, kur shoqëritë ndodhen para tronditjeve të mëdha shoqërore. Le të ndalemi shkurtimisht edhe te dy autorë të tjerë; Viko dhe Ibn Kaldum. Para Monteskjësë, në trajtën e aksiomave gjeometrike, Viko na jep në mënyrë të shkëlqyer gati të njejtin proces që përshkruante Monteskjë:

"Njerëzit, - shkruante Viko, - në fillim ndiejnë *të domosdoshmen*, pastaj i kushtojnë vëmendje *të dobishmes*, pastaj kërkojnë *komoditetin*; më vonë duan *kënaqësinë*, braktisen te *luksi* dhe, së fundi, mbërrijnë në *gërryerjen e pasurive të tyre*."

Karakteri i popujve në fillim është *mizor*, më pas *i ashpër*, pastaj *i butë* dhe dashamirës, pastaj *mik i kërkimit*, në fund *i shthurur.*" (Vico 1963, 57) Se në ç'fazë është karakteri i popujve sot, le t'ia lëmë refleksionit të secilit.

Para Vikos dhe Monteskjësë, Ibn Kaldum në veprën e tij "Mukaddime" ndalet në faktorët që shpien në dekadencën e dinastive, ose të "umran hadari". Ai nuk përmend dhe aq shkaqet ekonomike në dekadencën e tyre, por më tepër i referohet shkaqeve morale, sociale dhe politike. Sipas tij, luksi është ai që e vjetëron autoritetin mbretëror dhe e rrëzon atë. Ibn Kaldum e krahason evolucionin e dinastive me ciklin biologjik të një qenie të gjallë dhe që, sipas tij, mund të zgjasë rreth një shekull. Përveç faktit se prirja drejt luksit ndikon negativisht të ardhurat e shtetit dhe dobëson mbrojtjen, pasi despoti kërkon mercenarë të huaj, luksi qullos edhe karakterin e njerëzve:

"Veç kësaj, - shkruan ai, - luksi e prish karakterin. (Nëpërmjet luksit,) shpirti përvetëson lloje të ndryshme sëmundjesh dhe zakone të shtrembëra… Njerëzit i humbasin cilësitë e mira, të cilat ishin shenjë dhe tregues për (karakterin e tyre) për autoritet mbretëror. Ata përvetësojnë, në të kundërt, cilësitë e këqia. Kjo çon në regres dhe shkatërrim, sipas mënyrës sesi Allahu ka (planifikuar) për krijesat e Tij në lidhje me këtë. Dinastia tregon simptoma shpërbërjeje dhe copëtimi. Vuan nga sëmundje kronike, nga pleqëria dhe në fund vdes" (Ibn Haldun 2016, 302).

Përfundime

Duke parë ngjashmërinë e ideve të këtyre filozofëve, a mund të themi se Viko i mori këto nga Ibn Haldum dhe Monteskjë nga këta dy të fundit? Nëse do të arsyetonim në një mënyrë kaq reduktuese do të mohonim forcën krijuese të arsyes njerëzore.

Sigurisht, dikush mund të thotë se njeriu i sotëm, në kushtet e zhvillimit të shkencës, teknologjisë, arteve dhe kulturës, nuk mund t'i refuzojë të mirat dhe kënaqësitë e këtij qytetërimi. Atyre mund t'u përgjigjemi me fjalët e David Hjumit, i cili në esenë "Mbi luksin" shkruan:

"Luksi dhe delikatesa në kënaqësi nuk shoqërohen domosdoshmërisht me korrupsionin dhe limontinë; ajo që quhet kënaqësi, delikatesë dhe rafinim lidhet me gjendjen e personave dhe njerëzit i kërkojnë dhe i dëshirojnë vetëm për krahasim ose të lidhur me vetë eksperiencën e tyre. Edhe artizani është po aq i etur për para për t'i shpenzuar për raki dhe ushqim të bollshëm sa edhe kurtizani që kërkon verë Shampanje dhe pjata më delikate. Njerëzit e çdo shekulli dhe çdo kohe i vlerësojnë pasuritë vetëm sepse ato mund të shumëfishojnë kënaqësitë, që u janë bërë zakon. Vetëm nderi dhe virtyti mund ta shtrëngojnë dhe rregullojnë dëshirën për para; dhe në qoftë se këto cilësi të çmueshme dhe të vlerësueshme nuk ekzistojnë njëlloj në të gjithë shekujt, ato duhet të jenë më të zakonshme në ato që shquhen për luksin dhe dijet."

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HYSNI KAFAZI[51]

WALKING THE FINE LINE BETWEEN SHOCK VALUE AND GENUINE IMPACT: AN EXAMINATION OF ALBANIAN CONTEMPORARY THEATRE

Abstract

Albanian theatre, from its genesis, has always been a channel of demonstrating the dynamics between art and politics. After serving as a means of trumpeting political ideology for fifty years under the communist regime, theatre has been on a continuous quest for establishing its independence, aiming to voice the relationship between art and politics in a truer sense. In addition, post-2010 theatrical productions have shown a particular focus in targeting certain social and cultural phenomena within the Albanian society. This paper examines the recent trends in Albanian contemporary theatre: it offers a historical overview of the country's theatrical tradition; analyzes attempts to impact audiences through shock value and explicit attacks on archaic ideas and cultural perceptions; and considers the productions and reception of Peter Shaffer's *Equus*, Ridvan Dibra's *Dashuritë e Virgjëreshës Madalenë* (*The Loves of Virgin Magdalene*) and Tony Kushner's *Angels in America*. Additionally, the paper focuses on depictions of the artists' revolt against audience and critical reception, in their attempts to defend their purpose and refine the general artistic taste of the public, most notable in Tennessee Williams's *The Two-Character Play*. This is followed by an examination of appropriation tactics to reconcile the artists' purpose and audience reception, where

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Howard Barker's *Scenes from an Execution* (staged under the title *Galaksia*) is proposed as an ideal formula of achieving this aim in the context of Albania. Lastly, the paper considers the present trend of plays that echo socio-politic and artistic revolt implies for the future of the Albanian theatre, as indicated by the recent staging of Tennessee Williams's *Orpheus Descending*.

Keywords: *Albanian contemporary theatre, National Theatre, shock value, artistic revolt, Equus, Scenes from an Execution, Howard Barker, Tennessee Williams*

Introduction

The center of Tirana currently stands as an ambiguous and heterogenous space. Right beside century-old buildings that constitute the architectural and cultural heritage of the city, one cannot help but notice numerous construction sites of rapidly emerging new buildings and skyscrapers. A surrounded area hides somewhere in the midst of this space: the building site of the new National Theatre.

Originally built in 1945 and serving as one of the main cultural sites of the country, the National Theatre was demolished in May 17th, 2020 at 4:30 AM by the National Inspectorate of Territorial Protection, with almost all shows transferred to arTurbina, a former Hydro Turbine Laboratory that has served since 2018 as a multifunctional art center. Announced two years prior, this decision incited several protests that took place despite the constrictions of the Coronavirus quarantine at the time. Most importantly, this event encouraged significant discussions related to the importance of art and highlighted the doubts that art was still helplessly under the control of the state. This should not come as shocking, considering that Albania is probably "the only country in the world where the director of the National Theatre is still appointed by the Prime Minister."[52] Indeed, the Albanian theatrical scene has encountered similar disturbances in earlier periods.

[52] Andreas Dushi, "Stefan Çapaliku: Drama është një zhanër politik!" *ExLibris* 169 (February 2022): 2.
Considering that most of the criticism of the performances examined throughout this paper are in Albanian, citations of Albanian sources are the author's translation.

A Historical Overview of the Art-Politics Relationship in the Albanian Theatre

According to Stefan Çapaliku, the only international awards-winning Albanian playwright, theatre in Albania has always been "a reserve player", which enters the game only if "politics love the city."[53] To understand this statement it is necessary to have a look at the historical development of theatre in Albania throughout the past decades. Originating in the city of Shkodra as an undertaking of Jesuit priests during the second half of the 19th century,[54] theatre was institutionalized and somehow flourished – quite ironically – during the communist regime. Lagging behind neighboring countries, "it was only in 1944 that [theatre] began to operate as an institution" in Albania, although its function was entirely "in line with the totalitarian regime."[55] Consequently, plays, as all literary works in general, went through a systematic selection and censoring process by the authorities in power, with titles coming ready "from the propaganda workshops of Moscow"; therefore, even in the case of staging Western and American plays, "Albania was served an American literature… to the taste of the Soviet Union representatives."[56] Playwrights like Eugene O'Neill, Edward Albee and Tennessee Williams, were "not only ignored, but even tabooed" and "labelled as 'decadent,' 'reactionary,' 'anti-realistic' and 'modernistic'" under the regime.[57] It was only after the death of the

[53] Dushi, "Stefan Çapaliku," 2.
[54] Dushi, "Stefan Çapaliku," 2.
[55] Elgoni Nikolla, "Journey Across the Communist Past of Albania through the Lens of American Drama on Stage (1960-1990)," *XA Proceedings: Vol 2* (2019): 137.
[56] Tidita Abdurrahmani, "Cultural Translation Losses Occurring while Rendering 21st Century Postmodern Historical Fiction Texts of American Literature into Albanian," *Beder Journal of Humanities* 14 (2021): 113.
[57] Abdurrahmani, "Cultural Translation," 115.

communist leader Enver Hoxha in 1985 that "American drama reappeared with the staging of *Death of a Salesman* in 1986."[58]

Nevertheless, there were some relatively liberal moments of what the late professor Refik Kadija (1941-2022), one of the founders of the Department of English Studies in the University of Tirana, calls "intermezzos."[59] During these brief periods, although some Western and American literature was introduced to the public, there was not much room for liberalism in theatre. Indeed, *A View from the Bridge*, written by Arthur Miller in 1955 and directed by Pirro Mani in 1963, was "the only trace of American drama" during this period.[60] The Fourth Plenum of 1973 would be "a serious setback in the history of Albanian Culture," with the earlier "liberal 'intermezzo' [being] swept over by one of the most hardline conventions of the Communist Party."[61] One of the most significant indicators was the set of measures taken against the organizers of the Eleventh Radio-TV Song Festival that took place in December 1972, considered an event where "manifestations of modernism and liberalism reached a high point."[62] This set of measures, still rooted in the national memory of Albanians even nowadays, consisted of immediate removal of the organizers from their posts, imprisonment and persecution of some of them, as well as the replacement of the entire leadership of the League of Albanian Writers and Artists "on the ground that it had not been vigilant enough against

58 Nikolla, "Journey," 138.
59 Refik Kadija, "American Studies in Albania in the Past and the Future," *John F. Kennedy Institute for North American Studies Working Paper*, no. 68 (1994): 8.
60 Nikolla, "Journey," 138.
61 Kadija, "American Studies in Albania," 9.
62 Peter R. Prifti, "Albania and the Sino-Soviet Conflict," *Studies in Comparative Communism,* 6, no. 3 (Autumn 1973), 262.

manifestations of alien ideologies in the arts."[63] This landscape would understandably make it impossible for the arts to flourish free from the manacles of communist politics and ideology.

The general reluctance towards arts and theatre, apart from what was expected, persisted even after the fall of the communist regime. Still, after the establishment of democracy in 1990, arts and particularly theatre saw many attacks questioning the socio-cultural necessity of the arts and theatre. Theatre, as it was under the influence of the political forces of previous decades, was still considered a trumpeter of communist ideology. Therefore, its notion as an artistic institution was sacrificed to the urgency of political and financial matters, getting "destroyed for the sake of democratic reforms," with actors being accused of "getting undeserved salaries and being unnecessary to anyone, theatre buildings losing their spectators, and getting instead surrounded by tin kiosks that sold underwear and home-made *rakia*."[64] Nevertheless, the public reaction eventually changed with democracy and liberalism gaining ground, both politically and socially.

Despite the discouraging landscape inspired by these decades-long correlations and repetitions of the fate of Albanian theatre, there have been serious attempts to bring a new vision to the stage, particularly in the productions taking place after the year 2010, where the focus is majorly directed towards modern international authors and works. Nevertheless, the impact of this new direction is difficult to assess, particularly because its goal does not come across entirely clear. Do directors and actors actually want to create something of good quality

[63] Prifti, "Albania and the Sino-Soviet Conflict," 263.
[64] Dushi, "Stefan Çapaliku," 3.

that will make a strong impression on the memory of the audience? Or do they simply aim to shock only for the sake of proving that even Albanian productions are able follow the trends of the international contemporary scene? Yet, it is impossible to remain unaware that many selected plays share a common two-fold criticism on power structures and the artistic perception of audiences, reflecting a sense of social and artistic revolt. To shed some light on this discussion, some contemporary productions will be considered here, including Peter Shaffer's *Equus*, Ridvan Dibra's *The Loves of Virgin Magdalene*, Tony Kushner's *Angels in America*, George Orwell's *Animal Farm*, Howard Barker's *Scenes from an Execution*, as well as Tennessee Williams's *The Two-Character Play* and *Orpheus Descending*.

Challenging Conventions and Breaking Taboos

Due to artists' attempts to establish a new, different and strong Albanian theatre, in particular during the last decade, the Albanian stage has no longer remained a stranger to performances that have disturbed, and even shocked, public reception. Most importantly they have challenged several well-founded taboos in Albanian culture. These include exhibitions of full-frontal nudity, explicit depictions of homosexuality, as well as simulated sexual acts. While their shock value has raised discussions and has become part of the collective memory of audiences, it is hard to say that the intentions of their directors and actors have been fulfilled in relation to content, production and meaning.

Peter Shaffer's *Equus* (1973), directed by Bosnian director Dino Mustafić, premiered on March 17th, 2017, closing the 2016-2017 season of the National Theatre. Playing the lead role of Alan Strang, Igli Zarka made his debut on the Albanian stage with the "first explicit nude role in the 70-year history of Albania's National Theatre."[65] Understandably, the controversial scene made headlines, and unfortunately became the only aspect of the play that attracted most of the general attention, despite numerous interviews of the director and actors that attempted to highlight more important elements. For example, Mustafić made an argument about the expression of freedom as the main concern of the play, suggesting that the actor "is not nude, that is his costume," and the body being "an actor's instrument" and "not a provocation."[66]

Several critics penned lengthy reviews to the play, each highlighting aspects deserving more attention than the superficial controversy. Besarta Taçi, psychologist and psycho-sexologist, argued that "the Albanian society needed *Equus*," a play that, despite being "debated, sometimes even strongly criticized by our society, … [yet] successfully penetrated like a powerful seismic wave."[67] According to her, despite the fact that a play written in the 1970s, it still managed to shock Albanian audiences more than forty years later. In itself, a telling of the general attitude that focuses on the explicit instead of the understated metaphorical nudity of all the characters on the stage. Prof. Dr. Josif Papagjoni, "the last of the Mohicans" of genuine theatre criticism in Albania,[68] confirms the deep impact of the provocative elements of the play, considering them a direct challenge to "the Albanian society still not free from the power of political corruption, violated rights, moral

[65] "'Equus' play breaks taboos in Albanian theatre history with first nude scenes," *Tirana Times* online, March 30, 2017, https://www.tiranatimes.com/?p=131803/.
[66] Tirana Times, "Equus."
[67] Besarta Taçi, "Shoqërisë shqiptare i duhej Equus," *Revista Psikologji* online, June 20, 2017, http://revistapsikologji.com/nga-besarta-taci-shoqerise-shqiptare-i-duhej-equus/.
[68] Dushi, "Stefan Çapaliku," 3.

perversity and intellectual mediocrity."[69] Nevertheless, he considered the attack on old-fashioned social and family values as the most impactful and successful aspect of the play. Papagjoni states that Mustafić gave:

"a frontal and harsh blow to the chains of erotic and sexual frustration, to taboos and complexes that our society has layered through the centuries, [where] archaic cognitive structures on love and sexual relationships remain still anthropologically chained by our family typology, where the domination of the One-Male, patriarchal relationships, demonization and besmirchment of the natural sexual act, convert sex to a shameful, sinful, ugly and blasphemous thing, consequently restrain the human being, and happiness itself."[70]

Equus was faced with mixed receptions. Papagjoni highlighted the emancipating aspect or the play and called it an "EVENT", suggesting that "we should invite more directors of a European format", because after all, "the National Theatre is an artistic forum, a teaching lectern, an elite of values."[71] In his review, he reports "the spectators' never-ending applause that continued until exploding into enthusiastic ovations", a reaction which he claims to have witnessed "for the first time after many, many years."[72] Journalist Alma Mile on the other hand, on her review for *Tirana Times* contrastingly reports that "during the interval acts, when the public had the opportunity to exchange thoughts with each other, there were also people who didn't consider this [to be] theater", where people experienced and assessed it as "courageous", "inappropriate" or "in the most normal way."[73] Nevertheless, while

[69] Josif Papagjoni, "Kur bëhet ngjarje Teatri," *Mapo* online, April 10, 2017, https://gazetamapo.al/kur-behet-ngjarje-teatri/.
[70] Papagjoni, "Teatri."
[71] Papagjoni, "Teatri."
[72] Papagjoni, "Teatri."
[73] Tirana Times, "Equus."

affirming its “excesses”, Mile calls *Equus* “a special work that targets beyond the everyday, a challenge for the theatre and actors performing in it. A work that will be long remembered by the public, hopefully not only because of the fact that a young man appeared nude.”[74] However, this did not prove true, as the buzz of the play lasted until full nudity on stage was not interesting anymore to make the news.

The fate of *Equus* fell upon another controversial play, the monodrama *The Loves of Virgin Magdalene* (*Dashuritë e Virgjëreshës Madalenë*), adapted by Albanian author Ridvan Dibra’s novel of the same title. Following its premiere in the Dodona Theatre of Prishtina on February 4th, 2019, the play was performed in Tirana, on the stage of the Experimental Theatre “Kujtim Spahivogli” two months later. The play touches upon another sensitive topic: the archaic view of virginity as a distinguished value. Dibra challenges the general attitude by initially reversing this notion. Whereas the real-world society would stigmatize a young female for losing her virginity, Magdalene is ridiculed and embarrassed for being the only virgin girl in her social circle, eventually making it her only goal to lose her virginity as soon as possible, no matter the means or the place. While, “the taboo of female virginity is still very strong among Albanians … [and] one of the greatest restraints that instructs the ways of how social character is molded and social values oriented,” audiences failed to perceive the real challenge of the play.[75] The analysis of virginity within the Albanian society “as an

[74] Tirana Times, “Equus.”

[75] Eugent Kllapi, “Ben Apolloni shfaq ‘Dashuritë e virgjëreshës Madalenë,” *Konica* online, February 4, 2019, https://konica.al/2019/02/ben-apolloni-shfaq-dashurite-e-virgjereshes-madalene/.

anthropologic reality, a norm, a code and civilizing attribute"[76] was unfortunately overshadowed by a particular scene in the play, that of Magdalene's masturbation. Despite giving an laudable performance that won her the best actress prize in the International MonoAct Festival, Arjola Demiri made headlines, she is still unfortunately known simply as "the actress who masturbated on stage". Ironically, this general reaction revealed exactly what the play attempted to challenge, the concept of virginity as "a tiring cliché and taboo coming from a past that still interferes in our present."[77]

In addition to full nudity and simulated masturbation, a third example follows the same line. Tony Kushner's *Angels in America* (adapted under the title *Engjëjt e Amerikës*, that translates to *Angels of America*), premiered the same year on the stage of arTurbina, where Albanian audiences witnessed "for the very first time" a same-sex kiss on stage.[78] Critics applauded the courage of director Arben Kumbaro to bring the sensitive topic of homosexuality "in such an elevated manner," considering him to be "inviting the public, as the original play once did with its American audience, to a much-needed pause for introspection."[79] Nevertheless, despite the political undertones of the play, the obvious question was whether "the Albanian society [is] ready to accept a same-sex relationship."[80] Understandably, the reactions were

[76] Josif Papagjoni, "Dashuritë e virgjëreshës Madalenë, një temë tabu," *kultplus* online, July 10, 2019, https://www.kultplus.com/teatri/dashurite-e-virgjereshes-madalene-nje-teme-tabu/.
[77] Papagjoni, "Dashuritë e virgjëreshës Madalenë."
[78] "Angels in America: Progress is slow", *IntoAlbania*, accessed May 10, 2023, https://www.intoalbania.com/whats-hot/angels-in-america-progress-is-slow/.
[79] IntoAlbania, "Angels in America."
[80] Hera Lera, "A u shqiptarizuan 'Engjëjt e Amerikës'," *Konica* online, May 22, 2019, https://konica.al/2019/05/a-u-shqiptarizuan-engjejt-e-amerikes/.

mixed in this case as well, with some "digesting it, and some finding it unacceptable, reacting with immediate exit from the theatre building."[81] Some argued that it was still "too soon" for such a play to be performed in Tirana,[82] and some considered "not only the kiss, but the continuous homosexual attraction and practice" to be "not really an emancipating aspect of the play."[83]

Appropriation as an Attempt to Find a Middle Way

Despite the explicit attempts to bring something new and provocative to the public and the deliberate intention to touch upon sensitive topics, knowing fully well the expected public reaction, it is evident that directors also search for a balance between provocation and audience expectations in order to make these topics more easily palatable. The most common practice is that of appropriating the source material, or even add new lines and scenes, to meet the actuality of Albania. Igli Zarka, lead actor of *Equus*, would echo this approach in one of his interviews, stating that "universal messages need to be actualized in the context of society."[84]

Yet, this practice has often proved to be unsuccessful. Papagjoni, while stating his appreciation for *Equus* as "a logos, brilliant and multilayered eloquence," found the director's additions as "worthless, unnecessary and even speculative appendices" that showed only "a propagandistic

[81] Lera, "Engjëjt e Amerikës."
[82] "Thyhet tabuja në teatër, Kumbaro prezanton puthjen e pare homoseksuale në skenë," *TPZ*, last modified May 1, 2019, https://www.tpz.al/thyhet-tabuja-ne-teater-kumbaro-prezanton-puthjen-e-pare-homoseksuale-ne-skene/.
[83] Oltion Kadaifçiu, "Engjëjt në Amerikë apo Engjëjt e Amerikës?," *Jo Jo, Prit Se…* (blog), May 5, 2023, https://www.oltionkadaifciu.com/engjejt-e-amerikes-kumbaro-tk.html/.
[84] Suadela Balliu, "Igli Zarka – Të protestosh me art," *GazetaSi* online, December 18, 2018, https://gazetasi.al/igli-zarka-te-protestosh-me-art/.

passion, to somehow touch today's Albanian society with a civilized and moral sensitivity."[85] Similarly, some considered *Angels in America* to be a "sneaky consumerist material," particularly the references to the vetting process taking place in Albania at the time, arguing that such references were "merely attempts to … create a bond to reality", making the play come across as "lacking a genuine political interest."[86]

Nevertheless, the artifice of adding new material close to Albanian actuality has not always been ineffective. Yet, the cases of success are correlated to the political content of plays. This was the case for the adaptation of George Orwell's *Animal Farm* (1945) under the direction of Driada Dervishi. Premiering in July 2021 on an open-air stage, the performance was the first taking place after the Coronavirus restrictions. It proved to be "a great success with record attendance", where the final performance counted more than 800 spectators, despite the small space of the Amphitheatre of Tirana.[87] *Animal Farm*, as an allegorical satire on authoritarian regimes, is already close to the heart of Albanians, to whom the memory of the 50-year long communist regime is still fresh. As such, the play does not actually even need any significant changes, adaptations or additions to make it palatable to Albanian audiences. Yet, Dervishi had imbued the play with strong national nuances and imagery, such as the narrator's character, played by singer, composer and producer Bojken Lako, who was depicted as a radio host reporting for Radio Tirana. Moreover, there were clear references to the Albanian

[85] Papagjoni, "Teatri."
[86] Kadaifçiu, "Engjëjt në Amerikë."
[87] "Animal Farm plays to record audiences," *European Theatre Convention*, accessed April 29, 2023, https://www.europeantheatre.eu/news/teatri-kombtar-albania-production-of-animal-farm-plays-to-record-audiences/.

communist regime and even to current political leaders, with some of their most famous remarks added to the source material. These contemporary satirical touches generated instant support and enthusiasm from the public.

Compared to *Equus, Angels in America* or *The Loves of Virgin Magdalene*, *Animal Farm* is certainly less complex in content, idea and presentation. It is this quality that gives it the major audience appeal. With politics as a typical concern of their daily lives and conversations, spectators would undoubtedly find the play more relatable and easier to digest. This points to another conversation, that of the refinement degree of audience tastes and the general perception of art and artists. The fact that the audience seems apparently unprepared for more complex and serious works would understandably generate a sense of revolt on the side of artists, an aspect that was touched upon in *The Two-Character Play* (*Drama e Dy Karaktereve*), one of the later and lesser-known plays of Tennessee Williams.

Audience Tastes and Artistic Revolt

The Two-Character Play, both as Williams's work and main character Felice's play-within-the-play, is equally challenging to a point where it is impossible to distinguish the two. The complex narrative, the long – yet fast-paced – dialogues, and the lack of a resolution are only some of its difficult elements. The Albanian production of 2018, the play's first European production, amplified these details by adding an almost scarce setting consisting of only a few furniture pieces and bare windows. Krist Lleshi gave most probably her best performance as Clare, embodying the existential pain of her character not only through masterful acting, but also employing innovative elements such as choreography, giving a fresh and stronger impact to the original material, considered by translator Kozeta Kurti as “boring” in the sense that it does not have much action.[88] Zarka, carrying the roles of lead actor and director of the play, states that “by the end of the play, there would always be spectators approaching actress Krist Lleshi to ask whether she was ok, due to the intensity she performed with in only sixty minutes of the play.”[89]

Apart from its main focus on “the restrained nature of human existence,” the play also served as an artistic manifesto, voicing the disappointment of artists in relation to their audiences and critics. Felice and Clare, the main characters of the play are shown in the preparation, rehearsal and performance of a play-within-a-play, where they do not refrain from insulting the “simple” audiences, repeatedly calling them “cockroaches,”[90] “furious, unfed apes,”[91] and “fur-bearing mammals.”[92] The audience of Felice and Clare, finding the play meaningless and the actors’ improvisations unsupportable, leaves half-way through their performance. This reaction to the play contrasts the actors’ complete dedication to their artistic product. Indeed, despite the actors being “lost in the play,” the spectators weren’t so, and left the theatre building “completely empty.”[93] Despite this, Felice and Clare decide to keep performing.

[88] Hysni Kafazi, “A Portrait of the Artist in Tennessee Williams’s *The Glass Menagerie* and *The Two-Character Play*,” (master’s thesis, Beder University College, 2020), 65.
[89] Balliu, “Igli Zarka.”
[90] Tennessee Williams, *The Two-Character Play* (New York: New Directions, 1979), 5.
[91] Williams, *The Two-Character Play,* 13.
[92] Williams, *The Two-Character Play,* 52.
[93] Williams, *The Two-Character Play,* 50.

This final decision, despite the lack of a clear resolution in the narrative, is justified by Felice, who argues that "it's possible for a play to have no ending in the usual sense of an ending, in order to make a point about nothing really ending."[94] This endless "thing" leaves plenty of room for interpretation. The most obvious answer is the existential angst and one's quest of attempting to relieve oneself from this relentless anxiety. Felice and Clare, representing all artists, find their solution in writing and performing, implying that creative effort is the artists' solution to this problem. On a deeper level, it is possible to suggest that this thing that never ends is the artists' attempt to show audiences what they are afraid to see, regardless of the audience's attitudes and reactions. Clare claims that "the worst thing that's disappeared in our lives is being aware of what's going on in our lives. We don't dare talk about it, it's like a secret … even though each of us knows the other one knows it."[95] These unspoken secrets, apart from the individual anxieties depicted on the play, can be interpreted as social anxieties as well. As seen in the aforementioned examples, the Albanian public feels uncomfortable when faced with sensitive issues and most importantly with their own reaction to these issues, including deeply rooted taboos, beliefs and attitudes. However, from an artistic perspective, it is the artist's duty to make possible the confrontation of audiences with "prohibited" words and actions, because "when [something] is prohibited its silence increases its size. It gets larger and larger till it's so enormous that no house can hold it."[96] Instead of being kept fanatically restrained, these

[94] Williams, *The Two-Character Play,* 53.
[95] Williams, *The Two-Character Play,* 53.
[96] Williams, *The Two-Character Play,* 31.

issues should be voiced and presented on stage, as part of the mission of theatre under its capacity as a cultural institution.

Galaksia: The Perfect Formula

While *The Two-Character Play* presents a more artistically rooted perspective, reflecting the artists' attitudes and challenging the audience's position as the sole critics of artistic creation, another play performed two years later would provide the perfect combination of artistic and public concerns in the Albanian context. Premiered on February 7th, 2020, *Galaksia*, the Albanian production of Howard Barker's *Scenes from an Execution* under the direction of Rovena Lule, successfully merged art and politics.

The play revolves around Galactia, a woman painter commissioned by the leaders of Venice to paint the Battle of Lepanto, a successful, yet utterly violent, event that overthrew Turkish enemies. However, completely aware of the atrocities of war on both sides of the conflict, Galactia decides to paint the suffering of all soldiers and seaman involved, showing leaders as indifferent to all the suffering caused. As a consequence of her resolute disobedience in showing leaders as victorious and virtuous in the sense that they brought peace and completed a public service, Galactia is eventually imprisoned. Her release becomes possible only after Rivera, an arts critic with strong political involvement, convinces the leaders that "painting is not independent", suggesting that despite Galactia's personal artistic vision, her painting could be interpreted in any way benefitting the political forces in power, because after all "in art nothing is what it seems to be, but everything can be claimed."[97]

Galactia, the artist who aims to feed the truth to the public, is faced with many objections, by both political leaders and fellow artists. Urgentino, the Doge of Venice and commissioner of the painting, repeatedly voices his position that arts should serve politics, arguing that art is "an investment by us, the Republic,"[98] and that the painting is "the gold and silver of the Venetian people."[99] More importantly, he emphasizes that "art is opinion, and opinion is the source of all authority,"[100] implying that any sort of objection towards political intentions is "treason" that "leads to the noose, the wall, the death chamber."[101] Even Supporta, Galactia's daughter and also a painter, while appreciating the artistic merit of her mother's work, considers the painting as a direct offense and instructs Galactia to refrain from her intentions, claiming that "when people are offended, they cannot see the brilliance, only the offence."[102] These multilateral reactions to Galactia's masterpiece showcase a twofold attitude: on the one hand, that of the leaders in power, and on the other, that of the general audience. As such, both the political and social reactions to the truth seem discouraging, posing the question of what an artist's duty and objective actually is. Does an artist want to produce a work of art that reflects the artistic and moral aim, risking their own reputation and the future of their artistic endeavors? Or does

[97] Howard Barker, *Collected Plays: Volume One* (London: Calder, 1990), 299.
[98] Barker, *Plays Vol. One*, 260.
[99] Barker, *Plays Vol. One*, 273.
[100] Barker, *Plays Vol. One*, 282.
[101] Barker, *Plays Vol. One*, 290-291.
[102] Barker, *Plays Vol. One*, 267.

the artist instead reconcile with the aims of politics, sacrificing artistic mastery for mediocrity?

Despite being aware of the imminent result and reception of her work, Galactia stands firm in her ground. She justifies her conviction stating that art is revolt in the first place, that "the act of painting is an act of arrogance,"[103] and that "it's an artist's job to be coarse."[104] Moreover, she is also entirely clear in her reasons. Her belief is that art should reflect only the truth, and this is exactly the artist's responsibility. Throughout the entire process of painting, Galactia is fully conscious that she "shall be punished for screaming truth where truth is not allowed,"[105] and she takes pride in her eventual imprisonment, exclaiming that prison cells and dungeons are the places where "all the truth tellers live."[106] She embraces her greatness, stating that "I am great. I am great because I conceded nothing, but utterly was myself. And all these artists hanging on the walls, were not themselves, but other people."[107] As such, she wears her belief as a badge of honor, establishing her superiority against other artists that simply tend to the tastes and whims of the structures in power.

The end of Galactia's fight is tragic; however, the greatest tragedy is the fate of the painting rather than the artist's punishment. In the first scene of the play, she urges one of her models to think of her as a painter, instead of simply as a woman. However, by the end of the play, the painting is interpreted as the revenge of a woman, more specifically "the

[103] Barker, *Plays Vol. One*, 268.
[104] Barker, *Plays Vol. One*, 271.
[105] Barker, *Plays Vol. One*, 288.
[106] Barker, *Plays Vol. One*, 300.
[107] Barker, *Plays Vol. One*, 291.

most promiscuous female withing a hundred miles," a detail that makes critics feel "entitled" to speculate on the nature and purpose of her art.[108] They merely see her painting as the desperate attempt of a female to prove that she is not the typical "feminine, … flower-painter, … embroiderer."[109] Therefore, the entire brilliance of the painting, both in artistic skill and idea, is completely misinterpreted and overshadowed by her social status.

This strikes a close chord with the Albanian audiences of the last years. Overlooking Galactia's artistic goal is not different from the understatement of actor Igli Zarka as the young man that was nude on stage, or Arjola Demiri's identification merely as the actress that masturbated on stage. Therefore, *Galaksia* or *Scenes from an Execution*, in addition to being a brilliant play, becomes a depiction not only of the Albanian context of struggles between politics and art, but also a clear indicator of how art is perceived and how easy it is to diminish artistic merit for the sake of shock value. Whether artists really embrace Galactia's conviction in the truth and the goal of creating high-quality art, or whether they fall prey to the need of proving themselves as something they are not, this is certainly a question that will continue to pervade the Albanian stage.

What the Future Holds

The Albanian theatre seems to follow the same trend in its more recent productions. Themes of artistic and political revolt continue to dominate the majority of serious productions. One of the most recent premieres

[108] Barker, *Plays Vol. One*, 302.
[109] Barker, *Plays Vol. One*, 302.

has been that of *Orpheus Descending* (*Orfeu Zbret në Ferr*) by Tennessee Williams. Promoted with the tagline "Can love exist in a place conquered by pain and hatred? Can art really save us from pain and hatred?", Williams's play holds a significant place in the history of the National Theatre of Albania. Its premiere of 30 March 2023 comes exactly fifty years after the first attempt to be staged in Albania. Under the direction of Mihal Luarasi, the same director of the Eleventh Radio-TV Song Festival of 1972, the play went through serious preparations until the main rehearsal in 1973. However, it was canceled by the political leaders, because "the psycho-dramatic level of acting, Ku-Klux-Klan imagery of its setting, the passionate narrative and somber tone" were considered to be out of line with the communist ideology of the time.[110] Only a few months later, Luarasi would be among many imprisoned members of the artistic scene, for his involvement in the Song Festival and his direction of *Orpheus Descending*. Therefore, the fact that Williams's play is gracing the Albanian stage half a century later holds a greater significance beyond its content.

Papagjoni lauded the recent production particularly for being "different" from what Albanian audiences are used to in every aspect, from theatrical language, to poetical aesthetics, innovative setting and masterful acting that veered close to the principle of "the theatre of cruelty."[111] Individual and artistic revolt was amplified to the highest level, "whipping the spectator with a psychic, rhythmic and moving pressure," demonstrating "a new experience in our theatre. Like a new

[110] Josif Papagjoni, "Njeri i dhunuar, liri e mohuar," *ExLibris* 228, Apr. 15, 2023, 2.
[111] Papagjoni, "Njeri i dhunuar," 2.

language. Dissolved everywhere. In every theatrical component."[112] Consequently, the themes of existential pain and "solitary confinement,"[113] art as the artist's "life's companion,"[114] and the desire for release from social and spiritual constraints came across stronger. In this sense, *Orpheus Descending* becomes a means of reconciling the past of Albania to the contemporary theatrical trends of the present, and shows hope for the future of Albanian theatre, both in quality and level of genuine impact.

All considered, despite the claims of some critics cited above, it would be wrong to consider the Albanian public as artistically unprepared or unaware. While it is true that some certain topics have proven not easy to digest, this mostly stems from a misdirected general perception of theatre as an institution of entertainment. Nevertheless, the reception of the aforementioned performances actually points to the opposite direction of those critical claims. The public is aware when something is being served to them merely as a product of shock value and are able to distinguish artistic merit from mere provocation. The extremely positive reception of *Galaksia* and *Orpheus Descending* are proof of this. After all, *Galaksia* included sex scenes, partial nudity, and repetitive touching of private parts, yet, the depiction of these elements was never the main purpose. They were simply means, pieces of action. When shock value and provocation become the sole purpose of performance, then the result is the opposite of what artists would expect. It is not enough to provoke the public with controversies simply to make

[112] Papagjoni, "Njeri i dhunuar," 2.
[113] Tennessee Williams, *Orpheus Descending: A Play in Three Acts* (New York: Dramatists Play Service, INC, 1955), 33.
[114] Williams, *Orpheus Descending*, 25.

a point that Albanian theatre is able to reach the level of the international contemporary scene. Therefore, following the trend and track record of recent plays, contemporary theatre in Albania has shown to be more successful when focusing on genuine impact of all theatrical elements and aspects involved, rather than intentional gimmicks for the sake of provocation.

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CONSTRUCTIVISM AND EFL INSTRUCTION

Abstract

This article is a review of constructivism as a relatively new approach which opposed traditional views and practices to both learning and instruction, consequently shaping teaching methodologies and classroom practices in many educational contexts. Constructivism is initially discussed as a learning theory that introduced revolutionary ideas to the concept and process of learning thus leading to both the transformation of teaching approaches and the presence of learner-centered methods and classrooms. An elaboration of its concepts and definitions, main assumptions, as well as its principles contribute to a better understanding of how learning is constructed based on prior knowledge and experiences. It is also argued that the theory supports different learning styles and learning preferences in the classroom along with the assistance of more learned individuals. Furthermore, discussion of domains in constructivism from cognitive and radical to critical and social perspectives is followed by an examination of the applicability and practicality of the theory in EFL instruction and EFL classrooms. The employment of a variety of constructivist instructional activities and the role of the language teacher as a facilitator of language learning are also presented to demonstrate that the transformation this theory brought to education in general has also influenced EFL pedagogy. Research findings from a wide range of EFL contexts are also provided to support the appropriateness of the theory for these language instruction. It is concluded that constructivism principles can be effectively implemented in EFL classrooms.

Keywords: *constructivism, principles, assumptions, EFL instruction, ELT methodology*

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Introduction

Constructivism is a relatively new educational theory that has had a huge impact on the development of pedagogy and especially implementations to the new curriculum designs. The acquisition of knowledge has given researchers such as Piaget, Brunner and Vygotsky new enigmas regarding innovative forms of teaching and learning and how these forms can be applied properly in teaching practices. Observing teacher education programs and instructional approaches, all these theorists have added significant understanding of constructivism as a learning theory. Throughout the past decades, many researchers have contributed to shifting the notion of education based on behaviorism into education based on a substantial approach to cognitive theory. Language teaching has also developed throughout the years based on many of these pedagogical models and, even though constructivism has not yet made a huge entry in interdisciplinary language pedagogy in many EFL contexts, it is one of those theories that has significant perspectives in linguistic teaching areas.

The roots of constructivism are in Jean Piaget's work of age-related development stages which considered a child “a lone scientist of the world” (Hmelo-Silver & Barrows, 2006; Hmelo-Silver et al., 2007). This conveys the image of a child exploring the world himself in various stages of growing up. Piaget is considered a biological individualist and therefore constructivism seems to be applied more efficiently in science related fields since they have the proper amount of curiosity to offer for curious learners (Piaget, 1964; 2003). He considered the learning process as internal, private and mental and pointed out the idea that learners should first explore on their own before they share their knowledge with peers (1964). For Piaget, the individual possesses the prime value and puts it in the first place letting aside the social. This point of view was, however, opposed by Lev Vygotsky and Cole, who underlined the importance of the socio-cultural context pointing out that students can learn better by socializing and co-learning (1978). Piaget insisted on the fact that humans construct cognitive representations of the world through internal world and accommodation. His revolutionary idea did not support passive learning in which the only source of information is poured from the teacher to a blank or empty "sponge", which is the student (Piaget, 1964; 2003). With his ideas it became more popular for curriculum designs to integrate student-engaging activities through participation in dialogues, in group work and in self-made projects, thus making students "more involved" in the learning process (Piaget, 1964). Considering these new practices, in the linguistic approach of constructivism we can notice a significant use of all these classroom activities with the aim of learning how to use languages more efficiently in real life situations as well as how to give and receive information in different social contexts.

Lev Vygotsky introduced another perspective of constructivism identifying the social character of learning (1978). Unlike the psychological features of the constructivist theory, social constructivism deals with the importance that social interaction and cognitive learning have in constructing cognitive and emotional images of reality (Yilmaz, 2008). Vygotsky concluded that social interviews are the foundation in cognitive development. Becoming the inventor of social constructivism, he emphasized the importance of human learning by interacting with each other, which directly relates us to the linguistic approach of social constructivism and how important the application of the theory would be in English as a foreign language (EFL) contexts. This theory goes further emphasizing the role of culture and the concept of developing meaningful knowledge and understanding the reality of knowledge and its practicality (Vygotsky & Cole, 1978). While Vygotsky agrees that reality is built by individuals, he points out that it cannot be created without being related in the social aspect first.

According to him, knowledge is a social product and learning is a social process (Abha, 2019). In other words, understanding is social from its nature, and it is created by interactions with others. Vygotsky explains his theory speaking from a social and personal sphere, considering that perception is actualized only when the internalization of knowledge is created in interaction with others (Yilmaz, 2008). In simple terms of language, key concepts and unfamiliar vocabulary are used in the first place of receiving new knowledge and occur in direct interaction, then get internalized as new knowledge that is incorporated into existing knowledge.

Vygotsky attaches great importance to dialogue and different types of interaction between the learners (1978). He thinks that every operation within the cultural development of the kid happens twice: initially, at the social level, and later, at the individual level; initially between individuals and then among the kids. This is applicable to learners' attention, to logical memory, and to the formation of ideas (Vijayakumari & Jinu, 2013). All higher functions occur as complete relationships between people. Vygotsky sees language as the main medium of interaction and communication and a prerequisite for absorbing and initializing the experiences gained from interaction. Therefore, constructivism as a learning theory, has many prospects in social based fields where social interaction is more needed than personal exploration (Yilmaz, 2008; Alt, 2014).

Following Piaget, who somehow initiated the basics of the theory, Jerome Brunner actually established constructivism through his approach of interactionism. Basically, this contributes to a better understanding of the linguistic approach of constructivism, as Bruner explored language development and how learners acquire knowledge by communicating or interacting and therefore developing linguistic expression. This approach also explains the important role of parents in students' education as well as in understanding the scaffolding method and the acquisition of knowledge in certain stages of child development. Brunner highlights that social interaction is an important factor in child development. It contributes to the use of meaningful language and active participation in creating valid shared meaning through collaborative processes (Bruner, 1961). Bruner argued that "one seeks to equip the child with deeper, more gripping and subtler ways of knowing the world and himself." (Bruner, 1961, pp. 117-118) thus pointing out that learning as a process is constructed based on the human's previous experiences. It is true that we can learn by putting into practice the knowledge we get from experience, but actually the whole learning process is socially related. Experiences show that human beings learn easier by interacting with each other, by encoding and decoding (Karagiorgi & Symeou, 2005).

According to the main contributors of this theory, constructivism is a learning theory that supports that we all learn differently, and gain knowledge from opposed groups of people who provide a deeper background than someone else does in a certain topic. Consequently, constructivism carries out a prior role not only in simple learning but also at academic levels (Hyslop-Margison & Strobel, 2008). The theory explains that individuals require proper assistance at the right moment. Furthermore, the role of teacher as a facilitator is still necessary. This combination of the right assistance at the right time leads to very effective gain of knowledge in the learning process of a classroom where children try to gain more knowledge by interaction.

Since it was invented, the theory continues to be an increasingly employed method by teachers all around the world, who try to find the most convenient learning style for their students. Research shows that to be a successful constructivist teacher you should not only play the role of the facilitator but also create a conductive, social-friendly environment in the classroom (Abha, 2019). Learning should be contextualized in real-world environments that make use of a context which makes learning relevant (Jonassen, 1991). Usage of the principles and methods of constructivism has demonstrated that these constructive methods of teaching are more effective than the traditional ones (Bandura, 1986; Bandura et al., 2001).

Concepts and Definitions

Constructivism is a learning theory that suggests learners construct their knowledge based upon their pre-existing information by adding it to their knowledge schemes. Learners create understanding of this information in an active way through participating in the process of receiving and giving information rather than passively receiving it (Vygotsky & Cole, 1978). They reflect on the new knowledge according to experiences and they create their own perspective of the received information according to their personal and social background (pre-existing schemas of knowledge).

Recent studies definitely suggest that teachers include in their lesson plans problem-solving activities which put students to the center of the learning process. The aim of the constructivist theory is to guide learners to think on how they can put theoretical acquisition into real-life use through assimilation and accommodation. Hence, language teaching and learning regards many practical everyday activities which can be thoroughly supported by the constructivist teaching model (Bada & Olusegun, 2014).

As Driscoll put it, "Knowledge is constructed by learners as they attempt to make sense of their experiences", so constructivism supports that the acquisition of knowledge is based on experiences and interaction (2005, p. 145). Every kind of information is related to the already pre-existing knowledge so that the individual makes proper sense of it and is able to use it by relating it with other fields as well. The theory itself mostly supports the practice and the process of learning rather than the product or the evaluation process; it also maintains the idea that students should constantly improve and be active learners or life-long learners when it comes to acquiring knowledge. Constructivism is a theory that aims for the instructors to simply be facilitators that provide students with contexts where they can explore and find interesting things about the new information (Hyslop-Margison & Strobel, 2008). According to this approach, every learner should be an active participant throughout the learning process. All said, constructivism is a learner-centered educational theory and to be able to transform our teacher centered educational models has proven to be challenging.

This theory includes significant concepts and processes such as assimilation and accommodation, zone of proximal development (ZPD) and scaffolding, an explanation of which will help in a better understanding of this theory (Hyslop-Margison & Strobel, 2008).

Assimilation is the receiving of new information from the learner who tries to fit it in his pre-existing schemas of knowledge (Piaget, 1964). As briefly explained, every person has a set of knowledge schemas which are created since he starts grasping and understanding information. His mindset is created by adding more information to those schemas of knowledge. Every piece of new information is slightly different and strange to the old schemas and so individuals often find new information profusely difficult to comprehend (Piaget, 1964). In many cases, pre-existing schemas might also be packed up with false information and new information concludes to be even more confusing. For the brain to reorder the new information, accommodation is one of the processes which best explains how constructivism works.

Accommodation is the continuing process of assimilation where the learner takes the new information and tries not to fit the knowledge into the previous knowledge but actually “restores”, “revises”, “develops” and “transforms” the existing schemas to whole new schemas of understanding (Piaget, 1964). This process explains best how learners should not simply take information but should actually be able to transform their acquisition into a renovated one in each stage of learning. This is achieved through the use of special techniques of constructivism.

The Zone of Proximal Development (ZPD) is considered to be the abilities of an individual which include his cognitive performance that needs a push to master a certain skill. This concept also includes the notion of "the more knowledgeable other" (Harland, 2003). Apparently there is always one or more persons who have a better understanding or skills regarding a specific area. The ZPD is the time that a learner cannot receive knowledge without proper encouragement or guidance. This zone is the time where instruction is much more needed in order for the student to develop the necessary skills (Yilmaz, 2008). This brings another important factor which is the role of dialogue and teacher facilitation for constructivism. Students are able to add to their knowledge through dialogue or group talk. They are also able to exchange different types of knowledge and perspectives which alone would be very difficult to be understood. For example, a student does not understand a topic which he has just read in the book, but with the explanation of a more experienced learner or a knowledgeable one, who in many cases is a teacher, the student is able to grasp the topic by listening, asking questions and also explaining his own understanding. Therefore, the importance of dialogue is enriched in group work, pair work and class discussions (Vygotsky, 1978). More specifically, in language learning classrooms the comprehension of new vocabulary and proper grammar use is mostly acquired through talking and listening.

The interaction of learners with different types of skills is one of the highest boosts in classroom learning (Vijayakumari & Jinu, 2013). An experiment showed that a group of students with the instruction of their teacher completed different tasks in record time in contrast to another group of students who had no instruction and some of the tasks were even not achieved due to lack of knowledge (Yilmaz, 2008). We should understand, however, that learners of different ages require different amounts of facilitation and the teacher should always be present to help but also intrigue them into trying to find themselves before offering the "knowledge" or the solution to the problem.

ZPD also helps in adequately explaining the rapport created between the student and the social environment. In other words, ZPD remains the difference between what children could do or learn independently and with no help from others compared to what they perform with some help from others (Vygotsky, 1978). In the process of learning, this can be easily explained with what a student can achieve alone and what the same student can achieve with the help of the teacher. It is exactly the needed support or motivation to pass to the next higher level. Other people who would guide the student in his progress through the approximate development area could be teachers, parents, peers, and everyone with whom the child interacts. A critical element regarding the ZPD remains the fact that during their lifetime students advance from one approximate area to another, with progress that sometimes is slighter and sometimes larger, depending on various internal and external factors (Vygotsky, 1978).

As we slowly make proper connections through learning and teaching in constructivism, we must grasp the role of the teacher through another constructivist concept, **scaffolding.** Scaffolding refers to the role of the teacher in providing learners with enough basic knowledge for them to pass the initial stages of learning a new subject (Bruner, 1961). Educators facilitate, organize, plan the lesson and use the more appropriate techniques to transfer the student exactly where his maximum understanding zone is. Students should constantly construct their knowledge and be active, and, in order for this process to run smoothly, the teacher should always be participating as a facilitator (Bruner, 1961). Scaffolding emerged as part of the constructivist theory by e Bruner and particularly influenced Lev Vygotsky in his socio-cultural theory of constructivism.

In better understanding constructivism and its perspective of explaining learning, Brunner gave his approach by the concept of spiral curriculum. Spiral curriculum is defined as a course of instruction where students encounter the same topics of knowledge but in each stage the topic is presented in a more complex and reinforced set of information (Bruner, 1961). As previously explained, the pre-existing schemas of knowledge need to be transformed stage by stage in order to reach new limits of comprehension. Considering this, the brain cannot simply handle a great amount of complex knowledge if it is not able to fit it in the pre-existing schemas and so the new knowledge received is simply not valuable as it is not comprehended. The spiral curriculum refers to introducing simple information which is reintroduced to the student in a spiral form through more complex ways and in more detailed ideas (Bruner, 1961). Take for instance reading in a foreign language for the first time. In the first stages, the learner is simply taught how to pronounce words and how to connect sentences.

Later on he is required to understand and gain meaning from the text. In the latter stages, he is required to notice the sequence of events or the flow of the information and in a later stage, he is required to learn new information by using that particular language. The reading spiral curriculum starts from simply understanding words to a more detailed and independent reading skill which has been built step by step in a constructive manner.

Domains of constructivism

Constructivism is not a single or unified theory; rather, it is characterized by plurality and multiple perspectives. Varied theoretical orientations explicate such different facets of constructivism as cognitive development, social aspects, and the role of context (Yilmaz, 2008).

Cognitive Constructivism, developed by Jean Piaget, centers around the concept that knowledge is constructed through active learning and not simply received passively by a single source of knowledge (Piaget, 1964). The theory's main concepts are assimilation, accommodation and the schemas of knowledge.

Radical Constructivism, researched by Von Glasersfeld (2013), suggests that the acquired knowledge is not necessarily reflecting knowledge of a real world, since every individual has his own construction schemas. The previous schemas will directly affect perceptions and new experiences and so we construct knowledge affected by physical and social constraints.

Critical Constructivism emphasizes a critical evaluation in the communicative ethics used in the classroom between teachers and learners. It fully supports that knowledge is an adaptive process and that it is based on the experiences of the individual.

Social Constructivism, according to sociocultural theory, suggests that human development is a social-driven process by which students learn better and faster by interacting with their more educated peers. In the foreign language context, the effects of culture are meant to appear with the appearance of the tools of intellectual development. Take for example an EFL learner who does not understand a certain grammar topic. The teacher asks one of their peers who has successfully acquired the knowledge to explain it in their own words so he/she (the student who does not know) grasps the concept. This however, does not deprive the more skilled person from expanding their knowledge in that particular grammar topic. In this case, the skilled individual might actually get a deeper insight of the grammar topic and even realize how to explain that topic in a way no one could before. In this way, students assist each other into further acquisition, activities that are more complex, new skills and deeper understanding. That is one of the reasons why Vygotsky puts great emphasis on the important relation between social interaction and the development of cognition (Vygotsky, 1978).

Social interaction is the main factor of social constructivism. Knowledge is possible to progress in every encounter including two or more individuals. In order to understand constructivism in the learning process, educators have to restructure their perspectives of teaching. Teachers have to rearrange the techniques used for many years and replace them with more innovative ones where the students' needs are in the center of attention. Some of these techniques are group work, dialogues, vocabulary peer quizzes and interactive grammar learning. Thanks to the implementation of Vygotsky's theory, many children have the chance to grasp and learn from each other. This is also achieved by adequately prepared teachers who make it possible to scarcely convey direct knowledge and adequately prepare future generations in a beneficial way. Therefore, social constructivism can be considered the future in the teaching process. Each day and more, students are becoming more independent from the teacher and can easily take information from other sources such as the internet, their peers and social gatherings. Facing this fact, educators have to focus on interaction, multiple perspectives, different learning inputs and different environments of learning in order to be able to contribute to this huge world of information (Le Cornu & Peters, 2005; Gijbels et al., 2008). Social constructivism points this out and strongly emphasizes the role of a teacher as a guide or a coach toward the students' goals. Students still need the scaffolding in the big building of knowledge that the young generation has ahead of them.

Principles of Constructivist Learning

Every approach to the constructivist theory follows the essential and most prominent principles which are the foundation to the theory. Focusing on language learning, we notice significant attempts of curriculum designers to implement these principles - even though not thoroughly- into lesson plans and teaching methods (Olsen, 2000). We further explain some of the basic principles and regulations of constructivism.

1. Constructivism is all about constructing knowledge actively and not receiving passive and unattended information.

Knowledge is not simply innate or passively absorbed. Learning is about constructing systems of meaning and it is formed in different layers through different times.

2. The learner should be able to understand and apply the information in real life situations instead of just memorizing and repeating it. If knowledge is not applicable, then the learning process has not achieved its higher purpose.

3. The learner should be able to think and analyze any new information critically. Learning involves language and it is believed that learning and language are inextricably intertwined.

4. Knowledge itself is idiosyncratic and all learners construct their knowledge with the assistance of social interaction. Every experience and prior knowledge contribute actively to the creation of the new schemas of knowledge. Therefore, learning is contextual; it cannot be separated from the environment and is explicitly a social activity.

5. Constructivist teachers and learners use strategies such as active learning, authentic learning, multiple perspectives and collaborative learning.

6. Evaluation in constructivism assesses the thinking process where each student's approach is evaluated for its creativity and real-life applicability of finding a solution to a specific problem. Constructivism supports exclusively the authenticity of students' ideas and innovative thinking.

7. Learning is a long process that requires time for the learner to acquire, ponder, practice and experiment with them. For this to be achieved, motivation is a significant component in the active learning

and “layering”. External rewards, curiosity, and other facilitators are also considered necessary.

All these principles give us an insight on how real classrooms can actually be managed and how they differ from traditional thinking of teaching (Hyslop-Margison & Strobel, 2008). These principles appeal more to modern strategies of learning and traditional teachers should reflect on their practices in order to implement what is best for their students (Bozalek et al., 2013). A traditional EFL classroom curriculum will explain a topic by starting with parts of the whole topic and emphasizing basic skills, while a constructivist curriculum would start with bigger concepts, taking the whole and later expanding it to every other part of it. When a constructivist curriculum is used, the student is given time to explore and ponder firstly about the entirety of the topic, and the teacher would later facilitate the exploration and discovery of the other bits of the topic.

A traditional classroom is typically strict about following the curriculum and using only the given textbooks and workbooks. This is widely spread in many EFL classrooms and it limits teachers a lot in their research of teaching methods as well. On the other hand, constructivists are in the pursuit of students’ questions, needs and interests and this can be accomplished by the use of external materials, which the constructivist teacher has explored and discovered to be best for enhancing knowledge acquisition. Traditional grammar lessons for example have been based on repetition of rules and theoretical analysis which is all explained and disseminated by the only authority of knowledge, which is the teacher. A grammar lesson explained by constructivist principles would lead teachers to interact with students and help them dismantle the information themselves by interacting and negotiating with their perspectives (Hyslop-Margison & Strobel, 2008). All this said, we understand how revolutionary the principles of constructivism are and yet a lot of work is needed to implement them into language classrooms.

Constructivism in EFL Instruction

Based on the main focus of this study, constructivism in the English as a foreign language (EFL) context will be presented in terms of principles that build the ideas of this theory embedded in the classroom. Regarding relevant research, the discussion in this context began after the 1980s and the term constructivism became more frequently used in the context of EFL teaching. In accordance with constructivist principles, Wolff and De Costa points out that constructivist language teaching is a learning process which is prominently autonomous, subjective, student centered and active (2017), while traditional teaching is mostly based on a pedagogical-psychological concept where learners simply "react" to what is being taught and they either accept or reject the information. In constructivism, the learner tries to accumulate the received information and embed it to the pre-existing knowledge by actively changing the cognitive schemas.

Most important to the research is to understand how the sociocultural approach of constructivism is closely embedded with teaching English as a foreign language. Sociocultural approach in teaching English as a foreign language is teaching with interaction, negotiation and collaboration (Yilmaz, 2008). In the process of learning a foreign language, it is important for the teacher to intertwine collaborative learning by using the experience and discourse for the students to grasp meanings through peers. Since a foreign language is mostly learned for communication purposes, the sociocultural approach helps to understand how students use their sociocultural backgrounds to add and give from their foreign language knowledge (Yilmaz, 2008). Recent studies about EFL teachers have shown that the sociocultural approach in constructivism has helped them reach better results in their classrooms.

The EFL teaching process is oriented towards action-oriented ness and cooperative learning activity, which constitute significant principles of constructivism. Some of the many activities within this approach are pair work, group work and social forms of English speaking activities. In addition, learning through social projects promotes creative and active participation in classroom activities. The student is frequently asked to take the role of the teacher and so the student learns by teaching. As Wolff and De Costa claim, learning can be influenced by teaching but not in a way as traditional teaching suggests (2017).

Every student learns in his own terms and this suggests the importance of autonomy as a principle of constructivism in language teaching. Tenenbaum et al also suggest that knowledge develops internally rather than simply transmitted by the teacher or another learner (2001). In a language classroom, for example, the learner is asked to choose teaching materials for classroom learning; as a result, the ability to make decisions promotes autonomy and learners are able to distinguish their preferable style of learning and recognition of skills. Before being able to decide, the student is informed that with decision comes responsibility and the crucial thing is that his chosen techniques and strategies should be applied actively during learning. Gaining proper learning awareness is followed by language and intercultural awareness which were explained in detail in the socio-cultural approach. This leads to an understanding that that not all constructivist approaches are applicable to the EFL teaching contexts. For instance, radical constructivism cannot be applied as it has many disadvantages in the explanatory level and in areas of inconsistency. The holistic language experience or the content-oriented EFL instruction is applied in bilingual contexts and according to this, learning a foreign language is very effective in complex learning environments.

Studies report interesting results regarding the usefulness of constructivism in EFL instruction. Reinfried argues in a more realistic approach to the application of constructivism in EFL teaching opposing learner-centered theories thus being more of an "absolute" and radical researcher (2000). Furthermore, Gul came to the conclusion that using constructivism in EFL teaching is more effective compared to traditional teaching approaches (2016). The study conducted by Al Muhaimeed (2013) demonstrated that using constructivist techniques of English language reading comprehension resulted in helping students in a school in Saudi Arabia learn how to read faster and better than using the traditional approach. In another study, in a school in India, Sengupta (2015) used an activity with collaborative writing tasks where all students discussed with each other while writing and so each student shared their personal knowledge and all of them took what they needed from other students' knowledge. By scaffolding, the students took claim of their original ideas and also provided a context where other students could generate new ideas and new content through their own engagement. In another example, Nikitina (2010) conducted a study where students used visual aids to prepare projects in groups; the results showed that students learned the foreign language better and faster. In this study, the activities were selected by the students and the results were beneficial to their learning.

Some constructivist activities for language teaching are role playing, oral presentations, theme and content-based topics, situational and contextual dialogue activities, critical thinking, designing and pursuing research, and projects. Students can write short plays, song lyrics, journals, diaries, interviews, travel blogs, letters, emails, advertisements, stories, screenplays, new endings for stories, books and movies (Schreiber & Valle, 2013). All these have proven to have significant effects on how fast students learn to speak, write and listen actively in real life foreign language contexts. Learners can construct knowledge with fun activities such as inventing, drawing, designing posters, maps, board games, concept maps, multimedia presentations and charts. They can also refine their speaking skills by performing or presenting plays, concerts, role play scenarios about different topics from history, or updated social events.

The role of the teacher in the constructivist classroom

The principles of constructivism can be applied into different forms by the teacher as a facilitator. In the classroom, the teacher's role is to give experiences to the students, to help them interact with each other in order to encourage and advance their individual learning (Le Cornu & Peters, 2005; Pitsoe & Maila, 2012). However, teachers must be careful that the experiences they give to the students are within their zone of proximal development (Karagiorgi & Symeou, 2005). Based on this theory, it is clear that it is the teacher's responsibility to make students self-regulated learners. A good teacher might choose catchy topics in order to involve all the students in the process of learning. As questions lead to more questions, students' critical thinking would expand. In such specific cases, collaborative learning comes by way of peer interaction, but it is well structured and mediated by the cooperating teacher (Le Cornu & Peters, 2005).

In a typical classroom, the qualified teacher is the conduit for the effective tools of culture that properly include language, social context and other forms of information access. Learning in the constructivist classroom is constructed, active, reflective, and collaborative and independent inquiry based (Olusegun, 2015). A constructivist teacher engages students to consider their previous knowledge and add new information to it. A typical example of this is the case when a teacher makes a question and asks for students' responses. In cases where a student selects a similar response to the right answer, the teacher approves it. Everyone shares their ideas leading to a fruitful discussion and finding best solutions to the problem. A teacher is always one of the information resources and not necessarily the primary one. Based on constructivism principals, teachers should use students' answers and issues into planning the next lesson. Most importantly, the teacher should assist students to understand their metacognitive process of learning and encourage student autonomy and initiative. During classroom interaction, the teacher facilitates communication in order for students to communicate as clearly as possible in their verbal and written responses since communication is the primary tool of interactionism and language is what explains proper understanding of all concepts.

Research has shown that teachers' perceptions of learning and teaching have a significant influence on their attitudes and approaches to teaching (Borg, 2003; Trigwell et al., 1999) and as a result, affect and determine their classroom practices (Borg, 2003; Sogutlu, 2015). Further research has also demonstrated the positive effects of constructivist learning environment and of implementing constructivist principles in the classroom (Tynjala, 1998; Vijayakumari & Jinu, 2013). Therefore, reconceptualization of teaching philosophies and raising teachers' awareness of learner-centered instruction through constructivist pedagogies become key elements to the accomplishment of teaching objectives.

Conclusion

With its revolutionary principles and assumptions about learning and knowledge development, the constructivist learning theory led to fundamental changes in the philosophy of education by bringing to focus the undeniably central role of cognition and the significant influence of social and cultural contexts on learning. While the theory has had a major impact on the pedagogy of sciences and mathematics, language pedagogy has not been as much affected. However, an investigation of the EFL classroom practices demonstrates that many of the constructivist principles, in particular the social constructivist approach, can be implemented both easily and effectively in the language learning context. Therefore, integration of constructivist principles in classroom practices and building a constructivist language pedagogy through designation of constructivist instructional models would benefit language learners and their knowledge development.

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THE ROLE OF THE SUPREME JUDICIAL COUNCIL IN JUDICIAL REFORM: STRESS FOR INDEPENDENCE AND ACCOUNTABILITY

Abstract

This article analyzes the effort of the High Judicial Council, an institution created within the framework of the Justice Reform, for independence and accountability. The article argues that to achieve an independent and accountable judicial council, more is needed than simply adopting successful European models. Local factors, unwritten rules, the reputation of the council and the level of respect for the rule of law within the country all play a crucial role in determining the success of the model implemented. The article highlights how political pressure has often driven or influenced the appointment, transfer, promotion or dismissal of judges and prosecutors, leading to a compromised justice system. Dependence of the judiciary on politics, interference and external pressures have hindered the independence of the justice system. Magistrates have faced interference from individuals connected to the accused, seeking to obstruct criminal investigations or manipulate their results. Also, the Article identifies the low professional status of politically appointed judges and prosecutors as an important catalyst for the constitutional reform of the justice system.

Keywords: *Supreme Judicial Council, implemented model, political pressure, justice system, professional status.*

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Abstrakt
Ky artikull analizon perpjekjen e Këshillit të Lartë Gjyqësor, institucion i krijuar në kuadër të Reformës në Drejtësi, për pavarësi dhe llogaridhenie. Artikulli argumenton se për të arritur një këshill gjyqësor të pavarur dhe të përgjegjshëm, ka nevojë për më shumë se thjesht miratimin e modeleve europiane të suksesshme. Faktorët lokalë, rregullat e pashkruara, reputacioni i këshillit dhe niveli i respektit për sundimin e ligjit brenda vendit luajnë të gjithë rol vendimtar në përcaktimin e suksesit të modelit të zbatuar. Artikulli nënvizon sesi trysnia politike shpesh ka drejtuar ose ka ndikuar në emërimin, transferimin, promovimin ose shkarkimin e gjyqtarëve dhe prokurorëve, duke çuar në një sistem drejtësie të komprometuar. Varësia e gjyqësorit nga politika, ndërhyrjet dhe presionet e jashtme kanë penguar pavarësinë e sistemit të drejtësisë. Magjistratët janë përballur me ndërhyrje nga individë të lidhur me të akuzuarit, që kërkojnë të pengojnë hetimet penale ose të manipulojnë rezultatet e tyre. Gjithashtu, artikulli identifikon statusin e ulët profesional të gjyqtarëve dhe prokurorëve të emëruar politikisht si një katalizator i rëndësishëm për reformën kushtetuese të sistemit të drejtësisë.

Fjalë kyçe: *Këshilli i Lartë Gjyqësor, modeli i zbatuar, trysnia politike, system drejtësie, status profesional.*

1. Hyrje

Që nga rënia e sistemit komunist në Shqipëri janë krijuar tri këshilla gjyqësore të ndryshme. Pas përmbysjes së komunizmit në 1992, u krijua Këshilli i Parë Gjyqësor, duke adoptuar praktikat e shtetve të tjera postkomuniste në Evropën Qëndrore Lindore. Kushtetuta e vitit 1998 krijoi Këshillin e Dytë Gjyqësor (Këshilli i Lartë i Drejtësisë) me synimin për të përmirësuar dhe forcuar këshillin e parë dhe për ta mbrojtur më mirë atë nga ndërhyrjet politike. Fatkeqësisht, edhe ky këshill i dytë nuk arriti të kryente detyrën e caktuar. Si rezultat i reformës së në drejtësi, në vitin 2018 u krijua një Këshilli i Lartë Gjyqësor (KLGJ). Këshilli i Lartë Gjyqësor[118] zëvëndësoi Këshillin e Lartë të Drejtësisë, veprimtaria e të cilit ishte kritikuar shumë, për krijimin e frymës korporatiste midis gjyqtarëve, për veprimtarinë e tij në kushtet e konfliktit të interesit, si edhe për mungesën e vendimmarjes së tij ndaj problematikave të ndryshme të sistemit gjyqësor.

Të tri modelet e miratuara janë bazuar në normat më të mira evropiane të vetëqeverisjes të krijuara nga forume të ndryshme evropiane për sundimin e ligjit. Megjithatë, ekzistenca e një këshill gjyqësor të pavarur dhe të përgjegjshëm kërkon më shumë sesa thjesht adoptimin e modeleve më të suksesshme evropiane. Suksesi i modelit të zbatuar do të përcaktohej nga faktorë lokalë, rregulla të pashkruara, reputacioni dhe legjitimiteti i këshillit gjyqësor dhe niveli i përgjithshëm i respektimit të shtetit të së drejtës në vend, edhe pse standardet evropiane në përbërjen

[118] Kompetencat e tij kushtetuese janë detajuar dhe rregulluar, kryesisht në Ligjin 115/2016 "Për organet e qeverisjes së sistemit të drejtësisë" [2016] FZ 231 i ndryshuar me Ligjin 47/2019 [2019] FZ 113. Gjithashtu kompetencat e KLGJsë i gjejmë edhe në Ligjin nr. 96/2016 "Për statusin e gjyqtarëve dhe prokurorëve" FZ 208 i ndryshuar me Ligjin 50/2021 [2021] FZ 71 si edhe në Ligjin nr. 98/2016 "Për organizimin e pushtetit gjyqësor" [2016] FZ 209 I ndryshuar me Ligjin 46/2021.

e këshillit gjyqësor dhe kompetenca janë parakushte për të pasur një këshill të pavarur dhe të përgjegjshëm.

Ky artikull fokusohet në nevojën për reformë kushtetuese në sistemin e drejtësisë, duke u fokusuar në mënyrë të veçantë në krijimin e Këshillit të Lartë Gjyqësor për të zëvendësuar Këshillin e Lartë të Drejtësisë të kritikuar. Forca shtytëse e kësaj reforme ishte kriza e thellë që përjetoi sistemi i drejtësisë gjatë periudhës së tranzicionit. Korrupsioni, dikur i kufizuar në sferën politike dhe legjislative, depërtoi në gjyqësor, duke prekur interesat publike dhe duke minuar besimin e publikut. Për rrjedhojë, sigurimi i një administrimi të pavarur të drejtësisë, veçanërisht brenda sistemit të drejtësisë penale, u bë një komponent themelor i reformës kushtetuese.

Artikulli nxjerr në pah sfidën historike të arritjes së një gjyqësori të pavarur në Shqipëri, pavarësisht nga pluralizmi politik, që përfshin gati tri dekada. Ai nënvizon sesi ndikimi politik shpesh ka diktuar ose ka ndikuar në emërimin, transferimin, promovimin ose shkarkimin e gjyqtarëve dhe prokurorëve, duke çuar në një sistem drejtësie të komprometuar. Varësia e gjyqësorit nga politika filloi në vitet 1990 kur të diplomuarit e emëruar politikisht në drejtësi zëvendësuan profesionistët e karrierës. Për më tepër, ndërhyrjet dhe presionet e jashtme pengojnë më tej pavarësinë e sistemit të drejtësisë, ku prokurorët përballen me ndërhyrje nga individë të lidhur me të akuzuarit, që kërkojnë të pengojnë hetimet penale ose të manipulojnë rezultatet e tyre. Së fundi, artikulli identifikon statusin e ulët profesional të gjyqtarëve dhe prokurorëve të emëruar politikisht si një katalizator i rëndësishëm për reformën kushtetuese të sistemit të drejtësisë. Mungesa e hetimeve dhe ndjekjes së duhur të krimeve të raportuara nga institucionet e specializuara reflekton paaftësinë e tyre profesionale.

2. KLGJ dhe Reforma Kushtetuese në drejtësi, disa nga faktorët

Para së gjithash, kriza e thellë në të cilën ishte futur sistemi i drejtësisë si rezultat i qasjes ndaj tij gjatë periudhës së tranzicionit ishte forca shtytëse e reformës kushtetuese. Fenomeni i dëmshëm i korrupsionit, i cili më parë kufizohej në sferën politike, qeverinë kombëtare dhe degën legjislative, tani është përhapur në gjyqësor, duke përfshirë gjyqtarët dhe prokurorët që janë përgjegjës për dhënien e drejtësisë.[119] Opinioni publik ishte shumë i tronditur nga korrupsioni i tyre, sepse ndikonte drejtpërdrejt në interesat e njerëzve.[120]

Së dyti, sigurimi i dhënies së drejtësisë në mënyrë të pavarur është një komponent kyç i reformës kushtetuese në fushën e drejtësisë, veçanërisht në sistemin e drejtësisë penale.[121] Kushtetuta e Republikës së Shqipërisë mbështet një kuptim të gjerë të pavarësisë së sistemit juridik në përgjithësi dhe fuqisë së gjyqësorit për të administruar drejtësinë. Fakti historik është se pavarësisht 29 viteve të pluralizmit politik, tradita e kaluar ka vazhduar dhe sistemi i drejtësisë ka qenë i drejtuar ose i varur nga politika në pushtet. Kjo ka bërë që gjyqtarët dhe

[119] Hajdini, Bojana and Skara, Gentjan. 2022. "The Role of Information and Communication Technology in Fighting Corruption in The Judiciary System: The Case of 2016 Judicial Reform In Albania". Journal of Liberty and International Affairs 8 (3):115-34. https://doi.org/10.47305/JLIA2283115h

[120] Euronews Albania '92% e shqiptarëvemendojnë se qeverisjaështë e zhytur në korrupsion' (2021) https://euronews.al/live-l-92-e-shqiptareve-mendojne-se-qeverisja-eshte-e-zhytur-ne-korrupsion/. aksesuar më 1 gusht 2023

[121] GHLE (Group of High Level Experts) 'Analysis of the Justice System in Albania: Document open for evaluation, comments and proposals' (2015) https://euralius.eu/images/Justice-Reform/Analysis-of-the-Justice-System-in-Albania.pdf. aksesuar më 1 gusht 2023

prokurorët të emërohen, zhvendosen, promovohen ose shkarkohen dhe ndiqen penalisht për kundërshtim të urdhrave të liderëve politikë nëpërmjet Këshillit të Lartë të Drejtësisë. Në vitet 1990, praktikantë të diplomuar me kurse 6-mujore u emëruan në gjykata dhe prokurori në vend të profesionistëve të karrierës që ishin larguar për shkak se ishin antimonistë. Kjo shënoi fillimin e varësisë së sistemit të drejtësisë nga politika. Disa nga këta praktikantë ia dolën të bëhen gjyqtarë, prokurorë, madje edhe anëtarë të Këshillit të Lartë të Drejtësisë, i cili ishte aktiv deri në qershor 2018. Edhe në mungesë të ndërhyrjeve dhe presioneve të tjera - të cilat janë shumë të zakonshme në kombin tonë të vogël - pavarësia e sistemit të drejtësisë nuk është e garantuar. Këtu bëhet fjalë për ndërhyrjen e prokurorit nga familjarët, miqtë dhe të njohurit e të pandehurit në përpjekje për të parandaluar fillimin e hetimit penal, për ta ndalur atë ose për të ndryshuar përkufizimin e veprës penale.

Së treti, pozita e ulët profesionale e atyre gjyqtarëve dhe prokurorëve që u emëruan politikisht ishte forca kryesore shtytëse e reformës kushtetuese të sistemit të drejtësisë. Hetimet, mosndjekja e krimeve të denoncuara nga institucione të tjera të specializuara si Kontrolli i Lartë i Shtetit, Inspektorati i Lartë i Deklarimit dhe Kontrollit të Pasurive dhe Konfliktit të Interesit, Agjencia e Pastrimit të Parave etj., të gjitha pasqyrojnë paaftësinë e tyre profesionale. Sipas të dhënave të Reporter.al, deri më tani, janë shkarkuar 220 gjyqtarë dhe/ose prokurore dhe 79 janë dorehequr. Ndërsa 183 gjyqtarë dhe/ose prokurore janë konfirmuar në detyrë.[122]

[122] Reporter.al. "Ecuria e Vetingut" https://reporter.al/vetingu/. aksesuar më 1 gusht 2023

Rimodelimi i arkitekturës së gjyqësorit në Shqipëri, i konceptuar nga një radhë e gjerë aktorësh, ishte një nga shtyllat kryesore të reformës gjithëpërfshirëse të drejtësisë në Shqipëri (Reforma) e nisur që në 2014 dhe akoma në vazhdim e sipër.[123] Qëllimi i Reformës është forcimi i pavarësisë, efiçencës dhe llogaridhënies së gjyqësorit si një nga prioritetet kryesore për hapjen e negociatave të anëtarësimit të Shqipërisë në BE.[124] Një parakusht për zbatimin e Reformës ishte miratimi i ndryshimeve kushtetuese në Korrik të 2016, të ndjekura në vazhdim nga 27 ligje.

Për më teper, sipas pashikimeve të reja të rimodelimit të cfarë sot është KLGJ, Presidenti i Republikës, Ministri i Drejtësisë dhe Kryetari i Gjykatës së Lartë nuk do të jenë më anëtarë ex officio të Këshillit të Lartë Gjyqësor. Depolitizimi i qeverisjes gjyqësore nga kontrolli ekzekutiv ishte qëllimi i largimit të anëtarëve ex officio. Qëllimi i tij ishte t'u përgjigjej krizave të ndryshme që ishin precipituar në nivel lokal si rezultat i pranisë ex officio të këtyre anëtarëve të Këshillit. Si rrjedhojë, struktura e KLGJ-së ka ndryshuar nga një konfigurim trepalësh (anëtarë ex officio-anëtarë gjyqtarë) në një konfiguracion dikotomik, ku shumica prej gjashtë gjyqtarësh dhe pesë anëtarëve të tjerë porotë zgjidhen nga Kuvendi.

[123] Vincent W. J. van Gerven Oei, ‘Reforma në drejtësi u ndryshua gjatë rrugës—ekspertët e BE-së nuk sugjeruan vetingun’ <https://exit.al/reforma-ne-drejtesi-u-ndryshua-gjate-rruges-ekspertet-e-be-se-nuk-sugjeruan-vetingun/> aksesuar më 1 gusht 2023.
[124] Štefan Füle, ‘Speech - Enlargement Package 2013’ <https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_13_816> aksesuar më 1 gusht 2023

Një ekuilibër i veçantë midis "një nënshtrimi të papranueshëm gjyqësor ndaj forcave politike dhe një vendimi korporatist po aq të papranueshëm" pritet të arrihet nga çdo lloj vetëqeverisjeje gjyqësore.[125] Luftimi i përpjekjeve korporatiste që mbështesin mospërgjegjshmërinë gjyqësore është po aq i rëndësishëm sa ruajtja e pavarësisë (të jashtme) të gjyqësorit dhe mbrojtja e gjyqësorit nga ndikimi politik. Fjalët më të përdorura për të përshkruar qëllimin e këshillave gjyqësore duket se janë pavarësia dhe llogaridhënia gjyqësore. Roli i KLGJ-së është të "sigurojë pavarësinë, llogaridhënien dhe funksionimin pa probleme të pushtetit gjyqësor në Republikën e Shqipërisë", sipas Kushtetutës së Shqipërisë. Sipas parashikimeve kushtetuese, KLGJ përbëhet nga 11 anëtarë, gjashtë prej të cilëve zgjidhen nga Mbledhja e Përgjithshme e Gjyqtarëve, nga gjyqtarët e të gjitha niveleve të pushtetit gjyqësor dhe pesë anëtarë i zgjedh Kuvendi, nga radhët e juristëve jogjyqtarë përkatësisht a) dy anëtarë nga radhët e avokatëve; b) dy anëtarë nga trupa e pedagogëve të fakulteteve të drejtësisë dhe të Shkollës së Magjistraturës; c) si dhe një anëtar nga shoqëria civile. Nga pikëpamja strukturore, Këshilli i Lartë Gjyqësor funksionon me përbërje të plotë, por edhe në komisione të veçanta, të cilat janë 4 të tilla dhe me konkretisht, Komisioni i Planifikimit Strategjik, Komisioni Disiplinor, Komisioni i Vlerësimit të Etikës dhe Veprimtarisë Profesionale si edhe Komisioni i Zhvillimit të Karrierës.[126]

[125] Antoine Vauchez 'Mos-vdekja e çuditshme e statizmit: gjurmimi i rritjes së zgjatur të vetëqeverisjes gjyqësore në Francë' (2018) Revista Juridike Gjermane 19(7): 1613-1640, fq. 1615,

[126] Ligji 8417/1998 'Kushtetuta e Republikës së Shqipërisë' [1998] FZ 28 amenduar së fundmi me Ligjin 16/2022 FZ 37, neni 147.

3. KLGJ dhe Harta e re e Gjykatave

Këshilli i Lartë Gjyqësor (KLGJ) paraqiti një projektpropozim për hartën e re gjyqësore në Republikën e Shqipërisë në fund të vitit 2021, i cili iu drejtua 22 gjykatave të rretheve të shkallës së parë që aktualisht propozojnë uljen e këtij numri në 12; 6 gjykatat e apelit që janë aktualisht në funksion, të cilat propozohen të bashkohen në një në nivel kombëtar; dhe 6 gjykatat administrative të shkallës së parë që janë aktualisht, të cilat propozohen të reduktohen në 2 në nivel kombëtar.

Kombinimi i një numri kaq të madh të gjykatave të shkallës së parë të rretheve (13 gjykata) dhe gjykatave të apelit (5 gjykata), me pretekstin se nuk ka gjyqtarë, nuk është as zgjidhja më e mirë dhe as më praktike dhe nuk mund të jetë kurrë në përputhje me standardet evropiane. Konsolidimi i gjyqtarëve në një ndërtesë nuk do të ndihmojë me diferencën e mbetur nga viti 2016–2017, që është një shqetësim i madh, dhe më pak ose të mbushura vakante në sistem nuk do të ndihmojnë as me diferencën e mbetur. Komiteti Drejtues i Dhomës Kombëtare të Avokatisë ka arritur në përfundimin dhe ka informuar publikun se vendimi për miratimin e hartës së re gjyqësore cenon rëndë liritë dhe të drejtat themelore të individit, të garantuara shprehimisht nga Kushtetuta. Dhoma Kombëtare e Avokatisë me keqardhje vëren se ky vendim është në mbështetje të një sërë shkeljesh të zbuluara në procedurat penale, civile dhe administrative të vendosura në gjykata të të gjitha niveleve.[127]

[127] Monitor, 'Avokatët, në protestë para KLGJ: Dhoma e Avokatisë thirrje qeverisë për mosmiratimin e hartës gjyqësore' <https://www.monitor.al/avokatet-ne-proteste-para-klgj-dhoma-e-avokatise-thirrje-qeverise-per-mosmiratimin-e-hartes-gjyqesore/> aksesuar më 2 Gusht 2023.

Ky projekt, i cili bazohet në një sërë faktorësh që KLGJ i konsideron drejt dhe që janë çështje aktuale në shumë prej këtyre gjykatave, mori mbështetje edhe nga Ministria e Drejtësisë, që dhe solli hapjen e rrugës për miratim nga organizatat përkatëse dhe zbatimi i hartës së re të shpërndarjes së gjykatave në të gjithë vendin.[128] Këshilli i Lartë Gjyqësor, zhvilloi më datë 10.06.2022, mbledhjen plenare dedikuar "Hartës së Re Gjyqësore". Në këtë mbledhje të veçantë, Këshilli miratoi raportin vlerësues përfundimtar të Grupit Ndërinstitucional të Punës mbi riorganizimin e rretheve gjyqësore dhe kompetencave tokësore të gjykatave.

Republika e Shqipërisë ka ratifikuar një sërë marrëveshjesh shumëpalëshe në nivel ndërkombëtar, duke përfshirë ato të Kombeve të Bashkuara, Këshillit të Evropës dhe Gjykatës Evropiane të të Drejtave të Njeriut [129](nenet 6 dhe 13 të së cilës për aksesin në drejtësi trajtojnë rëndësinë e drejtësia e lokalizuar, gjykatat e pavarura dhe administrimi i drejtësisë). Kombi aktualisht po përgatitet për të filluar negociatat e anëtarësimit në B.E., ku parimet bazë të një shteti që mbështet të drejtën për një gjyqësor efektiv tashmë janë shprehur shprehimisht në legjislacionin që kombi ynë po punon për të harmonizuar. Detyrimi i shteteve anëtare për të "siguruar alternativa të mjaftueshme juridiksioni për të garantuar një mbrojtje juridiksionale efektive në fushat e

[128] Këshilli i Lartë Gjyqësor, 'Relacion mbi Projekt-Aktin Për miratimin e raportit vlerësues dhe propozimit të Grupit Ndërinstitucional të Punës mbi riorganizimin e rretheve gjyqësore dhe kompetencave tokësore të gjykatave' <https://klgj.al/wp-content/uploads/2022/06/relacion-harta-gjyqesore-F-1-Mbledhje-Plenare.pdf> aksesuar më 2 Gusht 2023.
[129] Këshilli i Europës, 'Konventa Evropiane për të Drejtat e Njeriut' (2022) <https://echr.coe.int/Documents/Convention_Instrument_SQI.pdf> aksesuar më 2 Gusht 2023

parashikuara nga ligji i BE-së" ose "garantimi i një procesi të shpejtë gjyqësor dhe një apelimi efektiv" përcaktohet në nenin 19 të Traktatit mbi BE dhe neni 47 i Kartës së të Drejtave Themelore të BE-së.

Për më tepër, kategoria e juristëve, si ata në nivelin e Dhomës Kombëtare, ashtu edhe ata në rrethe, duket se nuk janë përfshirë zyrtarisht ose kanë shprehur një opinion zyrtar në lidhje me këtë reformë, megjithëse disa nga kolegët e tyre individualë janë shprehur kundër saj. Arsyetimet kryesore për kundërshtimin lidhen me aspekte të mbrojtjeve procedurale dhe kushtetuese që nuk respektohen ose vetëm pjesërisht dhe padyshim do të kenë ndikim tek qytetarët (por jo vetëm të rretheve që do t'i nënshtrohen kufizimeve). Për ta bërë më të lehtë për t'u kuptuar, mund të numërohen disa nga këta përbërës.

4. Aksesi në shërbime dhe në dhënien e drejtësisë

Lidhur me shërbimet dhe administrimin e drejtësisë, neni 14 i ligjit nr. 98/2016 shprehet se "kompetencat territoriale të gjykatave përcaktohen me qëllim përmbushjen në mënyrë të ekuilibruar të garancisë së aksesit në drejtësi, nevojën për të reduktuar kostot dhe garantuar përdorimin e burimeve publike dhe nevojën për të rritur cilësinë e shërbimeve të ofruara", sipas këtij ligjvënësi.[130]

Në mënyrë që një qytetari i cili ndodhet në rrethin e gjykatave që propozohet të jetë i mbyllur, për të qenë në gjendje të garantojë aksesin në drejtësi në të njëjtën mënyrë si qytetarët e tjerë, ai duhet të vendoset në kushte të barabarta, duke përfshirë të drejtën për të marrë këshilla

[130] Ligjin nr. 98/2016 "Për organizimin e pushtetit gjyqësor" [2016] FZ 209 I ndryshuar me Ligjin 46/2021.

ligjore nga profesionistët (që në vetë përfshin cilësinë e lartë të shërbimit, kohën e përshtatshme, dhe infrastrukturën e nevojshme për të përgatitur mbrojtjen), heqjen e të gjitha pengesave për ushtrimin e kësaj të drejte, dhe të drejtave të tjera gjithashtu.

Garantimi efektiv i të drejtave ligjore dhe kushtetuese të atyre kategorive qytetare që duhet të mbrohen posaçërisht nga shteti dhe të mos diskriminohen sipas përcaktimeve të nenit 18 të Kushtetutës, është një tjetër çështje që nuk merret në konsideratë në projekt propozim. Personat me aftësi të kufizuara dhe ata të cilëve u mungojnë mjetet për të mbajtur veten konkretisht nuk janë marrë fare parasysh në studim dhe si rrjedhojë, si anëtarët më të cenueshëm të shoqërisë, do të vazhdojnë të përballen me diskriminim ndaj qytetarëve të tjerë. Rezultati i mbylljes së një gjykate rrethi ose apeli është se profesionistët dhe shërbimet e nevojshme (ekspertë, noterë, përkthyes etj.) ose do të largohen nga vendi, gjë që rezulton në mënyrë të pashmangshme në një mungesë të konsiderueshme shërbimesh dhe e detyron këtë kategori ose të marrë. asnjë veprim ose ta bëjë këtë me një kosto shtesë që mund të jetë edhe më e lartë se një qytetar normal për shkak të vështirësive fizike.

Prania fizike e një gjykate ose prokurorie në një qytet siguron jo vetëm që qytetarët të kenë akses në drejtësi dhe të kenë më pak shpenzime, por gjithashtu dhe ndoshta më e rëndësishmja, që disa probleme kriminale, familjare dhe sociale parandalohen. Duke e ndaluar pushtetin ekzekutiv (qoftë qëndror apo lokal) të përjashtohet nga kontrolli gjyqësor në situata ku ka shkelje, parimi i ndarjes së pushteteve kërkon që ky parim të pasqyrohet në të gjithë shtrirjen gjeografike kombëtare. Mbyllja e gjykatës dhe e prokurorisë lë shteg dhe mund ta shtyjë pushtetin ekzekutiv të humbasë kontrollin ose të vështirësojë sa më shumë kontrollin e akteve të tij administrative, përfshirë ato që janë kundër ligjit. Për shkak të emigrimit të detyruar të brendshëm apo të jashtëm të profesionistëve apo qytetarëve, mbyllja e gjykatave mund të ketë efekte negative shtesë që reflektohen në asetet sociale në ato qytete.

Megjithatë, që kur gjykatat janë mbyllur, nuk ka pasur propozime për të ndryshuar ndonjë ligj, veçanërisht ato që kanë të bëjnë me procedurat e së drejtës familjare, civile, penale apo administrative. Shembuj të dinamikave që parandalojnë vonesat në rastet urgjente (kryesisht urdhrat e mbrojtjes) mund të nxirren nga dinamika që lidhet me dhunën dhe në përgjithësi me të. Për këto kërkesa dhe çështje afatet janë shumë të shkurtra dhe me infrastrukturën rrugore apo faktorë të tjerë që kemi ne si shoqëri, do të bëhet thuajse e pamundur t'u garantojmë viktimave të abuzimit akses dhe mbrojtje të menjëhershme. Lidhur me pretendimet dhe gjykimin e tyre për sigurimin e padisë apo pretendimet e tjera procedurale që janë urgjente dhe me afate të shkurtra, do të krijohen probleme edhe në fushën e gjykimeve civile, tregtare dhe administrative në ato vende ku gjykata do të mbyllet, pasi kostot do të rriten. dhe aksesi nuk do të garantohet në të njëjtën mënyrë në të gjithë territorin kombëtar.

5. Përfundime dhe Rekomandime

Evoluimi i këshillave gjyqësorë në Shqipëri që nga rënia e regjimit komunist ka qenë një rrugëtim kompleks dhe sfidues drejt krijimit të një sistemi drejtësie të pavarur dhe të përgjegjshëm. Ky artikull ka shqyrtuar zhvillimin e tre këshillave gjyqësorë të veçantë dhe respektimin e synuar të tyre me normat evropiane të vetëqeverisjes për sundimin e ligjit. Ndërsa këto përpjekje kanë hedhur një themel për reforma, është e qartë se arritja e një këshilli gjyqësor vërtet të pavarur dhe të përgjegjshëm kërkon një qasje gjithëpërfshirëse që shkon përtej miratimit të thjeshtë të modeleve të suksesshme evropiane.

Një nga aspektet pozitive të reformës në drejtësi në Shqipëri është njohja e nevojës për reforma kushtetuese në sistemin e drejtësisë. Krijimi i Këshillit të Lartë Gjyqësor si zëvendësim i Këshillit të Lartë të Drejtësisë të kritikuar ishte një hap thelbësor në adresimin e krizës së thellë që përjetoi sistemi i drejtësisë gjatë periudhës së tranzicionit. Njohja e korrupsionit që depërton në gjyqësor dhe prek interesat publike pasqyron një angazhim për të korrigjuar të metat që kishin gërryer besimin e publikut në gjyqësor. Duke theksuar rëndësinë e një administrimi të pavarur të drejtësisë, veçanërisht brenda sistemit të drejtësisë penale, reforma synoi të rivendoste besimin dhe integritetin e publikut në gjyqësor.

Megjithatë, siç thekson artikulli, procesi i reformës përballet me sfida të rëndësishme dhe fusha për përmirësim. Kërkimi për pavarësi dhe llogaridhënie nuk mund të mbështetet vetëm në adoptimin e modeleve të suksesshme evropiane. Faktorët lokalë, rregullat e pashkruara dhe reputacioni i këshillit gjyqësor luajnë të gjithë rol kritik në përcaktimin e suksesit të reformës. Adresimi i këtyre faktorëve është thelbësor për të siguruar që modeli i zbatuar mund t'i rezistojë vërtet ndikimeve të jashtme dhe ndërhyrjeve politike.

Sfida historike e arritjes së një gjyqësori të pavarur në Shqipëri, pavarësisht nga gati tre dekada pluralizmi politik, nënvizon natyrën e rrënjosur thellë të ndikimit politik në emërimin, transferimin, promovimin ose shkarkimin e gjyqtarëve dhe prokurorëve. Kjo praktikë ka çuar në një sistem drejtësie të komprometuar që rrezikon të cenojë integritetin dhe paanshmërinë e tij. Trajtimi i kësaj çështje kërkon ndryshime institucionale dhe një ndryshim kulture që i jep përparësi emërimeve dhe promovimeve të bazuara në merita dhe depolitizon gjyqësorin.

Për më tepër, ndërhyrjet dhe presionet e jashtme të panevojshme me të cilat përballen prokurorët paraqesin një fushë tjetër që kërkon vëmendje. Ndërhyrja nga individë të lidhur me të akuzuarin minon efektivitetin dhe drejtësinë e hetimeve penale, duke lënë hapësirë për manipulime dhe korrupsion. Forcimi i mbrojtjes së prokurorëve nga presione të tilla dhe sigurimi i pavarësisë së tyre në kryerjen e detyrave të tyre janë komponentë thelbësorë të një sistemi drejtësie të fortë dhe të përgjegjshëm. Statusi i ulët profesional i gjyqtarëve dhe prokurorëve të emëruar politikisht është një katalizator i rëndësishëm për reformën kushtetuese të sistemit të drejtësisë. Kjo çështje kërkon masa gjithëpërfshirëse për të rritur kompetencën profesionale të të emëruarve gjyqësorë dhe për të siguruar që emërimet të bëhen në bazë të meritave dhe kualifikimeve dhe jo në bazë të përkatësive politike.

Mund të ketë vend për propozime në përfundim të këtij artikulli që përdorin shembuj nga praktikat më të mira evropiane për të ulur kostot, duke siguruar gjithashtu respektimin e parimeve të aksesit në shërbime dhe të sistemit ligjor. Sistemi i dhënies së drejtësisë ka qenë i ndarë për shumë vite në shumë vende evropiane, kryesisht në vendet e Evropës veriore (Danimarkë, Suedi, Norvegji, Gjermani, Belgjikë, Poloni, Itali), ndërmjet gjyqtarëve të rinj (të referuar në shqip si magjistratë) dhe gjyqtarëve që ushtrojnë profesionin e gjyqtarit mbi baza vullnetare, duke respektuar disa kritere profesionale, morale dhe etike në hyrjen e tyre në sistem.

Ngarkesa e gjykatave sot në të gjitha nivelet e para dhe kaosi që do të sjellë mbyllja e disa prej tyre mund të zgjidhet me një ndryshim të tillë, pra me futjen në sistemin e drejtësisë të gjyqtarëve të tillë (si sistemi italian që parashikon Gjyqtarin e Paqes, që nuk është magjistrat por avokat/avokat me përvojë) të cilët paguhen me tarifë fikse për seancë ose me tarifa ndryshe. Natyrisht, para kalimit në këtë sistem me modifikime në kodet procedurale civile dhe penale, kërkohet një studim i thellë dhe profesional, i fokusuar në kompetenca specifike (kryesisht në fushën civile për gjykimet me vlera të kufizuara dhe vepra penale) për këta gjyqtarë, por që përfundimisht çon në sisteme me shumë vite përvojë dhe certifikim.

Për më tepër, politika ka potencialin për të minuar ose abuzuar me vetëqeverisjen gjyqësore, në dëm të gjyqtarëve të veçantë. Problemi nuk mund të zgjidhet duke ndryshuar vazhdimisht këshillin gjyqësor, pasi historia tregon se nuk ka një formulë të përsosur. Ne duhet të përqendrohemi më shumë në tranzicionin mendor drejt një gjyqësori të pavarur, të paanshëm dhe efektiv, ku aktorët dhe institucionet janë më elastike ndaj kapjes brenda ose jashtë, në vend që të pompojnë paratë e taksapaguesve ose donatorëve në reforma dhe institucione të reja për t'u kaluar këtij tranzicioni demokratik. Historia e krijimit dhe evolucionit të këshillave gjyqësorë tregon se parimet politike përbëjnë thelbin e vetëqeverisjes gjyqësore. Konfigurimi aktual i këshillit gjyqësor dhe reforma në drejtësi janë shfaqur ose para ose pas skandaleve të rëndësishme politikisht. Megjithatë, përditësimi i strukturës dhe përgjegjësive të këshillit për të pasqyruar standardet më të mira evropiane të krijuara nga industria ndërkombëtare dhe evropiane e sundimit të ligjit është një përpjekje e pafrytshme.

Këshilli Gjyqësor duhet të zhvillojë një kulturë të vetëvlerësimit dhe të të mësuarit në mënyrë që të mund të zhvillojë procesin e brendshëm të vendimmarrjes. Në vend që të shfuqizojmë një këshill gjyqësor dhe të krijojmë një të ri për të trajtuar të njëjtat çështje, ne kemi nevojë për institucione që ngulitin njohuri dhe inovacion. Gjyqtarët, anëtarët e tjerë të Këshillit dhe personeli administrativ i këshillit duhet të marrin trajnime menaxheriale dhe të aftësive të buta në mënyrë që të përmirësohet standardi i qeverisjes së mirë brenda këshillit dhe menaxhimit dhe udhëheqjes së tij. Për më tepër, Këshilli Gjyqësor duhet të përmirësojë aftësitë e tij të komunikimit si me audiencën e tij të brendshme të gjyqtarëve dhe avokatëve, ashtu edhe me audiencën e tij të jashtme (publikun e gjerë) nëse dëshiron të rrëzojë supozimet e korrupsionit gjyqësor dhe të zhvillojë një tregim të ri, fuqizues për legjitimitetin gjyqësor.

Si përfundim, reforma në drejtësi në Shqipëri përfaqëson një hap të rëndësishëm drejt krijimit të një gjyqësori të pavarur dhe të përgjegjshëm. Ai njeh nevojën për reforma kushtetuese dhe rolin vendimtar të Këshillit të Lartë Gjyqësor në riformimin e sistemit të drejtësisë. Megjithatë, për të arritur objektivat e saj plotësisht, reforma duhet të adresojë sfidat e paraqitura nga faktorët lokalë, rregullat e pashkruara dhe ndërhyrjet politike. Duke nxitur një kulturë të pavarësisë, profesionalizmit dhe integritetit brenda gjyqësorit, Shqipëria mund të vendosë bazat për një sistem drejtësie që fiton besimin e publikut, mbështet sundimin e ligjit dhe kontribuon në përparimin dhe prosperitetin e përgjithshëm të vendit. Angazhimi i vazhdueshëm, transparenca dhe bashkëpunimi mes palëve të interesuara do të jenë vendimtare në formimin e një gjyqësori të reformuar që i shërben vërtet interesave të popullit shqiptar.

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MELSENA DANGLLI[131]

THE IMPACT OF MEDIA LITERACY ON INFORMATION DISORDER TOWARD THE ALBANIAN AUDIENCE

Abstract Concerns about the spread of fake news, disinformation, misinformation and disinformation are growing. These forms of informational disorder can pollute the public sphere and undermine democracy. Pogue (2017) considers fake news to be one of the biggest threats to democracy, journalism and freedom of expression. A *New York Times* report states that political leaders may use fake news as an excuse to defeat media control (Erlanger, 2017). By suggesting that the news cannot be trusted, politicians deliberately undermine trust in the media (Kalsnes, 2018) to deliberately deprive journalists of their power to hold the government accountable. Fake news and disinformation have an impact on media consumers (audience). Warwick and Lewis argue that "media manipulation can contribute to diminishing trust in the mainstream media, increasing disinformation, and further radicalization" (WarWick & Lewis, 2017, p. 1). Even when there is evidence of misinformation and its relevance fades, fake news still has the potential to continue to shape people's attitudes (Thorson, 2016). Rapp and Salovich (2018) assert that media consumers often rely on the wrong information they consume to make decisions. This is not in the public interest, as the consequences of making decisions and forming opinions based on misinformation can be severe and harmful.

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Many people are unable to classify what is fake news, so it is important that consumers of news content are able to have the right tools and knowledge to identify which news is fake and which is accurate. If the audience trusts any news source and cannot judiciously assess the accuracy of the content and source, they are likely to be misinformed and also unable to make effective and correct decisions (Rapp & Salovich, 2018). Therefore, media and information literacy is essential to ensure that consumers do not fall prey to fake content.

Keywords: *information disorder, media education, audience, media*

Are we living in the post-truth era? Is information disorder a symptom of this age? What is the responsibility of journalism when the truth is threatened and distorted? These questions have received tremendous attention over the past decade. The attention to the authenticity of news and its verification increased during the 2016 US presidential election when the term "fake news" was mentioned massively.

The mention of information disorder spread globally during that period (Carson and Titcomb 2017; Media Cloud 2017). Discussions about truth-telling and mass deception suddenly gained weight in public debates. Issues often discussed by journalism scholars and critics entered the mainstream of public comment. Almost everyone, regardless of their area of expertise, had something to say about forms of propaganda, about news deliberately produced to mislead public opinion, harm individuals and organizations, and steer the public agenda according to the political interests of the media.

Like other words derived from media phenomena, information disorder has not yet been exhaustively defined semantically. (Corner 2017; Tandoc, Lim and Ling 2018). In the past, scholars used it as a term to refer to information that combined satirical commentary with news, mainly in late-night newscasts. (Hartley 1996). In the last decade, information disorder has been mainly used to refer to content that aims to deliberately misinform the audience.

This version of information disorder essentially refers to fabricated information that mimics the news and taps into existing public beliefs to further influence attitude formation and decision making. Although the totality of types of information disorder is perceived as information disconnected from reality, this is not a new phenomenon in the field of journalism and communication. Information with misleading and damaging content has a longer history than news deliberately produced to distort real events in virtual space. Fake news, facts presented out of context or entirely invented were common early forms of news and journalistic practice, especially in times of anxiety, crisis, conflict and revolution (Chen 2017; Kiernan 2017), before the creation of modern news. Lies and distortions in interpersonal communication are as old as rhetoric.

What is different in the age we live in is the speed, scale, spread and mass consumption of false information spread on dominant digital platforms such as Instagram, Facebook and Twitter. Unverified information from newsrooms has gained a wide presence on very popular online platforms and is easily accessible. Governments have become the main producers of information disorder by distributing misinformation on social media that aims to generate confusion and sway public opinion and, as a consequence, change electoral results (Bennett and Livingston 2018). The battle for public control gained new dimensions.

As part of propaganda, fake news is no longer only produced by the government and the media for them. The business industry has increased profits by producing misinformation and misinformation about competitors in general. Also, ordinary ("digital") citizens contribute to disinformation by spreading on their profiles information not previously verified by original sources. However, we should not be too quick to conclude that information disorder is the defining cornerstone of contemporary news.

Misinformation and post-truth analyzes should be treated with caution. Experts in the field can legitimately argue that some newsrooms around the world are careful with their facts and verification (Glasser 2016). Globally, the rise of qualitative investigative journalism (Schiffrin 2014) and data journalism show increased interest in news that carefully documents reality. In Albania, journalism initiatives that document reality are Faktoje. al, Albanian Center for Quality Journalism, Investigative Network Albania, etc.

Journalism cannot fully control and manage the production and content of information disorder. In this situation, the audience needs to be equipped with tools to combat misinformation and stop its spread. Media education is undoubtedly an essential tool in the fight against information disorder. A public that equips itself with critical and digital literacy is much more likely to be able to evaluate the information it encounters online, identify sources it can trust, and make well-informed decisions as citizens, consumers, and more. Being media and information literate provides opportunities to engage with the online (and offline) media world.

Media literacy is the ability to access, analyze, evaluate and create messages in various forms (Aufderheide, 1993; Christ & Potter, 1998). These four components—access, analysis, evaluation, and content creation—make up a skills-based approach. Each component supports the others as part of a nonlinear and dynamic process

Learning to create content helps one analyze information professionally produced by others; skills in analysis and evaluation offer new possibilities for using the Internet, expanding access, and so on.

Media literacy is essential for adults and children. It is not something that is learned once in a lifetime and ends as a process. EMI includes both practical skills and knowledge and awareness of the digital environment and how it works. In this sense, it is a lifelong process as the digital and media environments are constantly evolving.

As Professor Sonia Livingstone has often argued, media education is a long and complicated process. There is so much confusing information in the online world that the only way citizens can make sense of it is to educate themselves about media and information.

Laws and punitive measures will be less effective without a level of media education and public awareness. An Ipsos survey in March 2021 found that only 9% of Europeans (from 11 countries) have taken part in training on how to use the tools available online to distinguish between true and false information, but 58% are interested to do this. Two-thirds of respondents believed that it would be necessary for a technology company to provide training to users to improve their ability to critically understand information on the Internet. Increasing the level of media education will reduce the level of information disorder to which the audience is exposed, even though it is a process that will take time.

Hypothesis and research questions

After carrying out a preliminary assessment of the spread of the information disorder in the generalist and informative media in Albania, in the attention it pays to the verification of information, in the efforts of organizations and universities to train citizens and to increase the level of education on media and information as and based on the literature review, the following hypothesis was raised for this paper:

The high level of media literacy reduces the level of information disorder among the Albanian audience

In support of proving this hypothesis, the following three research questions have been raised:

Is the audience able to detect the information disorder?

Is the audience aware of the impact of information disorder?

How much does the audience know about media and information literacy and its effect?

METHODOLOGY

This paper offers a critical approach. It is so because the critical attitude tends to be more clear and exhaustive in communication. Journalism and communication researchers led by Sonia Livingston, for the fight against the information disorder and the need for media and information literacy, suggest for the first time a critical analysis of the situation. As after them, to find solutions to problems in communication, critical approaches are needed. The theoretical framework is based on Agenda Setting Theory and a new model, which was built as a result of the need for media and information education such as the SMILE model (Social Media and Information Literacy Model).

The model starts with the idea that media literacy can maximize opportunities and minimize or even prevent the risks of using and spreading information disorder. In addition to the literature review, within this paper, 5 semi-structured interviews were conducted with curriculum designers for EMI training, communication experts, journalists and students. The interviews were conducted semi-structured to avoid non-analytical responses.

The methodology of the work is chosen to be mixed. In addition to the qualitative method, a quantitative method was also used in the form of an online questionnaire. The questionnaire contains 21 questions and was distributed to 153 respondents in Tirana. Tirana was chosen as a champion because its residents also represent other demographic areas of Albania as they moved to Tirana mainly to study or work.

THEORETICAL APPROACHES ABOUT MEDIA AND INFORMATION EDUCATION

Journalism and communication studies, throughout their history, are closely related to the process of ideation, production and distribution of information. These stages of information are closely related to communication in its entirety, bringing changes in public communication as well as influencing people's lives, forming attitudes, making decisions and many other impacts. The development of politics, economics and especially technology has transformed the way the public receives information and processes it.

Within the framework of changes in the field of communication, there was also a need to analyze and explain them. As a result, new theoretical models were built, beyond the traditional ones that have existed, such as the Agenda Setting Theory. The rapid development of new media, the great noise caused by the information disorder and the urgent need for media and information education also brought the birth of the SMILE model.

Agenda Setting Theory

Theories about media and journalism, as well as their technologies, have been perfected, and journalism itself as a profession has undergone the same. The stages in which the press and television, recently also the new media, have passed, have been accompanied by various theoretical researches. We have talked above about media and culture as industries that generate money, about media and culture as grounds or tools to exercise certain ideologies. These implications that money and ideology bring would be studied by another traditional theory which was called Agenda Setting Theory.

Based on a half-century of research, American researchers Max McCombs and Donald Shaw found that money, cultural status, and legal protection given to the media led to changes in news reporting.

Along with this, public opinion about the world also changed. (Em Griffin, 2019, p. 387) The idea of this theory was thrown earlier by researcher Bernard Cohen. This is also expressed by the studies of this theory. "Perhaps the agenda-setting hypothesis of the mass media is most succinctly expressed by Cohen, who noted that the press 'may not be successful most of the time in telling people what to think, but it is extremely successful. to show what his readers think'" (McCombs & Shaw, 1972)

McCombs and Shaw's study related to the influence of voters on the media treatment of the presidential campaign between Richard Nixon and Hubert Humphrey in 1968. This campaign revealed that there were similar agendas between the media and the public. In their study, it was shown that the media exerts its power and directs public opinion through elements such as space, positioning, duration and repetition of information. Through another study they conducted eight years later during another presidential campaign, they noticed that the media agenda drove the public agenda and not the other way around. (McCombs, infoamerica.org, 2002)

Communication professor Em Griffin presents three important elements of the agenda: the personal agenda, which refers to the list of the most prominent issues for a single individual at a given time, that is, those issues that occupy the individual's time, and concern him; the media agenda, which is the list of issues highlighted by the news media at a given time; agenda setting where over time, the media agenda shapes the public agenda. (Em Griffin, 2019, p. 387). In Griffin's logic, agenda setting interferes with that of the media, the agenda of individuals, and the final point is the public agenda. The theory itself has evolved and been revisited several times by its originators, McCombs and Shaw.

They were also worried about the agenda of the media itself, about the way it was built and the factors that imposed the agenda. So far, research has identified several elements that impose on journalists their agenda and the way they select news. *Such as: serious media institutions (intermedia agenda); emerging media (internet and new media); partisan (political) media; politicians and office holders; press releases (public relations); interest groups; editors (gatekeepers).* (Em Griffin, 2019, p. 392)

Researchers Baran and Davis state that the biggest role in determining the agenda of the media is played by the editorial structure. "In the selection and reporting of news, editors, newsroom staff and broadcasters play an important role in shaping political reality. Readers learn not only about a particular issue, but how much importance is given to that issue by the amount of information in a news edition and its position in that edition." (Baran & Davis, 2013, p. 264)

The theory of agenda setting, according to the authors, is divided into three levels: the first level of agenda setting that is directly related to the influence of the media in which things are emphasized on the public agenda; the second level of agenda setting where the media tries to tell us what we should think, and they do this through the framing of the news, and the third level of agenda setting where the media shows which issues are related to each other. (Em Griffin, 2019, p. 388)

However, the theory remains traditional, the need to revise it remains valid. Among the criticisms made to this theory by the authors, there is a prevailing doubt as to whether or not this theory can be applied to new media. McCombs himself, after a review that he did to Teroise in the mid-90s, was of the idea that the theory also finds application in new media, in the news that is posted on Twitter and in all social media. According to him, the logic of the media does not change.

While his idea is discussed by technology expert Eli Pariser, who talks about algorithmic gatekeepers. He states that every time we visit social media or use a search engine, a computer program filters the information and decides what you will see. (Em Griffin, 2019) So, according to Pariser, the agenda according to him is automated, even personalized.

SMILE (The Social Media Literacy Model)

Numerous studies have evaluated the effectiveness of media education. For example, it has been demonstrated that media education can increase knowledge and criticism of the media, reduce the influence of desirable media portrayals of social actors (Jeong et al., 2012; Vahedi, Sibalis, & Sutherland, 2018). Furthermore, there is little evidence of actual decline/increase in negative media effects when media literacy increases (Gai and Zhou, 2019).

However, for social media, such evidence is lacking, which is because no model exists that can explain the mechanisms associated with social media literacy.

The SMILE model was created to map and understand such processes and presents five assumptions related to the empowerment of social media users and the development of media literacy related to new media.

Media education as a moderator

Media literacy is hypothesized to moderate the relationship between social media use and the well-being it provides. Social learning theory (Bandura, 2001), writing theory (Wright, 2011) and media literacy theory (Potter, 2004) explain that when specific media content conflicts with a user's knowledge a negative effect of information is more very likely.

Media literacy as a predictor

This assumption suggests that the same factors that moderate the relationship between media use and well-being may also influence how often a user is exposed to media messages in the first place. (Valkenburg & Peter, 2013)

Therefore, it is assumed that media literacy serves as a predictor that shapes media content. Considering exposure, media-literate users are likely to be less exposed to potentially false content than non-media-literate users. This manifests itself on two different levels.

First, based on media selection theory (Klapper, 1960), media literate users selectively choose what content to consume. They critically evaluate people, who are sources of information (Trepte & Reinecke, 2011). Therefore, their chances of encountering potentially harmful messages are much lower (e.g., Lup, Trub & Rosenthal, 2015).

Second, users' level of social media knowledge shapes the messages they share. Unlike traditional media users, social media users are constantly enabled to create, edit and share content (Tsitsika et al., 2014). Drawing on media selection theory (Klapper, 1960), social media users are likely to carefully monitor the content they create and post to obtain desired emotions and reactions.

Therefore, these users manage to balance the need to share content, which helps to accrue the benefits of using social media, and the need to control this content, which minimizes the privacy risks associated with the dissemination of false and misleading information. created with intent to harm. (Trepte & Reinecke, 2011).

Reciprocal processes

The relationships between the process of participation & mediation and the level of media literacy are assumed to be reciprocal. An agent "equipped" with a high level of media and information education can serve as a mediator for the media education of the general audience. At the same time, when these agents actively participate in discussions and share their ideas (Grusec & Hastings, 2015), their responses to this mediation can shape the attitudes of the public present. Such reciprocal relationships are derivative of Bandura's (2001) Social Cognition theory. During active discussions, the messages of two members who participate in the communication process and have knowledge about EMI are likely to positively influence each other (Vandenbosch, 2018).

The Effect of Media and Information Literacy on the Audience

Media and Information Literacy is the ability to access, analyze, evaluate and create messages in a variety of forms. Each of these components supports the other components as part of a non-linear but dynamic learning process: Learning to create content helps a person analyze content professionally produced by others; The ability to analyze and evaluate opens the door to new uses of the Internet, expanding access (Sonia Livingstone) Media education encourages people to be critical in their thinking and increase their creativity. EMI is of particular importance in the field of communication and media as the process of media effects is complex. It is important to keep in mind how the media influences us and how we can control that influence.

Media effects are continuous

Many people think of media effects categorically, an effect either happens or it doesn't. The problem with this kind of thinking is that it is reactive. If an effect occurs and it is negative, then all we can do is feel bad about it and try to assign blame. Or if an effect occurs and it is positive, then all we can do is be grateful that it happened and hope it happens again. This perspective doesn't give you much control over the effects because it's reactive. In contrast, media literacy helps you develop a more proactive perspective so that you can exercise control over the probability of various media effects that may occur. The more you understand how media exerts its influence, the better you can avoid negative effects and increase the occurrence of positive effects.

An overview of Information Disorder

Disinformation is the creation, creation or dissemination of false information with or without intent to harm an audience. Distorting facts, manipulating information, spreading it without understanding the consequences, desecrating the beliefs of others, spreading propaganda and fake news with or without special interest is a type of disorder.

Claire Wardle and Hossein Derakhshan first researched and published about different types of information disorders and categorized three types of information disorders: a) Disinformation, b) Misinformation and c) Malinformation.

Humans are considered the wisest and most intelligent living beings who have the ability to distinguish right from wrong. Despite these strengths, many are affected by these information disorders with or without awareness. This phenomenon is considered as information disorder syndrome. Anyone who conceives, publishes or distributes in whole/in part misinformation, disinformation or misinformation suffers from information disorder syndrome.

Information disorientation syndrome applies to all cases of false information and is not limited to a specific topic. Disinformation is content that is intentionally false and designed to cause harm. It is motivated by three distinct factors: to make money (financial factor); to have political influence, whether foreign or domestic (political factor); or to cause trouble (psychological or social factor). When disinformation is spread, it often turns into misinformation and continues to circulate. (Salaj,2017)

Misinformation is untrue content, but the person sharing it does not realize that the information is false or misleading, i.e. no intention to harm others. Often a piece of misinformation is picked up by someone who doesn't realize it's false and shares it in their network, believing they're helping. Psycho-social factors contribute to the dissemination of misinformation.

Malinformation is information that is shared with the intent to cause harm. Such examples include false claims of sexual abuse and harassment. In some cases, such information may be difficult to verify or investigate. Misinformation often involves private information that is spread to damage the reputation of an individual, organization or country.

A 2018 study by the Massachusetts Institute of Technology found that "fake news spreads faster through the public than real news." Newly available fake news was more likely to spread among people. While false stories inspired fear, disgust, and surprise in response, true stories inspired sadness, joy, and trust.

Analysis of the Albanian audience's perception about EMI and Fake News

The socio-political crisis that has engulfed Albania has managed to appear in the media, occupying television and mobile screens, the press, radio and social networks. For hours every day on the continuous newscasts, threats and counter-threats, calls for war (metaphorical we hope, though we suspect the ambiguity is intentional), as epic crashes and cataclysmic conflicts are repeated. If you will read all the articles of the online portals, and listen to the long speeches of the analysts on television, of course the situation will become more and more dramatic, but not so much for the whole of Albania, because for you, if you leave it yourself to become the target of this hysterical storm of bad news.

"We cannot wait for this phenomenon to disappear; it would be naive. What we can expect is softening, in the effects it leaves on the audience. Perhaps media education could not regulate 100% the distribution of fake news, but it could make readers more selective in what they 'consume' and share. In the training campaigns I have undertaken, one of the instructions I leave to the participants is to create a 'vice' for article titles. I ask you to avoid clicking on articles that start with: "How are you?" "What are the steps" or titles that end with "...". Is this the solution to the problem? Obviously not, but creating such a reflex will lead to the reduction of this phenomenon. The period of the pandemic showed us the danger of such headlines, many people have lost their lives from false information," says journalist Inva Hasanaliaj during the interview in the framework of this paper.

Media Literacy, means that the media consumer must be able to ask some questions about what he reads online or sees on television. He must first know which media is the source of the information, and further, who is/are the owners of this media and what interests they have. Of course, a citizen cannot know everything about everyone, but in a small country like Albania, not knowing who is informing you is blatant naivety. As news consumers we must also learn to become more demanding. If sources are lacking, and "facts" go unchecked, there is potential for propaganda, misinformation and abuse.
Instead of synthesizing, summarizing and explaining the events, journalists rush to write as many articles as possible, with false headlines, which aim to turn the events into a spectacle, and use the media to create favors for people in power.

We live in the digital age, where information comes at us from all sides, unstoppable and unbearable for our untrained psyche. In our age, mobile phones, media, information and digitization are part of everyday life, from childhood to the age of three, so just as we teach children about animals and planets, bees and swallows, we must teach them how cope with the relentless barrage of information they will face in life.

The 2018 media education indicator ranks Albania last in the region and third from the bottom among the 35 countries that were evaluated in the parameters of press freedom, education and interpersonal trust. This was blamed on “media that are heavily controlled by the state or business interests, educational deficits and low levels of trust in society in general.

To understand the seriousness of the situation with the information disorder in Albania, two essential events are enough: the earthquake of November 26, 2019 and the quarantine situation during the coronavirus pandemic March-May 2020. For the first, a news distributed by a portal about the time it was predicted when the earthquake struck, thousands of citizens in Tirana and Durrës were taken to the streets, causing traffic chaos and episodic incidents.

This episode highlighted the influence that the media currently has in times of crisis on ordinary people and perhaps ignorant of these phenomena. Although not proven, the prime minister accused journalists of causing sick people to be discharged from hospital and not receiving help in at least one case. For the second, at least 3 fake news related to: 1. coronavirus cures were verified; 2. a message from the director of the PIH that was spread through the WhatsApp network about the level of risk of spreading the virus; 3. a video shared by the Prime Minister that referred to the riots in Algeria and not the police measures in Spain, as it was presented.

(The Prime Minister later apologized and withdrew the video, along with a reminder that no one is immune from disinformation). Signals about this situation with disinformation were given a year ago, when a study by the State Market Surveillance Inspectorat on public media image and credibility in the media found that 40.8 percent of respondents felt somewhat confident in spotting fake news, 25.8% slightly and 15.3% not at all.

A concern from researchers in the field and media professionals is related to the increase in the level of propaganda, especially with the ready-made materials distributed by the press offices near the authorities that find a place unedited in the main news editions in the country.

"We need good journalism to distinguish the truth from lies, to protect ourselves from the manipulation of government or commercial propaganda, democracy does not mean cacophony, not everyone who speaks is based on facts, here we need the role of the journalist who if it is not supported by the public, it is very difficult to find the right way to reverse the alter-reality created by the fake media", says the journalist and communication expert, Valbona Sulçe.

"I think that the disorder of information has always been a part of communication, considering here that lies, rumors or propaganda are not terms that were born with the new media. Fake news has always been a part of communication and an example that comes to mind from what I have read is when in 1835 the news that there was life on the moon was spread and attributing it to some famous scientists at the time, but a month later the newspaper itself published that this news was false. What changed with the advent of new media is the ease and speed with which anyone can create and distribute false or harmful content," says Communication Sciences Student Marina Zela, who shares her concern about the disorder information in Albania.

CONCLUSIONS AND RECOMMENDATIONS

The hypothesis raised at the beginning that *the high level of media education reduces the degree of information disorder among the Albanian audience* turns out to be true since the more critical and analytical the citizens are in their approach to information and the media, the more pressure will be exerted on the media. Furthermore, as a consequence the media will be encouraged to increase the quality of the content it produces and will minimize the production and distribution of types of information disorder.

There is still a considerable number of researchers who view this solution with skepticism. However, the need to have a more media and information educated audience still remains current. Given this fact, any attempt in this direction, although it may not offer a complete and immediate solution, remains a contribution that most researchers and professionals in the field of media and communication agree on.

Numerous studies that have focused on this field have proven that educational approaches have an effect on increasing the audience's ability to cope with the problem of misinformation. At this point, it should be emphasized that audience education strategies must be adapted to the digital nature of the dissemination and consumption of information by audiences, because approaches focused on increasing the level of knowledge of citizens on traditional media do not help in addressing the problems.

The commitment of MAS to devise and implement special programs that increase the level of Media and Information Education among high school teachers. The inclusion of EMI in high school curricula, to design a curriculum that will include a cycle of lectures for high school students. Also, the inclusion of EMI as a subject in the curriculum of journalism and communication departments and other departments, since it is a necessary need for the fight against information disorder.

TV shows that include knowledge about EMI and explain techniques that can be used to identify and control fake news. Another suggestion that can improve the situation is to control the sources of false information, with preventive and mitigating measures such as removing false information and raising awareness through active audience engagement. Organizing monthly contests from TV shows about EMI to encourage audience participation and education.

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SONILA ÇELA, REA GEGAJ

STUDYING ALBANIA'S TOURISM DESTINATION IMAGE: A CONCEPTUAL ANALYSIS OF FOREIGN MEDIA

Abstract
This study investigates the perception of Albania as a tourist destination as presented by international media outlets. Many individuals base their destination image on the media, as information is required to form an opinion on a specific subject. In this instance, the media functions as a highly significant and substantial information source. The primary aim of this study is to develop a comprehensive understanding of the portrayal of Albania as a tourist destination in international media. In pursuit of this aim, we have opted to address three research inquiries pertaining to content produced across three distinct media categories—traditional, online, and social media. Then, drawing from the content of articles and comments, we compiled data tables containing the most frequently used keywords by foreign media regarding the Albanian destination. We have determined, based on the analyses and findings of this study, that a discrepancy exists between the perceived and anticipated image and the actual experiences. Primarily, individuals who had not yet visited Albania expressed concerns regarding the country's population, infrastructure, and security. Conversely, those who had travelled to Albania were pleasantly surprised in comparison to their initial expectations.

Introduction

The exponential growth of the tourism industry in the last five decades has resulted in the rise of many challenges in marketing tourism destinations. With the growing investment of governments in the development of tourism areas and destinations, the options for choosing a specific location are expanding. The marketplace is increasingly growing more complex and competitive with each successive year. This is mainly attributed to the growing empowerment of customers in their capacity to choose from a diverse array of venues. These elements, namely sufficient income and free time, have a significant impact on this. Moreover, the existence of sophisticated infrastructure and streamlined transportation networks has significantly enhanced individuals' capacity to swiftly commute between various destinations, even during short periods (Crouch, 1995).

Enterprises have responded to the increasing autonomy of consumers, particularly in the tourist sector, by launching initiatives to provide distinctive products and services that set them apart from their competition. Inability to adapt to this ever-changing decision-making process will result in an inability to fulfil consumer demand. In light of the present circumstances, corporate marketers have redirected their attention and emphasized the strategic methods necessary for creating and sustaining a favorable market position. Therefore, businesses depend on the favourable opinion that consumers have of their products or services. The notion of "brand" is applicable in this context, as it comprises a "name, term, sign, symbol, or design, or a combination of these elements, that is employed to distinguish the products and services of a particular seller or group of sellers from those of other sellers. (Keller, 2013).

This establishes an association between the terms "brand" and "destination". Just like brand names are used to define products and services offered by different firms, destinations serve as brands that distinguish a certain geographic tourism zone based on its distinctive characteristics. Just like how brands use destination strategy to meet consumers' demands by differentiating themselves from competitors and promoting themselves positively in consumers' perceptions. A crucial element in the implementation of this effective destination strategy process is undoubtedly the creation and management of a unique and appealing image, or perception, of the area (Roger Calantone, 2006).

Nevertheless, there are multiple occurrences where the destination image matches precisely the definition of a country image. This is because research on these two subjects has consistently been carried out simultaneously. As stated by to (Martin, 1993), a country's image encompasses the combined collection of descriptive, inferential, and informational concepts that individuals possess regarding that particular country. The term "image of a place" as defined by (Kotler P. a., 2012) encompasses the entirety of emotional and visual characteristics, encompassing experiences, beliefs, ideas, emotions, and perceptions, that an individual links to a certain location. Based on these categories, a country's image is influenced by an individual's emotional and practical experiences, personal viewpoints, and their knowledge of a specific country.

The concept "destination image," as defined by (Kotler P. H., 1993), encompasses the whole collection of beliefs, thoughts, and perceptions that an individual possesses towards a specific place. This term roughly corresponds to Martin's (1993) concept of country image. The phrase "place image" refers to the comprehensive perception that a tourist holds on a specific location, as described by scholars. The term "tourism image" refers to the collective perception and understanding that tourists and visitors hold regarding a particular tourism destination. This includes their beliefs, knowledge, emotions, and overall impression of the place (McCleary, 1999).

Various variables contribute to the formation of a destination image in individuals' brains. Foremost among these is the information derived from various media channels. The high visitor rates observed in certain sites worldwide suggest that there is a discernible effect driving the decision-making process. As previously said, the destination image undeniably influences the decision-making process (Lubbe, 2017). To form an opinion on a certain subject, it is necessary to possess relevant information. For individuals who have not yet visited a destination, media, particularly destination visuals, serves as the primary source of information. The media's publication of content and visual displays might influence individuals to form either favourable or unfavourable mental representations of certain destinations. The manner in which media elucidates and construes information has a significant impact on tourists' decisions regarding their choice of place. (McQuail, 1993) (Lubbe, 2017).

The objective of this research is to examine, analyse, and gain insight into the perception of Albania as a tourist destination that is formed by international media. In order to get these results, we have classified media into three primary categories, namely: traditional, online, and social media. Albania is a relatively little country in terms of both land area and population when compared to other European countries. Consequently, there is an absence of knowledge about Albania among the general population, leading to a heightened likelihood of people seeking information on the country from media sources. Due to the public's great interest, the international media has published numerous articles about Albania as a tourist destination.

Literature Review

Tourism is described as a distinctive contemporary phenomenon in Guyer Feuler's 1905 definition, which attributes it to the growing human desire for leisure, appreciation of nature and art, and the conviction that nature enhances human well-being. Moreover, tourism facilitates interaction between nations and communities by means of technological advancements in transportation, industry, and commerce (Ugurlu, 2010). According to Ugurlu (2010), the World Tourism Organisation (UNWTO) offers an all-encompassing definition of tourism, which includes all activities in which people travel to and remain in locations outside their usual environment for a period of one consecutive year, including business, leisure, and other purposes (Leiper, 1979)

According to academics, such as Mehdi Khosrow-Pour (2018), it is suggested that any service or product associated with a specific destination represents that location as a tourism destination. This concept highlights the importance of having a high number of enterprises and organizations that are involved in the production and promotion of tourism products in a particular geographic area. It is described as a strategic organization that provides all necessary resources to support coordinated activities that provide the expected experiences to guests (Mehdi Khosrow-Pour, 2018)

Tourists perceive locations as precisely defined geographically and as unique entities consisting of several key elements. The provisions may include package activities, diversions, and other experiencing components (Bauman, 1996).

Brand and destination branding

A brand is a "name, term, sign symbol (or a combination of these) that identifies the maker or seller of the product". (Kotler P. , 2013). However, this definition is insufficient to fully encapsulate the brand as a whole concept, as the brand extends beyond mere logos and names. (Godin, 2010) ; (Aaker, 1996).

The brand is the sum of all attributes that come to the consumer’s mind when selecting one brand instead of another. These attributes include psychological, sociological, tangible and intangible elements in the overall idea of a product. (Kapferer, 1992). Organizations develop brands as a way to attract and keep customers by promoting value, image, prestige, or lifestyle. By using a particular brand, a consumer can cement a positive image (Joseph Arthur Rooney, 1995)Despite the formal definition, the purpose of branding is essentially to build the product’s image (Cleary, 1981).Branding is a technique to build a sustainable, differential advantage by playing on the nature of human beings. (Rooney, 1995). While branding is a process rather than just a concept Branding is endowing products and services with the power of a brand” (Kotler P. a., 2012)

Branding is about making one’s brand appeal to a consumer’s needs at the time they need it and the specifics they need it. Basically being at the right place at the right time. Branding is very related to positioning strategies (Roger Calantone, 2006). If a company through marketing strategies makes people choose it’s brand often and create a considerable customer base, than that means that the brand has a strong position in consumer's minds and therefore branding is done right.

Thus in this context, destination branding is just the same process as for the brand only instead of a company it's a destination which creates and promotes a brand through advertising and other marketing tools. Strategic place marketing, a concept developed by (Kotler P. H., 1993) was one of the first authors who to take the explicit position that places needed to operate like businesses, and market themselves like businesses, if they were to respond adequately to the threats of global competition, technological change and urban decay.

Country image and destination image

The concept of image has had a lot of interest among numerous disciplines including marketing, consumer behavior, international business etc. When it comes to image of a country we have to take in consideration the fact that just like the country itself evolves over time due to a lot of factors affecting progress or regress, so does the perception and impacts people have towards a country, this also depending on the scale of promotion each country applies. Country image, including all the aspects it covers and overall image, has been one of the most researched topics in the past 10 years. However, in all these years it has been understood that country image goes beyond marketing and consumer behavior as concepts because it involves a considerable number of disciplines those two don't. (Fetcherin, 2010)
.

In order to understand country image, different scholars have researched three main approaches toward country image.

The first approach comes from (Kotler P. H., 1993) and it supports the idea that country image is a concept that brings together elements from politics. history, economy, culture , traditions and technology to create the sum of beliefs and impressions people have about places. The second approach comes from (Nadeau, 2008) who defines image as 'the mental maps or knowledge structures related to countries'. He also mentions national stereotypes and views of nation as parts of country image concept. The third approach is product and product-country image (PCI) which indicates that customers relate quality perception of products to producing country. This is one of the most recognized concepts in business research when it comes to country image and among others is considered a broader one. (Zhang, 2017)

Destination image is defined by (Kotler P. H., 1993) as 'the sum of beliefs, ideas and impressions that a person has of a destination'. Tourist destination images are important for this research because they influence satisfaction levels of tourist and the decision making process of potential tourists. (Pike, 2002) . A tourist's image of a destination in their mind is far more important than whether an image is a real representation of what any given destination has to offer. (Whynne-Hammond, 1985) develops this idea even more by stating that `perceptions of foreign countries and their inhabitants may be wildly inaccurate'.

Ranging from a city destination to a region or even a country a tourism destination may be established differently according to itself. The most successful approach to the destination image formation has been the one of eyhmus Baloglu, Mccleary (Afshardoost & Eshaghi, 2020; Seyhmus Baloglu, Mccleary, 1999) who studied the relationship between destination image being a key determinant of the tourist destination choice and also level of satisfaction after visiting a destination. (Chon, 1990).

According to (Pike, 2002) the destination image formation process is constructed of cognitive and affective evaluations. This as a result of the image concept being considered as attitude based also consisting of an individual's mental representation of feelings, knowledge, beliefs and global impression about a destination. The affective evalutions refer to feelings toward or attachment to a place/destination, whereas the cognitive ones refer to the beliefs or knowledge about a destination's attribute. In the realms of international marketing and tourism, country image and destination image constructs have maintained a sustained interest over the past several decades. Scholars have studies relationship between these two constructs and their effects on intention to visit (Chaulagain et al., 2019; Jeannie Hahm & Tasci, 2019; Zhang et al., 2016)

The role of media in creation of destination image perceptions.

Countries recognize the criticality of destination image in the advancement of tourism; however, only a handful of countries continue to receive the greatest influx of tourists (Nag, 2019). In fact, even in comparable regions, statistics indicate that one destination may receive more visitors than the other. Does this occur due to the fact that these destinations provide something notably unique in comparison to others? South Africa, for instance, attracts eight times the number of tourists as Kenya. Despite the fact that both locations are situated in the same region and provide comparable experiences, such as beaches and fauna. (Southern Africa, Africa, 2023). This phenomenon, according to (Lubbe, 2017), occurs due to the destination's image.

According to McQuail (1993), the media serves a social-functional purpose by providing information and entertainment to society. The media, particularly the news, has the ability to shape tourists' thoughts, perspectives, and choices through both negative and positive descriptions, interpretations, comments, and visual representations. (McQuail, 1993)

The media has the capacity to shape the perception of a location, either positively or negatively, by providing information directly or indirectly. Information has a crucial role in shaping the perception of a destination in people's thoughts. Adverse depictions of destinations in media channels may contribute to poor perceptions of those destinations. Given that the media is the primary source of information, many individuals rely on it for many matters. (Khalid, 2019). The media extensively covers information related to tourism products, mostly because of its intangible characteristics. Furthermore, due to the absence of visitation, individuals heavily rely on media to obtain knowledge, peruse content, and view visual depictions of destinations. To generate their own unique representation of a place (Stepchenkova, 2010).

Research objectives

The objective of this research is to analyze different platforms of foreign media content regarding Albania's image as a tourism destination. Through this research authors aim to investigate the attributes of Albania published in various international media. The final objective is to define Albania's position as a brand in the destination marketplace in the perspective of various media outlets from three main categories of foreign media. In the focus of this study three categories of media are analysed. The media categories In the focus of the study are conventional media, web media, social media.

The aim of this study is to examine various platforms of international media content pertaining to Albania's image as a tourist destination. This research aims to examine the characteristics of Albania as reported in different international media sources. The ultimate goal is to establish Albania's positioning as a brand in the destination market, as perceived by different types of foreign media outlets across three primary categories. This study examines three genres of media in detail. The classification of media examined are traditional media, online media, and social media.

Research questions

To separate work and receive a more holistic view of Albania's image in foreign media, this research attempts to provide answers to these 3 key questions:

- **Research question 1** - What is Albanian tourism brand image according to conventional foreign media?
- **Research question 2** – What is Albanian tourism brand image according to web foreign media?
- **Research question 3** – What is Albanian tourism brand image according to social media?

Methodological approach

This research employs a qualitative methodology by conducting content analyses through the conceptual framework (Pekdoğan & Kanak, 2016). When individuals consider content analysis, conceptual analysis is the first thing that comes to mind. A concept is selected for examination in conceptual analysis, which entails counting and quantifying its occurrence (Huckin, 2003; Klohnen, 1996; Krippendorff, 2018). Firstly, the research objectives and questions are determined in order to select the samples for the purpose of analysis. The text must then is coded into categories of content that are more manageable. Authors determine the analysis level (word, word sense, phrase, sentence, or themes) that are used during coding. The objective is to examine the occurrence of selected terms in the data from the information is collected from different sources and is combined to obtain a better understanding of the research on a certain topic(Izci & Akkoc, 2024).

Since primary is studying image of a destination (Albania) through conceptual analyses of foreign media content, it was judged as more appropriate to use qualitative research method

For each category a various number of articles and comments has been chosen and each category is studied separately. In order to get a proper view of what is Albania's image in foreign media, this study uses ATLAS,ti, which is qualitative data analyzes and research software application. The websites' content will is analyzed based on each and every chosen article or comment separately.

From each table generated sample of keyword is categorize some of the most descriptive terms (key words) found in the articles and create one whole table which shows the times a certain context has been described in paragraphs through terms. These chosen terms and contexts have been used by each media category. In the final table, the used terms in common by the three media platforms are included in order to create the idea of general foreign media opinion.

- Practically a content table is created for the category of conventional foreign media, which contains information from international newspapers and magazines, precisely: Telegraph, The New York Times, Express, National Geographic.
- The same logic is used for web foreign media: LonelyPlanet.com; Holidaytoalbania.com; Eternalarrival.com; rebeccafoster.com; everyculture.com; mywanderlust.com.

- Also for social media: TripAdvisor, YouTube, Reddit.

For each category of media, a various number of articles and comments have been selected and each category is studied separately. To get a proper view of what is Albania's image in foreign media, ATLAS TI, software is used. ATLAS TI is qualitative data analyzes and research software application. The content derived from media outlet is analyzed based on each and every chosen article or comment separately.

Research Findings

Research findings suggest that traditional media has primarily emphasized the portrayal of Albania by highlighting its natural landscape, geographical characteristics, historical landmarks, and cultural heritage. They have neglected the social factors and individuals' characteristics. Evidence suggests that traditional media is often swayed when disseminating content. Consequently, it has placed importance on portraying components of Albania's image that connect it to the wider Balkan region and Europe, as well as highlighting its distinctiveness, such as its history and UNESCO protected sites.

Table 0.1 Results of content analyses

	Kewords	RQ 1: Conventional media	RQ 2: Social media Reddit and Youtub	RQ 3: Web media	Total mentione
1	Rich History (Ancients Remains, Illyrian, Rome, Byzantine,Otoman)	32	5	15	52
2	Friendly people	2	34	5	41
3	Most at-risk from natural disasters (risk from flooding)	22	14	5	41
4	UNESCO heritage (UNESCO Sites, Polyphony	22	4	15	41
5	So much reason to visit Albania, Good idea visiting, Must visit destination (Much to offer)	2	24	13	39
6	Culinary Heritage (Traditional food)	5	4	23	32
7	People (Respectful, Honest, generous, Friendly, Helpful, Curious)	2	5	25	32
8	Rich in treasures and sensational sights	5	4	23	32
9	beautiful and safe (Nice and Quit)	12	4	15	31
10	Communist island	12	4	15	31
11	Mountains glorious views	22	4	5	31
12	Transportation is not adequate enough (One airport, buses and furgons don't have timetable, Disordered traffic, Worst Drivers -People)	12	4	15	31

****Associations mentioned more than 30 times*

Web media typically portrays the experiences of travellers and their interests in many areas of a trip. Hence, the emphasis lies on matters such as infrastructure and safety, while still acknowledging the allure of scenic destinations, natural landmarks, historical significance, geographical attributes, and other compelling factors that make Albania a desirable location to visit.

Social media relies on individuals' comments, regardless of whether they have really visited Albania or not. Their primary concern, as seen, was the level of safety in Albania and the behaviour of the local population towards tourists. Their attention was piqued by the amicability and hospitality of Albanians, as well as the laid-back and cost-effective nature of Albania. Stunning natural landscapes also praised by followers on social media.

The entire foreign media has expressed admiration for Albania's stunning environment, beaches, and natural features, as evidenced by what is observed on the table. Abundant historical background and cultural heritage. The media also focused extensively on the attractively low pricing offered by this exquisite vacation. Albania is an economically viable destination when considering its natural and historical attractions.

Conclusions

In summary, the overall perception of Albania's destination image in international media is largely positive, primarily due to its abundant pristine natural landscapes, rich historical heritage, and UNESCO-protected archaeological sites.

Based on the analysis and findings of this research, we have discovered a discrepancy between the anticipated and perceived image, as well as the actual experiences. Primarily, individuals who had not yet visited Albania expressed concerns regarding safety, infrastructure, and the local populace. The individuals who had travelled to Albania were pleasantly surprised in contrast to their initial expectations.

This gap can be attributed to the absence of differentiated marketing strategies in the tourism sector, as well as the inadequate promotion efforts by the Albanian government and business organizations in the tourism industry. Albania has been widely criticized for its insufficient efforts in promoting its destination image.

Albania is widely regarded by international media as a highly appealing travel destination. However, we maintain the belief that Albania must enhance certain aspects within its tourism sector. Additional investment is required to improve the infrastructure and facilitate transport in Albania. Our suggestion is to establish dedicated public entities that will exclusively focus on promoting the Albanian brand globally. Employing professionals would be a prudent choice, as their expertise and experience would likely contribute to a favourable promotion of Albania. Additionally, I propose the idea of arranging international events and extending invitations to individuals from various countries, providing them with an opportunity to acquaint themselves with Albania.

Regarding the safety concern that has generated significant media coverage, as such handling this issue remains a priority. Significantly, the findings of this study indicate that visitors exhibit more affection for Albania after experiencing it in person, as compared to just depending on information obtained from others.

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SUMMARY

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BJH welcomes a wide range of original articles, research papers, proposed models, innovative studies, reviews and so on. It welcomes manuscripts from researchers, academicians, scholars, specialists, advanced graduate students, early career scholars, researchers, and theorists all over the world. Consistent with the purpose of BJH, accepted manuscripts are expected to focus on knowledge in the service of practice, research, theory or reflection of a wide range levels of education and philology, humanities and social sciences.

BJH publishes two issues per year, and it is peer reviewed by the editorial board. The official language of the academic articles is English, but for special issues, manuscripts in Albanian language are also accepted.

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The 2023 Spring issue of the journal holds ten articles, seven in English and three in Albanian. Some of the authors of the articles are pursuing the doctorates at various international universities, while other articles are authored by researchers from Beder University College or other institutions of higher education, in Albania or abroad:

Ada Güven: **GENDER EQUALITY AND POLITICAL PARTICIPATION IN THE EUROPEAN UNION**
The author brings the following conclusions:
The article concludes that even the vast legislation in this area, still is not enough to solve the problem of women under-representation and ensure their broadest participation in political institutions and in representative offices.

Alfred Nela: **PSYCHOLOGICAL EFFECTS OF WAR ON CHILDREN**
The author brings the following conclusions:
The results show that the crisis caused by wars in children has significant negative effects on mental health, such as anxiety, depression, post-traumatic stress, sleep disorders and suicidal thoughts. The cited studies recommend increasing human resources in the identification, diagnosis, rehabilitation and psychosocial support of children who are displaced from war zones to other countries.

Alban Tufa & Erlis Çela: **DEFINING MULTIMEDIA JOURNALISM: A SYSTEMATIC LITERATURE REVIEW**
The authors bring the following conclusions:
This paper, based on the systematic review of the literature, tries to re-examine the definition of the term "multimedia journalism" going back to its beginnings, to reach our days. At the end of the paper, it is concluded that the term "multimedia journalism" originates from and is closely related to the traditional definition of multimedia.

E. Hyseni & I. Erbaş: THE EFFECT OF TECHNOLOGY ON MOTIVATION IN EFL CLASSROOMS
The authors bring the following conclusions:
The results of the study show that teachers are aware of the positive effect that technology plays in the motivation of EFL learners, but don't integrate it in their EFL classrooms. On the other hand, EFL learners see technology as a great tool for their success and want to learn English through technology, except textbooks. Teachers have to take in consideration their learners' needs in order to increase their motivation, interest and participation in the lesson. It is needed further research with a greater number of participants from different schools to discover the situation in other schools, too.

Fioralba Markja & Erisa Datja: THE ALBANIAN PENAL POLICY TOWARDS CORRUPTION IN JUSTICE
The authors bring the following conclusions:
One way is to fight corruption by investigating, arresting and punishing those involved in it. It is advisable that state administration institutions systematically and periodically evaluate the progress of the services they offer to the public and see the effectiveness of the measures and instruments used to prevent abuses of office.
This requires increasing the investigative powers of the police and the prosecution, strengthening inspection and control mechanisms.

Gjergj Sinani: LUXURY AND CORRUPTION AS FACTORS OF THE DECADENCE OF SOCIETIES
The author brings the following conclusions:
Still referring to the philosophical work of Montesquieu and to the historical examples he relies upon, the author will draw parallels between ancient and modern despotic rules, such as the communist dictatorship of Albania. The timelessness and universality of the

phenomenon will also be emphasized by its ability to corrupt principles and the fact that other philosophers, such as one of the precursors of Montesquieu in the West - Vico - and Ibn Haldun, who, centuries apart in a different part of the world, reached the same based conclusions on the corruptive impact of luxury and decadence on all sorts of political rules.

Hysni Kafazi: WALKING THE FINE LINE BETWEEN SHOCK VALUE AND GENUINE IMPACT: AN EXAMINATION OF ALBANIAN CONTEMPORARY THEATRE

The author brings the following conclusions:

Additionally, the paper focuses on depictions of the artists' revolt against audience and critical reception, in their attempts to defend their purpose and refine the general artistic taste of the public, most notable in Tennessee Williams's *The Two-Character Play*. This is followed by an examination of appropriation tactics to reconcile the artists' purpose and audience reception, where Howard Barker's *Scenes from an Execution* (staged under the title *Galaxia*) is proposed as an ideal formula of achieving this aim in the context of Albania. Lastly, the paper considers the present trend of plays that echo socio-politic and artistic revolt implies for the future of the Albanian theatre, as indicated by the recent staging of Tennessee Williams's *Orpheus Descending*.

Jehona Fejzullai & Enriketa Sogutlu: CONSTRUCTIVISM AND EFL INSTRUCTION

The authors bring the following conclusions:

Research findings from a wide range of EFL contexts are also provided to support the appropriateness of the theory for this language instruction. It is concluded that constructivism principles can be effectively implemented in EFL classrooms.

Jetnor Kasmi: THE ROLE OF THE SUPREME JUDICIAL COUNCIL IN JUDICIAL REFORM: STRESS FOR INDEPENDENCE AND ACCOUNTABILITY

The author brings the following conclusions:

Dependence of the judiciary on politics, interference and external pressures have hindered the independence of the justice system. Magistrates have faced interference from individuals connected to the accused, seeking to obstruct criminal investigations or manipulate their results. Also, the article identifies the low professional status of politically appointed judges and prosecutors as an important catalyst for the constitutional reform of the justice system.

Melsena Danglli: THE IMPACT OF MEDIA LITERACY ON INFORMATION DISORDER TOWARD THE ALBANIAN AUDIENCE

The author brings the following conclusions:

Rapp and Salovich (2018) assert that media consumers often rely on the wrong information they consume to make decisions. This is not in the public interest, as the consequences of making decisions and forming opinions based on misinformation can be severe and harmful. Many people are unable to classify what is fake news, so it is important that consumers of news content are able to have the right tools and knowledge to identify which news is fake and which is accurate. If the audience trusts any news source and cannot judiciously assess the accuracy of the content and source, they are likely to be misinformed and also unable to make effective and correct decisions (Rapp & Salovich, 2018). Therefore, media and information literacy is essential to ensure that consumers do not fall prey to fake content.

Sonila Çela, Rea Gegaj: STUDYING ALBANIA'S TOURISM DESTINATION IMAGE: A CONCEPTUAL ANALYSIS OF FOREIGN MEDIA

Based on the analysis and findings of this research, we have discovered a discrepancy between the anticipated and perceived image, as well as the actual experiences. Primarily, individuals who had not yet visited Albania expressed concerns regarding safety, infrastructure, and the local populace. The individuals who had travelled to Albania were pleasantly surprised in contrast to their initial expectations.

The Editorial Board of the journal BJH 18 returned for revision four (4) articles, which the reviewers supported by the Beder University College Peer-Review Form, judged that they needed to be rewritten. Faculty of Humanities and Law, University College Bedër, offers ***Beder Journal of Humanities*** **(**BJH**)** ISSN 2306-6083 (Print); ISSN: 2707-3041 (Online). BJH it aims to classified in online indexed on *Index Copernicus Value with Standardized Values* 69.14 DOAJ.

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The 2023 Spring issue of the journal holds ten articles, seven in English and three in Albanian. Some of the authors of the articles are pursuing the doctorates at various international universities, while other articles are authored by researchers from Beder University College or other institutions of higher education, in Albania or abroad:

Ada Güven: **GENDER EQUALITY AND POLITICAL PARTICIPATION IN THE EUROPEAN UNION**
The author brings the following conclusions:
The article concludes that even the vast legislation in this area, still is not enough to solve the problem of women under-representation and ensure their broadest participation in political institutions and in representative offices.

Alfred Nela: **PSYCHOLOGICAL EFFECTS OF WAR ON CHILDREN**
The author brings the following conclusions:
The results show that the crisis caused by wars in children has significant negative effects on mental health, such as anxiety, depression, post-traumatic stress, sleep disorders and suicidal thoughts. The cited studies recommend increasing human resources in

the identification, diagnosis, rehabilitation and psychosocial support of children who are displaced from war zones to other countries.

Alban Tufa & Erlis Çela: DEFINING MULTIMEDIA JOURNALISM: A SYSTEMATIC LITERATURE REVIEW

The authors bring the following conclusions:

This paper, based on the systematic review of the literature, tries to re-examine the definition of the term "multimedia journalism" going back to its beginnings, to reach our days. At the end of the paper, it is concluded that the term "multimedia journalism" originates from and is closely related to the traditional definition of multimedia.

E. Hyseni & I. Erbaş: THE EFFECT OF TECHNOLOGY ON MOTIVATION IN EFL CLASSROOMS

The authors bring the following conclusions:

The results of the study show that teachers are aware of the positive effect that technology plays in the motivation of EFL learners, but don't integrate it in their EFL classrooms. On the other hand, EFL learners see technology as a great tool for their success and want to learn English through technology, except textbooks. Teachers have to take in consideration their learners' needs in order to increase their motivation, interest and participation in the lesson. It is needed further research with a greater number of participants from different schools to discover the situation in other schools, too.

Fioralba Markja & Erisa Datja: THE ALBANIAN PENAL POLICY TOWARDS CORRUPTION IN JUSTICE

The authors bring the following conclusions:

One way is to fight corruption by investigating, arresting and punishing those involved in it. It is advisable that state administration institutions systematically and periodically evaluate the progress of the services they offer to the public and see the effectiveness of the measures and instruments used to prevent abuses of office.

This requires increasing the investigative powers of the police and the prosecution, strengthening inspection and control mechanisms.

Gjergj Sinani: LUXURY AND CORRUPTION AS FACTORS OF THE DECADENCE OF SOCIETIES

The author brings the following conclusions:

Still referring to the philosophical work of Montesquieu and to the historical examples he relies upon, the author will draw parallels between ancient and modern despotic rules, such as the communist dictatorship of Albania. The timelessness and universality of the phenomenon will also be emphasized by its ability to corrupt principles and the fact that other philosophers, such as one of the precursors of Montesquieu in the West - Vico - and Ibn Haldun, who, centuries apart in a different part of the world, reached the same based conclusions on the corruptive impact of luxury and decadence on all sorts of political rules.

Hysni Kafazi: WALKING THE FINE LINE BETWEEN SHOCK VALUE AND GENUINE IMPACT: AN EXAMINATION OF ALBANIAN CONTEMPORARY THEATRE

The author brings the following conclusions:

Additionally, the paper focuses on depictions of the artists' revolt against audience and critical reception, in their attempts to defend their purpose and refine the general artistic taste of the public, most notable in Tennessee Williams's *The Two-Character Play*. This is followed by an examination of appropriation tactics to reconcile the artists' purpose and audience reception, where Howard Barker's *Scenes from an Execution* (staged under the title *Galaxia*) is proposed as an ideal formula of achieving this aim in the context of Albania. Lastly, the paper considers the present trend of plays that echo socio-politic and artistic revolt implies for the future of the Albanian theatre, as indicated by the recent staging of Tennessee Williams's *Orpheus Descending*.

Jehona Fejzullai & Enriketa Sogutlu: CONSTRUCTIVISM AND EFL INSTRUCTION

The authors bring the following conclusions:

Research findings from a wide range of EFL contexts are also provided to support the appropriateness of the theory for this language instruction. It is concluded that constructivism principles can be effectively implemented in EFL classrooms.

Jetnor Kasmi: THE ROLE OF THE SUPREME JUDICIAL COUNCIL IN JUDICIAL REFORM: STRESS FOR INDEPENDENCE AND ACCOUNTABILITY

The author brings the following conclusions:

Dependence of the judiciary on politics, interference and external pressures have hindered the independence of the justice system. Magistrates have faced interference from individuals connected to the accused, seeking to obstruct criminal investigations or manipulate their results. Also, the article identifies the low professional status of politically appointed judges and prosecutors as an important catalyst for the constitutional reform of the justice system.

Melsena Danglli: THE IMPACT OF MEDIA LITERACY ON INFORMATION DISORDER TOWARD THE ALBANIAN AUDIENCE

The author brings the following conclusions:

Rapp and Salovich (2018) assert that media consumers often rely on the wrong information they consume to make decisions. This is not in the public interest, as the consequences of making decisions and forming opinions based on misinformation can be severe and harmful. Many people are unable to classify what is fake news, so it is important that consumers of news content are able to have the right tools and knowledge to identify which news is fake and which is accurate. If the audience trusts any news source and cannot judiciously assess the accuracy of the content and source, they are likely to be misinformed and also unable to make effective and correct decisions (Rapp & Salovich, 2018). Therefore, media and information literacy is essential to ensure that consumers do not fall prey to fake content.

The Editorial Board of the journal BJH 18 returned for revision four (4) articles, which the reviewers supported by the Beder University College Peer-Review Form, judged that they needed to be rewritten.

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