

I.S.S.N. 2573-3222 (print)
I.S.S.N. 2573-3230 (online)



Sociology and Social Work Review

Volume 1 • Number 2
2017

**SOCIOLOGY
AND
SOCIAL WORK
REVIEW**

VOLUME 1 • NUMBER 2 • 2017

I.S.S.N 2573-3222 (print)

I.S.S.N. 2573-3230 (online)

GLOBAL RESEARCH PUBLISHING HOUSE • STOCKTON • CALIFORNIA



Sociology and Social Work Review

An international peer-reviewed academic journal

Volume 1 / Number 2 / 2017

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International Society for Projects in Education and Research

Smart Society - Spin Off - University "G. D'Anunzio" Chieti-Pescara

Sociology and Social Work Review (ISSN 2573-3222, e-ISSN 2573-3230) is published two times a year by Global Research Publishing House, 4930 Moorcroft Circle, Stockton, California, 95206, U.S.A. All papers in this journal have undergone editorial screening and anonymous double blind peer-review.

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Global Research Publishing House is an imprint of IVS, California

Produced in the United States of America

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Providing social services – opportunity to increase quality of life for people with disabilities in small settlements

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Abstract

The social services are aimed to increase the quality of life of vulnerable society groups, in compliance with the principle of independent life and human dignity, preferably in family environment. Providing those services to disabled people who cannot take care of themselves and who live in small settlements where social services are lacking, is an alternative to overcome their social isolation and render better quality of care. The objective is to maintain their health, social inclusion and to create opportunities for participation in public life. This care should be of household nature, considering their individual necessities, desires and conditions of life, commitment of relatives and friends, besides the social workers. They are subjected to territory dependency – the more distance is to municipal cities, the less in number they are. According to national surveys in urban areas, a significant reduction of poverty level has been recorded, compared to rural areas, because poverty in cities is smaller. The necessity of adequate services in rural areas is significantly greater. In 2002 there commenced de-institutionalization in Bulgaria, as major priority of the social policy. That is the foundation for already started district strategies with objectives as: reducing the number of people accommodated in institutions and elaborating of social services that facilitate providing of homecare, directly targeted to most vulnerable groups of the society.

In recent years, with ageing of population and migration of young people to big cities and abroad, the small settlements remain populated by elderly, solitary and disabled people to whom the policy of providing social services should be directed to.

Keywords: *persons with disabilities; elderly people; social services; social inclusion; quality of life.*

1. The care for elderly and persons with disabilities

In modern world one of the global problems with tremendous challenges facing developed societies is ageing of population. According to the classification of WHO on age groups, the distribution is the following: 60 to 74 years old are elderly; aged 75 to 89 are older people and aged over 90 longevive people. Along with all the world countries, the country members of EU are also facing the problem of population aging. In 2012 a report was published „Aging Europe – to get ready from now on“ stating that till 2060 almost one third or 517 millions of European citizens shall be over 65. It is expected at the same time the portion of population between 15 and 64 years old to reduce from 67 to 56%. In the same year, 2012, the relative portion of population of 65 and more years in EU was 17,8%. Bulgaria ranks among the countries with greatest share of population over 65 years– 19,2%, those trends preserving sustainable tendency

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to increase: the average age of population has increased, 40,4 in 2001 to 41,2 in 2005 and reaching 42,8 at the end of 2012 (National strategy for long term care 2014).

Development and achievements in medicine increase life expectancy and the elderly and disabled people and those with chronic diseases becomes greater and more numerous. Life expectancy for the total population of country within 2010-2012 is 74,0 years, for men 70,6 years and 77,6 for women, which expose them to greater risk related to health problems and serious social-economic consequences, as poverty and social exclusion. That, on the other part, emphasize the need and the necessity for those individuals including developing of services in community and family environment in order to maintain quality of life and provide independent and dignity of life, as well as complete inclusion in public activities (Ninov 2013a: p. 25; Ninov 2013b: p. 28; Bolev 2000: p. 46).

Long term services are needed not only for elderly but also disabled individuals, as well as for those who cannot independently perform their daily routine of life activities. One of every six persons in EU has a disability problem, varying from slight to serious, the number being about 80 million people.

More than one third of people over 75 suffer from a disability. Analyzing the data from the Information system for continuous disability of population over 16 in Bulgaria, based on annual processing of reports by Occupational Expert Medical Board (OEMB) after 2008, we can see that the number of persons with disabilities increased, reaching in 2012 up to 39738 individuals. The number of examined and re-examined persons with continuous disability is significant – in 2012 it is 172 555 persons, almost equally distributed on gender. The highest number is that of 50-59 age group (37,5%), followed by those of 60 and more (36,2%). The part of primary examined for disability persons and recognized status of reduced capacity for work (71-90%) is higher– 32,4%, followed by persons with 50-70% continuous reduced capacity for work – 31,8%. Every fourth examined person over 16 years old is suffering over 90% continuous reduced capacity for work (NSI 2015).

The aging trend for population and disability people requires a development of network to provide long term social services, as elderly and disabled people, in need of intensive care shall represent the most rapidly augmenting social group in society for the future (National strategy for long term care 2014).

Social services in Bulgaria are decentralized, their administration is assigned to mayors of municipalities. The geographic coverage per areas is irregular and usually the social services are according the strength of population. More social services are being provided in administrative centers with large capacity and in small settlements that are insignificant in number or do not exist at all. The demographic distribution in the country shows that mostly, elderly and old people live in the villages and for them as well as for disabled people, social services are of great importance to be provided in community and family environment, as they need support at the daily routine of life because the lack of social contacts increase the risk of social isolation.

The social services, provided in family environment aimed to improve quality of life to that target groups, taking into account their individual needs and existing opportunities (Altschuler 1997: p. 78; Fogel, Vodrashkee and Barten 1999: p. 47).

Those services are intended to assist the user to accomplish his/her daily activities that he/she cannot overcome himself/herself due to old age or disease (Ministry of labor and social issues 2007).

Quality of life and the entire well-being of this people, includes minimum standard of life, access to employment and social protection, personal safety and security, economic liberty (Yorgova, Pulova and Mileva 2011). Quality of life, besides the key factors as income, education and access to material resources should also be referred to health care, as well to family and social relations. Currently, the existing normative social services for support of families and rendering services for family member in need are the following (Regulations for implementation of Social Aid Act 2015):

- Personal social work assistant (personal social worker) – a social service, provided at home of person in need and assisting him/her in all activities of daily life, not only in communal and household aspect. Activities are performed jointly with user, not instead of him/her, intervention being to assist and develop personal possibilities and not exposing to risk health and safety (Methods to provide the service of „personal social worker” in community 2009).

- Social work assistant (social worker) - social services, provided at home of person in need, in a manner, considering dignity and right for personal environment and taking into account his/her way of life. Assistance is aimed mostly to activities of social functioning – settlement of administrative issues, bill payment, shopping, as well organizing free time (Methods to provide the service of „social worker” in community 2009).

- Home helper – social services, provided at home of user and directed to performance of household activities as cleaning of rooms and sanitary premises, shopping, throw out garbage, assistance to maintain personal hygiene (Methods to provide the services of „home helper” in community 2009).

Social service in community, intended for elderly and disability people, as:

- Municipal home providing services - social service, provided at homes of persons over 65 years old and disability persons, having difficulties themselves or with help of their relatives to organize their daily routine of life, as: supply of food, monitoring of health status and assistance to receive medical aid, keeping hygiene at home etc. (Instructions for work in specialized institutions for social services in community in compliance to standards and criteria for health care 2007; Instructions for work in specialized institutions for social services in community in compliance to standards and criteria for nutrition 2007).

- Daily center for the elderly with disabilities - social service, providing to users a set of activities to organize and become aware of daily routine of life as: preparation of food, inclusion into labor therapy and art therapy, various anniversaries and events at leisure time; performance of rehabilitation activities and programs under medical supervision. Users are able to establish personal contacts and valuable communication that increase their self-confidence and they feel appreciated. (Instructions for work in specialized institutions for social services in community in compliance to standards and criteria for health care 2007; Instructions for work in specialized institutions for social services in community in compliance to standards and criteria for nutrition 2007).

- Daily center for elderly people – social service in community that offers to elderly people contacts to avoid social isolation and loneliness. During the entire servicing in daytime it is envisaged providing of food, rehabilitation activities, healthcare lectures, events in leisure time, celebrating of birthdays and anniversaries, artistic performances etc. (Instructions for work in specialized institutions for social services in community in compliance to standards and criteria for health care 2007;

Instructions for work in specialized institutions for social services in community in compliance to standards and criteria for nutrition 2007).

2. Research findings

During the period January - February 2016, we conducted a survey to establish the desires and needs for usage of the social services, provided in home environment.

We visited the homes of 289 persons - disabled persons and solitary old people over 65, who are restricted or impossible to take care of themselves alone, residents of Dolni Dabnik town and six villages on the territory of municipality.

Dolni Dabnik municipality is located in central north part of Bulgaria and one of twelve municipalities of Pleven district with a population of 11670 residents at last census in 2011. The municipality includes Dolni Dabnik town with 4217 residents and six villages with a number of residents, as follows: Barkach village -762, Gorni Dabnik village-1402, Gradina village-486, Krushovitsa village-1451, Petarnitsa village-1533 and Sadovets village-1819. The average portion of population over 65 years age for the municipality is 26,25%, the highest for Gradina village-32,51% and the lowest for Petarnitsa village-21,20%. The municipality is with greater share of elderly and old people for the average in Pleven district which is 22,43% (NSI 2012).

During the same period, January - February 2016, we conducted a survey among 228 persons with chronic diseases or disturbances (intellectual, physical, psychiatric, sensitive) on the territory of Dolni Dabnik municipality and after processing the data we received following results:

All persons, subject of the survey have GP doctor in the same settlement they are residing. None of them was registered to full or partial prohibition and all of them had legal representatives. Almost all of them (90,3%) were fully or partially communicative and expressed their opinion as well demands with regard to social services in community they prefer and for the rest (9,7%) we questioned the people who take care of them.

All persons presented medical documents for diagnoses and degree of disability.

A part of them (24,76%) lacked OEMB records and submitted discharge summaries and other medical documents that verify the nature of their diseases.

In terms of gender the greater part of persons who need support in home environment are women – 64,7%, the remaining 35,3% are men.

More than a half (78,5%) of interviewed persons live alone and rarely were visited by relatives and friends; 21,5% live with partner/spouse or other with close relatives.

We established, that: persons who use social service in community– „Municipal home providing services” are 27,7%, „personal social work assistant” - 26,4%; there are some persons who manage to pay others of same settlement to perform functions of social worker (19,8%).

Almost each of the interviewed persons (82,4%) uses in his/her daily activities „auxiliary means, devices and equipment and people with disability also chairs for bathroom and personal hygiene.

Distribution of persons according to their type of suffering is:

- Intellectual disability – 2,6%
- Physical disability – 62,0%
- Psychic disturbances – 1,3%
- Sensitive disturbances – 4%
- Multiple disturbances – 30,1%, in that number

Distribution of persons according to their degree of disability is:

- 50% to 70 % permanent reduced capacity for work – 2,64%
- 70,01% to 90% permanent reduced capacity for work – 33%
- 90% to 100% permanent reduced capacity for work – 10,56%
- Over 90% permanent reduced capacity for work with assistance – 29,04%

The remaining persons (24,76%) have not presented medical document for examination from OEMB as they cannot manage it by themselves and there is nobody to help them fill in documents and submit them to OEMB.

Prevailing diseases as per leading diagnose can be summarized in following way:

Diseases of cardiac-vascular system:

- Arterial hypertension
- Cardiac insufficiency (CHF or without CHF symptoms)
- Ischemic heart diseases
- Condition after myocardial infarct
- pulmonary-vascular-disease etc.

Diseases of the locomotion:

- Arthritis and poly arthritis
- Arthrosis (mainly gonarthrosis)
- Osteoarthritis
- Fissures & fractures, more frequently lower extremities – thigh, joints
- Osteoporosis
- Amputation of extremities on various levels etc.

Diseases of metabolism:

- Diabetes

Consequences of brain-vascular incidents:

- Infarct of brain
- Insult of brain

Sensitivity diseases and disturbances:

- Glaucoma
- Cataract
- Inborn diseases of eyes
- Deafness and reduced hearing
- disturbances of vestibular system
- Diseases of retina
- Practical blindness
- Diseases of vision nerve and ways

Most of the interviewed persons show disturbances and deviations in concentration of attention and memory abilities, resulting in various degrees of dementia manifestations.

At most people, those diseases are combined (30,1%) which additionally hinders the performance of their activities and social functioning.

Almost all interviewed persons take medicines:

- 4,4% irregularly;
- 21,12% do not know type and dosage;
- 74,48% know type and dosage of medicines taken.

Those who cannot take medicines themselves, appeals to neighbors, friends and relatives for render assistance. They prepare in advance the medicines to be taken.

Regarding the monitoring of vital indexes we established that most of them may use blood pressure devices. A small part of them rely on medical person's visit to supervise their condition.

A part of them also use glucometers, hearing devices and inhaler pumps. Greater part of them manages to operate them successfully.

At our visits to their homes we established their problems in several fields (social functioning, self-servicing, household activities and social interrelations).

Social functioning: It became obvious that most of them may take decisions and initiate undertakings but encounter difficulties at their implementation – in short, that make them dependable on other persons. That is the reason why shopping, bill payment and settlement of administrative issues are to be assigned to other persons (neighbors, children, friends and care assistants).

Self-servicing: A large number of the persons are dependable on help to perform activities of personal hygiene. They rely on assistance from relatives and friends during weekends for: washing, dressing, change of bed sheets and underwear. For going and getting out of bed, toilet visits, eating and drinking they manage with difficulty but most of them independently. Bathing and toilet facilities are available with most of them which facilitate their actions in that regard.

Household activities: For most of them the performance of those activities is difficult or impossible, thus every third receive food from Municipal home providing services. Solitary people use as per program personal social work assistant (26,4%) or pay to social assistant on hourly rate to clean home and sanitary premises, peg out clothes as most of them have washing machines.

Social interrelations: Most of the persons we visited (78,5%) live alone, and as they are getting older and older they have difficulties in moving and stay inside home. They need their relatives they have established relations with. Relatives in most cases live far away or abroad and cannot actively participate in their lives. Maintaining relations with them frequently is restricted and depends on their free time. The older people establish new contacts with difficulty, due to their immobility and health status.

Those persons have not possibilities to organize independently activities for their free time as: theater going, cinema, excursions. The presence of social assistant when going for a walk, visit to friends or relatives.

Deductions

Most of the people from small settlements, are living alone and rely on support from neighbors, relatives or persons hired on hourly rate for help and duties as: shopping and food cooking, clean-up of rooms they live and stay, administrative services, maintenance of personal hygiene.

None of the settlements in municipality provide social services for community members as daily centers and centers for social rehabilitation and integration, that results in lack of activities to organize free time - excursions, visits to cultural events, celebrating national and personal anniversaries that fill up the gap of social contacts for those people.

All disability and solitary living people we visited need social service on hourly base, provided in home environment. That is a crying need especially in cold seasons when heating of homes is obligatory.

One of the major deductions is – despite the fact that in every settlement there is a GP doctor, most of the people suffering with disabilities and having a degree of reduced work capacity recorded in Medical Board, resolution does not correspond to actual

healthy and functional status of the person. That fact leads to negative social-economic consequences for them.

The basic propriety of country's social policy during recent years is transition from institutional commitments to social services of community. Recently, the social services provided at home environment are directed predominantly to secure employment to family members rather than providing professional support to disability people and to solitary people to receive adequate cares. The result of the experience to elaborate those cares is implementation and execution of various programs and unfortunately directed to bigger towns, the small settlements being left in the periphery of those actions.

3. Conclusions

Bulgaria as all countries from European Union is facing the aging problem of population and at the same time, the problem of the large part of older people, suffering chronic diseases and disabilities. To secure quality of life and adequate for their age participation and involvement in life of society, requires actions for the development of various social services. They should correspond to comprehensive needs of older people and facilitate the social inclusion and adherence to achieve favorable social health. Creating of conditions for independent and dignity life of older and disability people in family or close to family environment is priority of the social policy in that regard. The institutional commitment is antique method, functioning institutions lack the capacity to accept the increasing number of those in need.

For most of older people in Bulgaria, the perspective to leave their homes, their relatives, their environment and use the cares in institution or residential service is hard to be adopted. They prefer to remain and receive support in their homes, because Bulgarians are attached traditionally to their home. It is important for them to preserve the connection with their relatives and social environment they have used to feel secured. That is a serious challenge to national policy concerning social services for older people: that service should increase in number and become more variable, modify the territorial distribution to respond the needs of actual people.

The elaboration of national strategy for long term care is the response to the trend of population ageing and increase the need for long term social services to elderly and disabled people. A network for various types of services has been envisaged, not only "stationary" as daily centers, centers for social rehabilitation and integration, protected homes, homes to be supervised, but also mobile forms of social services to be provided at homes of the people. The implementation and use of reliable and accessible stationary and mobile services in community is a guarantee for social inclusion and for the increase of the quality of life for older and disabled people.

"The attitude, protection, securing dignity in care for elderly and people with disabilities are criteria for the culture and maturity of each one society".

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Legislative measures on violence against women. From international to Romanian law

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Abstract

The global dimension of violence against women is alarming, as it is evidenced by the studies of the incidence and prevalence of the violence against women. It is present in all countries, crossing barriers of culture, class, education, income, ethnicity and even age. Even though most societies condemn violence against women, in reality violation of women is often hidden under the garb of cultural practices and norms as wrong interpretation of religious tenets. Currently, there are numerous international and regional mechanisms which are intended to guide us through the efforts of preventing and combating the violence against women. Furthermore, there is also a tendency toward a paradigm alteration, which recognizes that violence against women is not a problem regarding only vulnerability of women or defluctive men's actions and also is not only a characteristic of primitive cultures. Instead, the problem is understood to be rooted, even if in various forms, in a universal patriarchal culture that exist in our conscience, men and women, and in the values and the basic institutions of our society. This common legacy underlies of the various ways in which women experience the violation of their rights. Consequently, the common elements of some specific manifestations of violence against women as well as the global connectivity of the various patterns of the local feminist movements were put into motion in order to achieve a culture universalization for women's rights. Therefore, this paper presents the main legislative measures taken at national and international level to prevent and combat violence against women.

Keywords: *violence; women; discrimination; human rights; international laws; national laws*

1. The United Nations involvement

A first act underlying the fight to prevent and fight against domestic violence against woman is The Universal Declaration of Human Rights enacted in 1948 after a long combat with people from different parts of the world. This is the first act which refers to the prohibition on the discrimination based on gender. However, the shortcomings of the International Declaration of Human Rights with regard to the women needs and experiences have been harshly criticized by the feminist movement. Criticism drew attention on the fragmented and individualist language regarding the understanding (Ertürk 2008: p. 27) The international discourse on human rights has remained particularly blind with regard to the structural inequalities and to the

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complexity and interrelationship of power relations in public and in private life, which is in the center of various manifestations of discrimination on grounds of gender.

The Universal Declaration of Human Rights principles are coded in many Convention which followed; the most notable being „The Twin Conventions ”in 1966: The International Convention on Civil and Political Rights and the International Convention relating to Economic, Social and Cultural rights. By virtue of Article 3 of both conventions, the states parties shall undertake to ensure equality of women and men to enjoy the provisions of these conventions.

In 1979 it was adopted by the United Nations General Assembly The Convention on the elimination of all forms of discrimination against women (CEDAW) which entered into force in 1981. The Convention has an important role as a means of promoting the legal protection of equal rights of women within the framework of the United Nations. The implementation of its provisions shall be revised by The Committee for the elimination of discrimination against women. To this end, the article 1 lays down that: „The term discrimination against women shall mean any distinction, the difference, exclusion or restriction made based on gender which has as effect or purpose the impartiality or invalidity of recognition, of the exercise of rights by women, regardless of their marital status, on the basis of equality between men and women, of human rights and fundamental freedoms in political, economic, social, cultural, civil or any other field”.

As explained in The Committee for the elimination of discrimination against women this definition covers also ”the violence based on sex, which means violence directed against women. It includes acts of suffering affecting physical, mental or sexual, the threatening with such acts, a correction or other confinements”.

In 1992, after years of lobby and advocacy support from the women's movement at global level, the Committee of experts for the monitoring of the Convention adopted The General Recommendation 19 (GR 19), which defines violence against women as a form of discrimination, complementing such a major deficiency in the framework of the Convention. Another point initiated by the Recommendation shall be the responsibility of the States for private acts of violence. It specifies: ”In accordance with international law and treaties on human rights, the States may also be responsible for private acts, in the case in which fail to act with due diligence to prevent violations of rights or to investigate and punish acts of violence, as well as for granting compensations”.

The international and national organizations have put pressure on United Nations Organization regarding the lack of progress in relation to the problematic of domestic violence against women. Thus, in 1993, and, in the World Conference on Human Rights from Vienna, the United Nations General Assembly has recognized that violence against women is a violation of human rights and in the same year adopted the declaration to eliminate violence against women. The declaration provides a regulatory framework which defines violence against women and the member States engagement to exclude this phenomenon. On 4th of March 1994, the Commission for Human Rights has adopted a Resolution for ”integrating women's rights in the United Nations mechanisms for human rights and eliminate violence against women”, creating the position of Special Rapporteur for the violence against women, its causes and consequences.

In 1995 in Beijing, at the fourth World Conference of the United Nations Organization regarding women, the international community has adopted The Platform for Action containing 12 chapters relating to critical areas, one of which provides for

specific measures which all the signatory States should adopt in the field of prevention and combating domestic violence against women.

In 1999 the General Assembly of the United Nations Organization declared the day of November 25 as The International Day to eliminate violence against women.

After its statement concerning the development objectives of the millennium, the meeting has begun to tackle the problem of violence against women annually. In 2004 has adopted a specific resolution on domestic violence against women, and at the beginning of the year 2007 adopted a powerful and comprehensive resolution to step up its efforts for the elimination of all forms of violence against women, including "all forms of violence based on gender", stating: "The General Assembly firmly disapproves all acts of violence against women and girls, regardless whether these acts are committed by the State, by private individuals or by non- state actors, appeals for the elimination of all forms of violence of this kind in the family, in the Community whether it is committed or tolerated by the State, and emphasizes the need to treat all forms of violence against women and girls as criminal offenses, punishable by law" (United Nations Organization 2007: p. 3).

The 2007 resolution, based on the wide report from the General -Secretary of the United Nations Organization, Koffi Annan, recognizes the importance of the various strategies to combat violence against women, having regard to the intersection of the gender factors with other factors and recognizes the great diversity of women inequalities depending on the status of the "nationality, ethnicity, religion or language, indigenous women, migrant women, stateless women, women who live in poor developed communities, rural or isolated, women without shelter, women in the institutions or in detention, women with disabilities, older women, widows and women who are otherwise discriminated" (Cole and Phillips 2008: p. 153 Apud Annan 2006).

The resolution points out the need to create training programs with respect to the gender violence for a wide range of social groups, including hospital workers, teachers, police, army, judges and leaders of the Community. It also encourages the men and the boys „to speak firmly against violence against women”.

These are key progressions on the agenda of the United Nations Organization on equal opportunities between men and women and represents a turning point in the recognition of violence against women, once a private matter, as a public concern for human rights.

The action platform, including among its areas of major concern, the problem of armed conflicts and human rights in the case of women, has placed a priority on the need to respond to these problems for the women progress.

At the following special sessions of the United Nations Organization, The General Meeting has identified other forms of sexual aggression on women and of violence practices, cultural justified that have not been specifically mentioned in the platform. It also has shown that violence against women has become a priority on the agenda of many Member States and have been taken significant measures, but insufficient, to resolve the problem.

2. The Council of Europe involvement

As early as 1990, assuming his role as a leader in the protection of human rights, the Council of Europe has decided that it was necessary to establish comprehensive standards for the prevention and fight against domestic violence against women and domestic violence. So it addresses to this phenomenon by a series of recommendations.

Such an act is The Recommendation no. 85/2000 with regard to the domestic violence, according to which they recommend that the governments of the Member States to inform the public opinion on the specific characteristics, the gravity, and the size of the phenomenon and to support measures aimed at combating this phenomenon”. Also, it is advisable to encourage organizing agencies, associations and foundations which are aimed to help and support victims of domestic violence.

In 2002 the European Council adopted Recommendation Rec (2002) 5 of the Committee of Ministers to the Member States concerning the protection of women against violence, and conducting a campaign at an European level.

During the period 2006-2008, in order to combat violence against women, including domestic violence, The Parliamentary Assembly has taken a firm political position against all forms of violence against women. It has adopted a number of resolutions and recommendations relating to legal standards concerning the prevention, protection and prosecution of the most serious and widespread forms of violence based on gender.

In December 2008, the Committee of Ministers has established a group of experts appointed to prepare a draft of the Convention in the field of prevention and combating violence against women everywhere. After two years, this group, called CAHVIO (ad hoc committee for preventing and combating violence against women and domestic violence), has elaborated a draft for this project, which was completed in the December 2010 Convention.

The Convention on the prevention and fight against domestic violence and against women has been adopted by the Committee of Ministers of the Council of Europe, on 7 April 2011, was opened for signature on 11 May 2011, session of 121-a of the Ministers Committee in Istanbul and entered into force on 1 August 2014 (Council of Europe 2014).

The document is known as The Istanbul Convention and is a major step forward and a solid commitment with the involvement of the signatory States for the implementation of measures to prevent and combat violence against women and domestic violence. The Convention puts particular emphasis on: Prevention, protection, prosecution, the creation of an appropriate legislative framework and to establish a monitoring mechanism.

Prevention of violence against women and domestic violence is to be deemed to have been so far the measure that reduces pain and that would save lives. In order to prevent violence against women The Member States must: organize regular awareness campaigns to influence the public opinion with regard to violence against women and domestic violence, to organize vocational training courses for the staff who works with domestic violence victims, to cooperate with the Nongovernmental organizations, to take the measures necessary to promote changes in patterns of social and cultural behavior of women and men (Niță and Ilie Goga 2017: 6-21), “in order to eradicate prejudices, habits, traditions and other practices, which are based on the idea of women inferiority or on stereotype roles for women and men”.

With respect to the protection, the Convention stipulates for providing support to the victims and witnesses by police intervention, ensuring access to appropriate information on their rights and protection offered by the establishment of free phone support lines, providing specialized services, shelters for the victims of violence.

The Convention also provides the creation of an ample legal framework, policies and measures of protection and assistance for the victims of domestic violence and

urges the Signatory States to amend or supplement current legislation by the introduction of sanctions for actions which before were not regarded as infringements such as: psychological abuse, genital mutilation, forced marriage, forced abortion and forced sterilization. In addition the Signatory States will ensure that traditional customs or „the honor” will not be used to justify any abuse exposed above. Another recommendation is that at the level of each Signatory State to draw up a national action plan in which is specified the role of each state or private institutions in preventing and combating the violence against women and the domestic violence. In fact, society as a whole must be aware of the fact that violence against women is no longer a tolerated act.

After the entry into force of the Convention was appointed a group of independent experts, named GREVIO, which has the role of monitoring if the leaders of the Signatory States comply with their obligations.

3. The Romanian legislation regarding the prevention and combat of violence against women

In Romania, the communist ideology promoted the principle of sex equality, but in the sense of masculinize the woman. At the same time, another principle was promoted providing for the non-intervention of the state in the citizens' private lives. This principle was only breached when it was necessary to maintain a political conscience that was in accordance with the ideology of the Communist Party. Violence against women was thus denied and kept latent, as were the other social issues.

After the 1989 Revolution, various exterior mechanisms have functioned to raise awareness of the issue of violence against women, by means of international documents, promotion of human rights, voiced incrimination of violence against women, publicity of a series of international events regarding domestic violence. This type of exterior-driven awareness was however insufficient, because of the people's inborn tendency of resisting change, enhanced by an inherent system.

Any attempt to turn violence against women into a social issue was rejected, and seen as an appanage of the feminist movement.

In Romania, violence against women, and especially domestic violence, have only been submitted to public debate after 1995. At that time, the Romanian Penal Code did not perceive domestic violence as a distinctive type of violence. Therefore there was a limited number of ways for the governmental institutions to intervene and it all depended on the way in which these provisions were applied.

Placing domestic violence on the public agenda resulted in legislative acquisitions such as the introduction of domestic aggressions in the Penal Code, as well as the adoption of further pieces of legislation, such as:

- Law no. 202/2002 regarding equal opportunities for men and women
- Law no. 678/2001 regarding the prevention and combat of traffic in persons
- Law no. 217/2003 regarding the prevention and combat of domestic violence
- Decree no. 95/2003 for the ammendment and completion of Law no. 217/2003 for the prevention and combat of domestic violence;
- Government Resolution no. 1624/2003 regarding the organization and functioning of the National Agency for Family Protection;
- Decree no. 383/2004 regarding the approval of the quality standards to be applied by the social services for the protection of the victims of domestic violence;

- Decree no. 384/2004 regarding the approval of the cooperation protocol regarding the prevention and monitorization of domestic violence;
- Decree no. 385/2004 regarding the approval of a set of instructions for the organization and functioning of administrative units for the prevention and combat of family violence;
- Law no. 211/2004 regarding a set of measures to be taken in order to ensure the protection of crime victims;
- Government Resolution no. 686/2005 regarding the approval of the National Strategy in the field of preventing and combatting domestic violence;
- Law no. 25/2012 for the ammendment and completion of Law no. 217/2003 regarding domestic violence.

The basis of these pieces of legislation is the Romanian Constitution which provides for the citizens' law equality and for unprivileged and undiscriminatory public institutions (article no. 16), as well as for the rights and liberties of all people. It also mentions that no person can be subjected to torture or any type of punishment or degrading or inhuman treatment. Article no. 23 states that individual freedom and personal safety are intangible, and so is the person's right to defence (article no. 24).

The fact that the Constitution establishes these rights implies the respect of women's rights and liberties and the prohibition of subjecting them to any act of violence or degrading treatment likely to interfere with their physical or psychological integrity. Should either one of these rights or liberties be breached, women can and must benefit from the protection of law. (Asociația Baroului American 2007: p. 11).

Law no. 202/2002 regarding equal opportunities for men and women is the first piece in the Romanian legislation to have clear provisions regarding the equal opportunities between men and women, including equal payment for an equal amount of work, concrete and prompt reactions of the employer's side regarding any sex discrimination complaints to bring this provision to the attention of their employees. This Law was ammended and completed by the Government Decree no. 84/2004 providing for the creation of the National Agency for Equal Opportunities for Men and Women.

Law no. 217/2003 regarding the prevention and combat of domestic violence – is an extremely important first step in the prevention and combat of domestic violence. It defines domestic violence as „any physical or verbal action intentfully directed towards another family member, which results in physical, mental or sexual sufference or material prejudice. Preventing a woman from exercising her fundamental rights and freedoms is also seen as an act of domestic violence. As interpreted according to this law, a family member is a spouse or a close relative, as defined in Art. 149 of the Penal Code, or „a person who is engaged in a relationship with the wrong-doer, which is similar to that between a husband and his wife or between parents and their offsprings, as proved by a social investigation". The law also provides the fact that the state's institutions and other central authorities must appoint specialized staff to document cases of domestic violence (articles 5 and 6). It also emphasizes the idea of cooperation between the local authorities and various non-governmental organizations, as well as the involvement of the entire local community in the prevention and combat of this social phenomenon (article 7). At a national level it is created the National Agency for Family Protection, the attributions of which include the establishment, implementation and application of a national strategy regarding domestic violence. The Agency must finance or cofinance various programmes that are specific to the field of the protection

and consolidation of families, as well as to the welfare and protection of the victims of domestic violence (article 9 paragraph 1 letter c).

Despite its importance in the prevention and combat of domestic violence, Law no. 217/2003 was intensely criticized because of its drawbacks. One of them is the fact that the provisions of the Law regarding the safety measures that can be taken in the case of domestic violence are different from those stipulated in the Penal Procedure Code, which makes it impossible to apply the Law.¹

Also, Law no. 217/2003 includes a series of contradictions as compared to the provisions of article 162 of the Penal Procedure Code for the following reasons (Asociația Baroului American 2007: p. 15):

- Law no. 217/2003 stipulates the fact that the court is notified either by the victim or *ex officio*. The Penal Procedure Code stipulates the fact that the court is notified by the prosecutor;

- Law no. 217/2003 mentions the fact that the measures must be taken if there is sufficiently strong evidence or indication that a family member *de familie* committed an act of violence, thus having caused physical or psychological suffering to another family member. The Penal Procedure Code emphasizes the analysis of the extent to which the conditions mentioned in articles 113 or 114 of the Penal Code have been met (the existence of a potential danger);

- Law no. 217/2003 does not provide for the hearing of the person subjected to this measure, whereas the Procedure Code does;

- Law no. 217/2003 makes no mention of the way in which the temporary measure must be applied, whereas article 435 of the Procedure Code includes various regulations related to this aspect;

- Article 26 of Law no. 217/2003 does not specify the possibility of appeal for the elimination of the respective measures, unlike article 437 of the Penal Procedure Code, which regulates this type of legal action.

Another yet drawback of Law no. 217/2003 is the fact that the existing regulations were insufficient in regards to the prompt provision of proper protection to the victims of domestic violence. Thus, it was only in the case of a prison sentence that it was possible to apply any of the safety measures mentioned in art. 113, 114 or 118 of the

¹ These differences consist of the fact that Law no. 217/2003 stipulates the fact that "during criminal pursuit or trial, upon the victim's request or *ex officio*, whenever there is strong evidence or indications that a family member may have committed an act of violence having caused physical or psychological suffering to another family member, the court can temporarily dictate one of the measures provided for by articles 113 and 114 of the Penal Code, and to forbid the accused person from entering the family residence. These measures expire once the potential danger having led to these actions has been eliminated." However, there are numerous issues related to this provision, such as the fact that Law no. 217/2003:

- does not define "strong indications", therefore another definition could be taken into account, namely the one provided for by article no. 681 of the Penal Procedure Code, para. 31, according to which "strong indications" implies the fact that „the existing relevant information available in the respective case can lead to the reasonable suspicion that the person on whose account the preliminary or actual pursuit is directed may have committed the respective deed”.

- does not specify how the court is notified of the elimination of the potential danger which justified the respective measures and which conditions should be reviewed in order to conclude that the respective danger has been eliminated.

Penal Code, provided that all conditions included in the relevant pieces of legislation were met.

Therefore, the safety measures provisioned by the law could not eliminate the immediate danger of the victims of domestic violence. Moreover, there are no preventive protection measures, given the fact that preventive retention and arrest are conditioned by very restrictive terms, which often makes it impossible to apply them in cases of domestic violence (Nițu 2013: p. 65).

Given the flaws of Law no. 217/2003 it has become obvious the need to improve the existing legislation, which occurred in 2012 by the passing of Law no. 25/2012 which amended and completed Law no. 217/2003.

It is worth noting the fact that Law no. 25/2012 was passed following a petition filed during a campaign meant to raise the public's awareness of how serious violence against women is, called "Pain is not love" initiated by the Acasă TV channel on the 18th of September 2011.

Novelty aspects in this law include:

- a more detailed definition of domestic violence, seen as "any intentional action or inaction, with the exception of (self)defence, committed at a physical or verbal level by one family member against another member of the same family, which leads to or causes prejudice or physical, psychological, sexual, emotional suffering, including the threat of committing such actions, constraint or arbitrary deprivation of liberty". (art. 1)

- clearly described types of domestic violence: psychological, verbal, physical, sexual, economic, spiritual

- a clearer status of "family members" who can be: „the ascendants and descendants, brothers and sisters, their offsprings, as well as the other persons related through adoption; the husband/wife and/or the former husband/wife; the persons whose relationships are similar to those between a husband and his wife or between parents and their offsprings, in case of cohabitation; the legal guardian or any other person exerting their rights in relation with the child; the legal representative or any other person who looks after a psychologically disordered or intellectually or physically disabled person, with the exception of those persons who have these attributions as part of their professions" (art. 2 alin.2)

- the foundation, at a county and sector level, of a cross-sector committee for the prevention and combat of domestic violence, attached to the General Directorates of Social Assistance and Child Protection, which has an advisory role. The committee consists of representatives of the Police, of the Gendarmerie, of the Public Health Directorate, of the Domestic Violence Department within the General Directorate for Social Assistance and Child Protection, of the institutional units for the prevention and combat of domestic violence, as well as other people on the part of NGO-s which are active in this field.

- Last but not least, the introduction of the restraining order, which still generates controversy in terms of practicality. However, this measure is still seen as extremely effective in ensuring immediate protection to the victims of domestic violence, its most important advantage being the fact that, unlike the safety measures, it is not limited by a court ruling.

The restraining order is an important piece in the puzzle of domestic violence, namely the absence of an intervention instrument. This situation has longly prevented the police and other specialized organisms, which were unable to assist and protect the victim. Many potentially harmful acts of violence occur in the intimacy of the family

residence, and, in the absence of such a measure, the competent authorities are not allowed to intervene, unless authorized by the aggressor, and the solution thereof lies in the victim and the children leaving the place of residence permanently (Nițu 2013: p. 67).

According to article no. 26 of Law no. 25/2012 for the amendment and completion of Law no. 217/2003, „the person whose life, physical or psychological integrity or freedom is endangered by an act of violence committed by a family member can require that the court issue a restraining order, so as to eliminate the potentially dangerous state of affairs, by temporarily imposing one or several obligations or interdictions”.²

The time extent of these measures shall be expressly established by the judge, but it must not last for more than 6 months since the issuance of the order. The restraining order shall be issued by the court house to which the victim's residence belongs. The holder of the restraining petition is the victim, and the petition can be filed personally or by the victim's legal representative and it is exempted of the judicial stamp fee. Should the victim be unable to file a petition for a restraining order, the latter can be filed on behalf of the victim by: a prosecutor; the representative of the competent structure of the area, which are designed to protect the victims of domestic violence; the representative of any supplier of social services in the field of the prevention and combat of domestic violence, if authorized by law and by the victim to take this action.

The petition for a restraining order is urgently tried, in the Board Room, and the prosecutor is bound to attend the trial. The issuance of subpoenas is done according to the relevant regulation regarding urgent cases. The person who files for a restraining order can be assisted or represented by an attorney, upon request. Legal assistance is only obligatory for the person against whom the restraining order is issued. In case of a special emergency, the court can issue the restraining order the very day, based on the petition and on the accompanying documents, without hearing the parties conclusions.

Taking into account the specifics of a petition for the issuance of a restraining order, trial is urgent and priority and evidence which may require a long time to administer is not permitted. A sentence cannot be postponed for more than 24 hours, and the motivation for the restraining order must be provided within 48 hours.

The police representatives must oversee the way in which the decision is carried out and inform the criminal prosecution bodies if it is not. The violation of the restraining order is an offense punishable by imprisonment between one month and one year. When the protective measures have expired, the protected person can file a petition for a new restraining order should there be any evidence that their lives, physical or psychological integrity or freedom may otherwise be endangered.

² The obligations and interdictions provided by the Law refer to: the temporary eviction of the aggressor from the family residence, whether or not they are the rightful owner of the property; the reinsertion of the victim/their children into the family residence; the limitation of the aggressor's right to use part of the residence, if it can be arranged in such way that the victim is not likely to come in contact with the aggressor; a minimal distance for the aggressor to keep from the victim, their offsprings or their relatives or from the residence, workplace or educational institution of the protected person; a list of localities or areas that the victim usually frequents or visits, and which the aggressor is forbidden to frequent or visit themselves; the obligation to avoid any contact, including by telephone, mail or any other way, with the victim; the surrender of any weapons that the aggressor may have to the police; custody or residence of underaged children entrusted to another person.

Correlatively, the person against whom the restraining order was issued for a maximum amount of time can ask for the order to be revoked or for the respective measure to be replaced (Nițu 2013: p. 70).

The first national research regarding the implementation of restraining orders for the victims of domestic violence was conducted within a project called Campaign for the support of the urgent implementation of the amendments of Law no. 217/2003, republished, especially the implementation of restraining orders, organized by the TRANSCENA Association, along with the Romanian Association for Human Rights Protection Group, the Centre for Partnership and Equality, the FILIA Centre, the FRONT Association, the ANAIS Association, A.L.E.G., the Sensiblu Foundation, the Association of Women against Violence – ARTEMIS Cluj and financed by the Open Society Foundation. It shows that between May 2012 and January 2013, 2453 petitions for the issuance of restraining orders were issued, 94% of them filed by women. 1070 were admitted, 699 were rejected, 273 were withdrawn by the plaintiff, and 393 were left unsolved.

The same research shows that the way in which Law no. 217/2003 is implemented fails to comply with the principle of celerity; the procedures for the issuance of a restraining order by the court mean that the victim cannot be safe in less than 24 hours, even if it proves acutely necessary, and the only solution for the victim is to turn to a friend, a relative or a shelter for temporary support; there is no supervision of the way in which the restraining order is carried out, and the contents of the restraining orders only ensure part of the victims' safety (TRANSCENA et. al. 2013) .

The same research also proves that, inspite of the provisions of Law no. 217/2003 republished, according to which the petition for the issuance of a restraining order is tried on an emergency basis, in the Board Room, only 23% of the total number of petitions are tried there – the other 77% are tried outside of that room. „There is no common practice for courts of justice. There are judges who dictate shorter terms and there are judges who dictate no term at all; however, procedure is almost constantly postponed”, states Carmen Nemeș, spokesperson of ANAIS. Only 2 out of the total number of petitions for the issuance of restraining order in the experience of ANAIS attorneys were issued within 24 to 48 hours, the longest ruling being 6 months (Casa jurnalistului 2014).

In yet another report of the Judicial Inspection it is shown that, throughout the country, „more than 3500 victims filed a petition for the issuance of a restraining order between May 2012 and March 2014. In Bucharest alone, 325 petitions were filed in 2013. Only 80 of them were admitted, 84 were rejected, and 31 were left pending. The others were cancelled, suspended or declined” (Casa jurnalistului 2014).

4. Conclusions

Considering the magnitude and seriousness of violence against women (Anghel 2017: p. 50), there were immediate reactions both internationally and regionally and there were adopted a series of laws that incriminates all forms of violence against women and that outlines directions for prevention and combating the phenomenon.

The latest international document on preventing and combating violence against women and domestic violence is known as the Istanbul Convention and entered into force on August 1, 2014 (Council of Europe 2014).

Istanbul Convention is an important step and a strong commitment and involvement of all signatory States to implement the measures to prevent and combat violence against women and domestic violence.

Therefore, unfortunately, in Romania, despite of the existence of the relevant legislation providing for the protection of the victims of domestic violence, there are constant complaints from attorneys, police officers, magistrates and members of various associations which combat domestic violence regarding the absence of specific implementation procedures.

Moreover, according to Ina Curic (Curic 2005: p. 25), Romania's problem in this field does not reside in the absence of a theory or legislation – especially given the fact that Romania has already adapted most of its legislation to the European one and has already signed a series of international agreements regarding the women's rights. It resides in the absence of the will and political vision that are necessary to create the suitable implementation mechanisms.

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Influence of teachers' motivation on teachers' productivity in Nigerian secondary schools

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Abstract

This study was aimed to determine the influence of teachers' motivation on teacher's productivity in secondary schools in Nigeria, with particular focus on Shomolu Local Government Area of Lagos State. Descriptive survey research design was used. A self constructed 25 item questionnaire was used for the research study. Four hypotheses were tested. The statistical tools used to test the hypotheses were Pearson's Product Moment correlation coefficient and Multiple Regression Analysis. The participants in this study were made up of 200 teachers randomly selected from ten secondary schools in Shomolu Local Government Area of Lagos State. The results showed that there is a significant relationship between the motivation of teachers and their productivity; while management style has a significant influence on teachers' motivation and their productivity; there is a significant influence of teachers' motivation on students' academic performance.

Keywords: *teachers; motivation; productivity; management styles; Nigeria*

1. Introduction

Education is a social institution that sociologists are very interested in studying. This includes teaching formal knowledge such as reading, writing, and arithmetic, as well as teaching other things such as morals, values, and ethics. Education prepares young people for entry into society and is thus a form of socialization. Sociologists want to know how this form of socialization affects and are affected by other social structures, experiences, and outcomes. That is why sociology of education is a field that focuses on two separate levels of analysis. At a macro-level, sociologists work to identify how various social forces, such as politics, economics, culture, etc., creates variation in schools. In other words, what effects do other social institutions have on the educational system? At a micro-level, sociologists look to identify how variation in school practices lead to differences in individual-level student outcomes. That is, when schools have different teaching methods or have different practices, how does that affect the individual students and what are the individual outcomes?

That is why sociological studies of education examine social interaction in the classroom, on the playground, the teaching learning processes, the environment of the school, the personality of the teacher, his motivation as well as his productivity to facilitate effective quality and effective learning. These studies help us understand what

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happens in the schools themselves, but they also help us understand how what occurs in school is relevant for the larger society.

The relevance of job satisfaction and motivation also fall within the focus of sociological studies and crucial to the growth of any educational system around the world. They probably rank alongside professional knowledge and skills. It is well known facts that many teachers lose or fail to develop self efficacy within educational settings (Dweck 1999: p.16). This is because professional knowledge, skills and competencies occur when one feels effective in one's behaviour. Also, satisfaction and motivation to work are very essential in the lives of teachers because they are the fundamental reasons for working in life. While almost every teacher works in order to meet his or her needs in life, he or she constantly agitates for need satisfaction. Job satisfaction context is the ability of the teaching job to meet teacher's need and improve their job /teaching performance.

Another problem is the governments' position concerning the job performance of teachers; who accuse the teachers of negligence, laziness, lack of dedication and zeal to work. The government further argues that teachers' level of efficiency and effectiveness does not necessitate the constant request for salary increase, incentives and other working conditions. While teachers on their part argue that the existing salary structure and working conditions do not satisfy their basic needs in as much as other sectors of the economy have bigger salary structure, better motivation and enhanced working conditions (Okon 2004: p. 16).

Since we know that motivation is the urge, a drive which creates tension in us forcing us to take action in order to reduce the tension and bring equilibrium, it is the driving force that propels one to take actions that culminate in enhanced productivity (Hoy and Miskel 1987: p.12; Peretomode and Peretomode 2001: p.5).

As enumerated above therefore, a well motivated teacher will feel belonged, committed and will contribute his/her skills and ideas to the job. There will be increased productivity. Why do we need to motivate teachers? Or what are the reasons for motivation? These could be among other reasons to make teachers to perform up to preset standards, to energies them to go the extra mile voluntarily and to make them work without supervision and still bring out better results than when supervised.

One should understand the complex nature of human needs and that it is only when such needs are satisfied that workers can put in their best. There must be adequate provision of housing, feeding, transportation facilities and other extrinsic motivation (Mitehel 1986: p.12; Ejiogu, Achumba and Asika 1995: p. 9) defined motivation as "those psychological processes that cause the arousal, direction and persistence of voluntary actions that are goal directed".

These psychological processes constitute the meaning and composition of motivation. According to Onyene (2000), effective staff motivation demands that on one hand, a thorough engineering of incentives, and reward structures to get high devotedness are required to achieve the objectives of the organization as well as to satisfy the needs of individuals. This implies that the more the needs of the workers are satisfied within the organization the more they are motivated to work towards the satisfaction of the needs of their organization. What then is teachers' productivity? Teachers' productivity is a very difficult concept to identify and evaluate precisely. It is a very complex phenomenon involving, not only the teachers' characteristics but several other variables and factors outside the teachers' control, which interact, affect and influence its productivity.

The teachers are the moulders of the young ones and as such, the moulders of the nation. They need to put in their efforts at ensuring that their jobs produce good results in what their students become in the future.

So many factors which influence productivity growth in education according to Peretomode and Peretomode (2001) include:

- Education and skill (i.e the quality of the work force that are employed to teach).
- Technological innovations.
- Flow of materials needed for effective and efficient teaching.
- Quality of management or managerial leadership.
- Government regulations.
- Employees' morale or motivation.

When teachers are well motivated, the effect of their productivity will be greatly felt in the nation. There would be high rate of education turn - over because the money which could have been used to re-train failures or repeaters will be ploughed back to do other meaningful things in education.

Therefore, one of the fundamental steps at redeeming the present deplorable state of secondary education and teachers' productivity in particular in the development of attitudes of commitment to vision, goals and strategies on the part of education stakeholders is that teachers must be thoroughly furnished with the necessary tools and materials to teach.

2. Defining elements of the research

2.1. Statement of the problem

Teachers are expected to render a very high job performance and *the* Ministry of Education is always curious regarding the job performance of its teachers. Also, the Ministry of Education demands a very high measure of loyalty, patriotism, dedication, hard work and commitment from its teachers (Ubom and Joshua 2004: p.13). The government, parents and all stakeholders in education are wondering if teachers, whose responsibility it is to impart knowledge and inculcate discipline are really doing their work (Okon 2004: p. 10).

Factors which could come in different forms like job satisfaction, leadership style, government attitudes to issues concerning teachers, poor remuneration, lack of basic amenities in schools. All these and more could be responsible for teachers' low productivity.

Teachers who are the trainers for the future leaders, who will in time become the builders of the society, are left uncared for, deprived of basic necessities of life and can only perform his duties grudgingly if not at all. In many countries of the world, teachers have not been placed at the Centre stage of educational decision making this has had the disastrous effects of all top-down approaches to development. Money has been wasted on conferences, new programs, and reform projects which have had no impact at the school and classroom levels.

Seminars and workshops to improve on teachers' productivity have been held yet without success. Ejiogu et. al. (1995) insists that the "more the needs of workers are satisfied within their private enclave, by the organization they work for, the more they are motivated to perform", better and profitably too. That individuals in the organization (school) have variety of needs is a fact. Against this backdrop the

researcher wishes to find out what impact the influence of motivation and productivity could have on their teaching effectiveness.

2.2. Research questions

This study will attempt to answer the following questions:

1. Is there any significant relationship between the motivation of teachers and their productivity?
2. Does management style affect teachers' motivation and productivity among secondary schools in Somolu Local Government Area of Lagos State?
3. Do teachers' professional qualifications affect their productivity?
4. Is there any significant relationship between the curriculum design and teachers' productivity?

2.3. Hypotheses

The following research hypotheses will be tested in the study:

1. There is a significant relationship between the motivation of teachers and their productivity.
 - 1 Management style has a significant influence on teachers' motivation and their productivity.
 3. There is a significant influence of teachers' motivation on students' academic performance.
 4. Motivation can significantly lead to increment in the productivity of teachers at the secondary schools in Somolu Local Government Area of Lagos State.

2.4. Scope of the Study

This study covers the members of the teaching staff of secondary schools in Somolu local government area of Lagos State and focus mainly on ten selected secondary schools from the area. This is due to time and financial constraints.

2.5. Methodology

Survey research design was used in carrying out this study in order to identify the variables that relate to motivation. Among the variables identified and measured in this study include salary, incentives, satisfaction, students' learning and teachers' performance. The study area for this research is Somolu Local Government area of Lagos State.

The populations of this study are the teaching staff of all the secondary schools in Somolu Local Government area. Opinions of total number of 200 teachers were randomly sampled through the use of questionnaires. They comprised twenty randomly selected teachers from the ten schools selected. The use of simple random sampling technique gave every teacher in the schools opportunity of being selected by using the teachers register in each school as a frame.

The instrument used for collecting primary data for this study was questionnaire which was designed by the researcher and was corrected and moderated by the supervisor. The questionnaire was used in the collection of information from the respondents. The questionnaire comprised of 25 question items which dealt extensively with motivation and productivity.

Items in the questionnaire were measured by 4-points Likert scale type. Statements were made in which the respondent strongly agreed, agreed, disagreed, or

strongly disagreed. For the Likert scale question items, the coding was done in which strongly agreed was given 4; agreed was 3; disagreed was 2; and strongly disagreed was 1, for positive questions and vice versa for negative questions. The questionnaire contained sections A and B. section A contains questions that measured the demographic variables of the respondents while sections B contained questions that were drawn to provide answers to the research questions of the study.

The questionnaire was constructed by the researcher and was submitted to the researcher's supervisor who assessed, corrected and modified the questionnaire for validity. To test for the reliability of the instrument, a pilot survey was conducted by the researcher by selecting 40 teachers in one of the public secondary schools in Ikeja Local Government area. The 40 copies of the questionnaire were administered on the teachers and the responses were in line with the expectation of the researcher that motivation impacts on teacher's motivation. A test-retest technique was used to determine the reliability coefficient which was determined at 0.67. The data collected from the respondents through research questionnaire were processed and analyzed using descriptive statistical tools. The hypotheses of the study were tested using Pearson's Product Moment Correlation Coefficient and Multiple Regression analysis.

2.6. Results

To present the analysis, means and standard deviation were computed and presented in tables. The inferential statistics employed were Pearson Product Moment Correlation Coefficient, Multiple Regression Analysis and t-test.

The data collected were analyzed and the results are presented below.

Testing of Hypotheses

Hypothesis One: There is no significant relationship between the motivation of teachers and their productivity.

Table no. 1. Relationship between teachers' motivation and their productivity

Variables	N	Df	Mean	8.D	R-cal	R-critical	Remark
Teachers' Motivation	200	198	29.09	6.06	0.27	0.195	Ht1- Rejected
Teachers productivity			28.15	5.54			

p. < 0.05

From the above table, the r-calculated value of 0.27 implies a positive relationship between the motivation of teachers and their productivity. That is, increase in one variable leads to increase in the other variable, and vice versa. It means that teachers become more productive when they are motivated.

Similarly, from the above table, r-calculated value of 0.27 is more than the r-critical value of 0.195. Hence, there is a significant relationship between the motivation of teachers and their productivity.

Hypothesis Two

Management style does not significantly influences teachers' motivation and productivity.

Table no. 2. Multiple regression analysis for management style, teachers' motivation and productivity.

Variables	N	Df	Mean	S.D	R2	R	F-ratio	F-critical	Remark
Management Style	200	198	41.72	14.45	0.07	0.26	7.09	3.99	Ho2-Rejected
Teachers' Motivation			29.09	6.06					
Teachers' Productivity			28.15	5.54					

p. < 0.05

From the above table, the f-ratio value of 7.09 is greater than f-critical value of 3.99 at 0.05 level of significance and 197 degrees of freedom. Hence, null hypothesis is rejected.

Going by the above results, it can therefore be concluded that management style significantly influence teachers' motivation and productivity.

Hypothesis Three

There is no significant influence of teachers' motivation on students' academic performance.

Table no. 3. Differences in teachers' motivation and students' academic performance.

Variables	N	Df	Mean	S.D	T-cal	T-critical	Remark
Teachers' Motivation.	200	198	14.55	3.03	3.77	1.96	Ho3-Rejected
Students' academic performance.			11.83	3.23			

p. < 0.05

In the table above, t-calculated value of 3.77 is greater than the t-critical value of 1.96 at 0.05 significant level and 198 degrees of freedom. Hence, the null hypothesis is

rejected. It can therefore be concluded that there is significant influence of teachers' motivation on students' academic performance.

Hypothesis Four

Motivation cannot significantly lead to increment in the productivity of teachers at the secondary schools in Somolu Local Government area of Lagos State.

Table no. 4. Significance of Motivation on the increment of teachers' productivity

Variable	N	Df	Mean	S.D	R2	r-critical	Remark
Teachers' Motivation	200	198	29.09	6.06	0.2	0.195	Ho4-Rejected
Increment in teachers' productivity			23.66	6.46			

p. < 0.05

In the table above, r-calculated value of 0.2 implies a positive relationship between the motivation of teachers and increment in their productivity. That is, increase in one variable leads to increase in the other variable, and vice versa. It means that teachers will continue to be productive as they are motivated.

Moreover, the r-calculated value of 0.2 is greater than the r-critical value of 0.195 at 0.05 significant level and 198 degrees of freedom. Hence, the null hypothesis is rejected. It can therefore be concluded that motivation can significantly lead to increment in the productivity of teachers at the secondary schools in Somolu local government area of Lagos State.

2.7. Summary of findings

After series of analysis of the research conducted, the following were the summary of the findings:

In the first hypothesis, positive relationship was found between teachers' motivation and teachers' productivity. That is, increase in one variable leads to increase in the other variable, and vice versa. It means that teachers become more productive when they are motivated. It was concluded that there is a significant relationship between the motivation of teachers and their productivity. This is because of the fact that the calculated value is more than the critical value.

In the second hypothesis, it was observed that good management style will lead to high motivation and high productivity. When the variables were correlated using multiple regression analysis, the r-calculated value was greater than r-critical value. The finding led to the conclusion that management style has significant influence on teachers' motivation and productivity.

In the third hypothesis, there was positive relationship between the two variables. Also, the calculated value was greater than the critical value. The finding therefore led to the conclusion that there is a significant influence of teachers' motivation on students' academic performance.

2.8. Discussion of findings

The first hypothesis states that "there is no significant relationship between the motivation of teachers and their productivity". Positive relationship found between teachers' motivation and teachers' productivity. That is, increase in one variable leads to increase in the other variable, and vice versa. It means that teachers become more productive when they are motivated. The null hypothesis was therefore rejected and this led to the conclusion that there is a significant relationship between the motivation of teachers and their productivity. This finding agrees with the view of Walton (1998) when he said that people require certain pay levels to meet their needs and that slow income progression and ineffective incentives quickly demotivate. The finding also supports Marcourse (1999) when he argued that people work for only one reason-money.

The second hypothesis states that "management style will not significantly influence teachers' motivation and productivity". When the variables were correlated using correlation analysis, the calculated value was greater than the critical value, the null hypothesis was therefore rejected and this led to the conclusion that management style has a significant influence on teacher's motivation and productivity. This finding agrees with the view of Reiger and Stang (2000) that motivation can be influenced by traditional and non-traditional managerial practices. It also supports the view of Ijaiya (2007) by recommending what managers should do to influence teacher's productivity. It also supports Johnson (2001) which says that performance pay help attract and retain talented professionals in the classroom and motivate teachers to teach better.

The third hypothesis states that "there is no significant influence of teachers' motivation on students' academic performance". There was a positive relationship between the motivation of teachers and students' academic performance. That is, increase in one variable leads to increase in the other variable, and vice versa. It means that performance of students will continue to improve as teachers are motivated. Similarly, the calculated value was found to be more than the critical of value at 0.05 level of significance and therefore led to the rejection of the null hypothesis. It was concluded that there is a significant influence of teachers' motivation on students' academic performance. This finding agrees with the view of Alison and William (2008), when studying on the influence of merit pay on teachers' motivation, and then discovered tremendous improvement of students' performance in both internal and external examinations. It also supports Johnson (2001) by arguing that merit pay improves students' achievement and teachers' retention.

3. Recommendations

Since motivation is a tool for teachers' productivity and students' academic excellence, the following recommendations are therefore made:

1. School authorities or managers should be trained by the Lagos State Government to improve their management skills. Directly or indirectly, teachers would be motivated by good management styles.
2. The Lagos State Government must do something to boost the image of the teaching profession in order to enhance professionalism in the system of education.
3. Teacher Salary Scale (TSS) should be augmented by the Government. This will increase teachers' motivation and bring back to teaching teachers who went for

other greener pastures to make ends meet. Students' academic excellence will also be improved in the process.

4. Performance award pay system should be introduced into the system for teachers whose students perform very well.

5. Teachers should be promoted as and when due.

6. Overcrowding of students in classes should be dissuaded to give room for participation in class by the students. This could be avoided building more classrooms.

7. In-service training should be organized for teachers to boost and increase their efficiency and effectiveness. This will also make them to know the new methods of teaching their subjects.

8. Teachers who would like to go for higher degrees could be encouraged by granting them loans or scholarship.

9. Buildings and furniture should be constructed in a way that they will be attractive and comfortable to both teachers and students in order to encourage and make the teaching and learning processes enjoyable.

10. Administrators should see their subordinates as part of the system and should carry them along in decision making process.

4. Implication for policy and practice

Educational policy makers must include as part of policy direction aspects of motivation of teachers such as welfare and other motivational measures to ensure that teacher productivity is kept at its maximum. Effective incentives require an accountability system that ensures that the benefits are going to those teachers whose behaviours was what education officials intended to encourage.

For the incentives to be successful the following conditions have to be met:

1. 1. The benefit being awarded has to be sufficiently powerful to have incentive value. Not all teachers want the same things and, also, incentives are often culture specific. Short of giving more salary or allowances which seems to be universally appreciated, identifying a benefit that has incentive value to a large proportion of teachers can be a problem.

2. The incentive has to be paired with the intended behaviour within a short enough time frame so that the teacher recognizes that connection. This raises the problem of who monitor teachers' behaviour closely enough to make valid decision about which teachers should be awarded the incentive.

3. For the incentive to have the intended impact on teaching practice, it is important that these benefits are awarded only to those teachers who actually exhibit the intended behaviours. Moreover, the process of selecting teachers to be awarded needs to be consistent, fair and transparent. Other teachers must see the selection as reasonable and accurate. They must believe that if they improve their performance in the intended ways they too will get the incentive.

Kohn (1999) believe that even if incentives successfully motivate teachers who receive them, they may demoralize teachers who do not receive them and he describes this situation as being "punished by rewards". Teachers who do not believe they will ever achieve a level of teaching performance that would result in a reward sometimes harbor resentment that shapes their outlook and their work. He suggested two efforts to mitigate the potentially negative effects of incentives:

1. To distribute incentives to a larger proportion of teachers in an effort to make the effort more inclusive.

2. To base the allocation of incentives on school performance rather than on individual performance, in an effort to encourage collaboration in working towards the desired goals.

5. Implication of the study

This study can be used by school administrators, government and stakeholders in education to enhance motivation of teachers.

Teachers' motivation counts much that it affects productivity. Government must continue to provide the necessary incentives to ensure the sustainability of productivity in the school system. Teachers should be provided with the necessary teaching materials in a conducive environment to boost their morale. Administrators should try to treat their subordinates kindly. People are more likely to enter teaching if they believe they will be treated with respect and that their personal career needs will be met.

Teachers are better monitored by the school administrators. They are in the position to identify those teachers that should be motivated.

6. Conclusion

The first hypothesis states that "there is no significant relationship between the motivation of teachers and their productivity". Positive relationship was found between teachers' motivation and teachers' productivity. That is, increase in one variable leads to increase in the other variable, and vice versa. It means that teachers become more productive when they are motivated. The null hypothesis was therefore rejected and this led to the conclusion that there is a significant relationship between the motivation of teachers and their productivity.

The second hypothesis states that "management style will not significantly influence teachers' motivation and productivity". It then means that good management style will lead to high motivation and high teacher's productivity. When the variables were correlated using correlation statistics at 0.05 significant levels, the r-calculated value was found to be greater than the critical value and this led to the rejection of the null hypothesis. It was therefore concluded that management style has a significant influence on teachers' motivation and productivity.

The third hypothesis states that "there is no significant between teachers' motivation and students' academic performance". There was a positive relationship between the motivation of teachers and students' academic performance. That is, increase in one variable leads to increase in the other variable, and vice versa. It means that performance of students will continue to improve as teachers are motivated. It was concluded that there is a significant influence of teachers' motivation on students' academic performance.

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Personnel acting in the system of social work and legal status of the social worker: ethical and professional issues

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Abstract

In the field of social work activates specialized personnel and personnel with skills and competencies in social work. The exercise of social work as a profession involves two forms: the possibility of an individual employment contract as an employee or the exercise of specific activities independently within individual offices or professional civil society of social work. Also, in practice there are some situations in which private providers of social services are using social workers under volunteer contracts. Identifying all aspects related to exercising the profession of social worker in Romania in terms of legality involves analyzing the provisions of several laws - Law no. 53/2003 (Labor Code) with subsequent amendments, Law no. 466/2004 on the Statute of social worker, Law no. 292/2011 on social work, Law no. 200/2004 on the recognition of diplomas and professional qualifications for regulated professions in Romania, Volunteering Law no. 195/2001, Code of Ethics of the social worker profession no. 1/2007. The author of this article examines the provisions of all these laws to identify professional and ethical rights and obligations incumbent to social workers, the conditions that must be met for the social worker to obtain the certificate of free practice and cases of professional incompatibility.

Keyword: *profession; social worker; ethics; employment contract; social services*

1. Introduction

In the field of social work is working personnel specialized in social work and personnel with different skills and competencies. Training of specialized personnel in social work is done in public and private education institutions, which operate under the law, and in the process of continuous training.

Personnel involved in providing social services operate in accordance with the profession's Statute, the provisions of the Labour Code and other laws, as appropriate.

Social services are provided by social workers and people with skills and competencies in the specific area of intervention. In the process of providing social

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services can be involved, along with specialized staff, family members, other individuals and volunteers, under the law.

Depending on the complexity and type of organization, social services are provided by multidisciplinary teams. Coordination of multidisciplinary teams, as well as activities related to solving the social case is made by case manager or by the case officer.

2. The Romanian legislation governing the social worker profession

Social work profession can be exercised by a person who meets the following conditions laid down by Law no. 466/2004 on the Statute of social worker (art. 7):

a) is a Romanian citizen or a citizen of another State, under the conditions of the law referred to in art. 2 par. 1;

b) has specialized studies in social work, according to art. 2 par. 2;

c) is registered in the National Register of social workers in Romania;

d) is not in one of the cases of incompatibility laid down in law.

As for specialized studies in social work, art. 2 par. 2 of Law no. 466/2004 stipulates that the title of social worker may be owned by:

a) a person who received his graduate degree in a higher education institution specialized in the field, long-term form, 4 years, accredited under the law;

b) a person who holds a diploma of higher education institutions specialized in the field, short-term form, 3 years, accredited under the law;

c) a person who holds a diploma of social worker being equated under the law;

d) a person who holds a diploma of social worker awarded or recognized in one of the Member States of the European Union, one of the states in the European Economic Area or Swiss Confederation. We must emphasize that, besides Romanian citizens, social workers can be the nationals of Member States of the European Union, of the other countries in the European Economic Area and the Swiss Confederation, and also citizens of third countries with which Romania has bilateral reciprocal agreements and residing temporarily or permanently in Romania (art. 2 par. 1 of Law no. 466/2004 on the Statute of social worker).

Regarding incompatibilities provided by art. 14 of Law no. 466/2004, it could not enjoy the status of social worker the person who:

a) is not registered in the National Register of social workers in Romania;

b) has been convicted by a final court decision for deliberately committing a crime in circumstances related to the profession of social worker and has not been rehabilitated;

c) it was applied the additional punishment to forbid the right to practice the profession during the time period defined by final judgment;

d) has the authorization to professional practice temporarily suspended as a disciplinary sanction, during the suspension.

Also art. 15 of Law no. 466/2004 provides that the status of social assistant is incompatible with:

a) conducting any activities which may affect professional dignity;

b) deliberate use of knowledge or professional methods to the detriment of the person or unlawful purpose;

c) membership and promoting the interests of political parties or groups outlawed.

The profession of social work can be exercised independently in terms of free practice, by persons mentioned in art. 7, which obtained the certificate of free practice, or under individual employment contract.

Exercising this liberal profession, understood as a „profession acquired by a person through training in the education system expressed by specialty acquired and which could be exercised freely and independently, by any form of organization (individual or by particular offices)” (Niculeasa 2006: pp. 37-38), can be done in the following ways: by setting up individual offices, associated offices or civil professional companies, under the law. Individual offices and associated offices of social work can engage collaborators. It should be emphasized that the exercise of a liberal profession gives rise to specific legal relations (Ștefănescu 2007: pp. 16-21).

In order to obtain the certificate of free practice, the social worker must meet the following conditions:

a) prove that he practiced social work for at least 5 years before the time of application;

b) not have been found guilty by the National College of Social Workers in investigations regarding the practice of social work;

c) submit to the College the application accompanied by a curriculum vitae, a motivation letter and recommendations from three social workers.

The social worker can operate only after the approval of the application for registration as a member of the National College of Social Workers. Approval of application automatically leads to registration in the National Register of Social Workers from Romania and the issuance of the authorization to practice (art. 8-9 of Decision no. 1/ 30 March 2012 of the National College of Social Workers on the adoption of the Rules of Organization and Operation of the National College of Social Workers).

Law no. 466/2004 on the Statute of social workers provides: ”The social worker shall operate under salary regime or independently with the right of free practice” (art. 5). As for exercising the profession in an employment relationship, conclusion of an individual employment contract involves the birth of a relationship of subordination between the employee and employer (Ștefănescu 2007: pp. 192-193; Țiclea 2008: p. 27; Gidro 2013: pp. 16-17; Beligrădeanu 2013: pp. 42-43; Belu 2005: p. 22; Ciochină-Barbu 2012: p. 9; Cernat 2012: p. 25; Anechitoae 2013: p. 72; Radu 2015: pp. 46-47), and the setting in the job description list of tasks not related to the profession, but to the internal organization of the employer (organization chart).

According to the law, the social worker puts into practice knowledge, norms and values of social work to intervene and assist people and communities, at their request or whenever circumstances require. He actively participates in the development and implementation in the field, of social policies, strategies and action plans at local, national and international levels, promoting social welfare.

Among the activities of the social worker are the following:

a) identifying the segment of the population that is subject to the social work;

- b) identification and evaluation of social and human problems in a particular region, community or village;
- c) development of action plans, programs, measures, activities professionalized and specialized services specific to the field;
- d) raising public awareness and information with regard to social issues;
- e) determining the specific means of access to benefits and social work specialized services based on needs assessment;
- f) developing scientific research programs and training schemes (art. 3 par. 5 of Law no. 466/2004).

Law no. 466/2004 does not specify which of these activities can be performed as an employee and which can be operated independently. Therefore, incomplete or unclear provisions of Law no. 466/2004 on the status of the social workers must be interpreted and supplemented by correlations with other laws. The exercise of the social worker profession in Romania in terms of legality involves analyzing the provisions of several laws - Law no. 53/2003 (Labour Code) with subsequent amendments, Law no. 466/2004 on the Statute of social assistant, Law no. 292/2011 on social work, Law no. 200/2004 on the recognition of diplomas and professional qualifications for regulated professions in Romania, Volunteering Law no. 195/2001, Code of Ethics no. 1/2008 of the social assistant profession.

Law no. 292/2011 on social work regulates the general organization of social services as follows: „Art. 40. - (1) Social services are organized and given to the community. (2) Social services are based on identification and evaluation of social needs of individual, family or group and on developing contingency plans for preventing, combating and addressing situations of difficulty”.

Social service providers may be individuals or legal entities, public or private (Pătrașcu 2014, pp. 176-179).

Public providers of social services are:

- a) specialized structures within / in the subordination of local authorities and executive authorities of the administrative territorial units organized at the level of village, town, city and districts of Bucharest;
- b) the central public administration authorities or other institutions under their supervision or control which tasks are set by law on providing social services for certain categories of beneficiaries;
- c) health units, education units and other public institutions that develop, at community level, integrated social services.

Private providers of social services are:

- a) non-governmental organizations – associations and foundations;
- b) religions recognized by law;
- c) individuals authorized by law;
- d) subsidiaries and branches of international associations and foundations recognized under the law;
- e) economic operators under special conditions prescribed by law.

Law no. 292/2011 on social work stipulates that social service providers ensure basic social services (identification and evaluation of social needs of individual, family or group and developing contingency plans for preventing, combating and addressing situations of difficulty) through the agency of „social

workers employed in their own structures or, failing that, may acquire services provided by social workers registered with individual offices or civil professional companies of social work” (art. 40 par. 3).

In addition to these provisions, art. 40 par. 4 states: „Where, due to objective reasons, cannot engage social workers or purchase their services, social service providers may employ social workers to carry out activities of identifying and, where appropriate, for the evaluation of the needs of people who calls for social security benefits and social services”.

Law no. 292/2011 does not define the term ”social worker”, but from the interpretation of these provisions we can conclude that they are employees with individual employment contract working in the social field - social work in this case. On the other hand, art. 3 par. 5 of Law no. 466/2004 on the status of social worker shall assign public or private institutions and bodies, empowered by law to conduct social work activities, with the obligation to ensure the realization of these activities by social workers or under their direct supervision. By analyzing the words of the law... may employ social workers ...” it results that ”social workers” are an option available to social services providers, because of the lack of social workers, but only a temporary option ”eventually possible ... until identifying a social assistant” (Voj 2013). We must emphasize that social workers have still low skills and can be used, under the law, only for carrying identification and, where appropriate, assessment of the needs of people applying for benefits for social work and social services, not to pursue the full range of specific skills of social assistants stipulated by art. 46 of Law no. 292/2011: initial evaluation; drafting contingency plan; complex evaluation; developing customized care and assistance plan; implementation of measures under the intervention plan and individualized plan; monitoring and evaluation of service delivery. Moreover, social service providers are unable to obtain accreditation under Government Decision no. 118/2014 approving the Methodological Norms for the application of Law no. 197/2012 on quality assurance in social services only if, in addition to supporting documents required by this act shall deposit with the file the CV of a person with experience / qualification in the management of social services or in the field of social work, and a copy of the individual contract of employment or the contract of providing services concluded with this person (art. 8 par. 6 of Government Decision no. 118/2014 approving the Methodological Norms for the application of Law no. 197/2012 on quality assurance in social services).

Social work benefits and social services meet a wide variety (Buzducea 2005: pp. 60-67; Pătrașcu 2014: pp. 171-176; Radu 2009: pp. 139-141), the provision of social services with the following mandatory steps (art. 46 of Law no. 292/2011):

- a) initial evaluation;
- b) drafting contingency plan;
- c) complex evaluation;
- d) developing customized care and assistance plan;
- e) implementation of measures under the intervention plan and individualized plan;
- f) monitoring and evaluation of service delivery.

According to art. 47 of Law no. 292/2011, the initial evaluation and intervention plan are made by the social worker or, failing that, by personnel with competencies in social work within the public service of social work subordinated to local public administration's authorities. Also art. 122 part. 1 features that "identifying and evaluation of social needs of individual, family or group and developing contingency plans for preventing, combating and addressing situations of difficulty is achieved, under the conditions of special laws, by social assistants", according to their functions stipulated by the statute of social assistant and internal regulations of employers or job description. Therefore, Law no. 292/2011, the framework law on social work, together with Law no. 466/2004 on the Statute of social assistant recognize the social assistants' professional status, establishing their roles, identifying professional and ethical rights and obligations incumbent on them, the conditions that must be met by social workers to obtain the certificate of free practice, cases of professional incompatibility. Incidentally, Law no. 200/2004 on the recognition of diplomas and professional qualifications for regulated professions in Romania states at art. 2 par. 1 that „regulated professional activity is an activity whose access or exercise in Romania is subject, directly or indirectly, in accordance with Romanian law, to the possession of a document showing the level of training”.

Another important provision of the Law no. 292/2011 on social work is that of art. 125: "(1)Personnel employed in social services and public services of social work are contractual personnel. (2)Notwithstanding the provisions of par. 1, "persons responsible for the management of public services of social work and personnel involved in carrying out and developing strategies and annual action plans, in collection and database management, in contracting social services, in management of human resources, economic and financial activities and legal advice can be employed as civil servants" under Law no. 188/1999 on the Statute of civil servants, republished, with subsequent amendments". Therefore, we can say that the legislator established, on this way, the rule of employing personnel in social services and in public services of social work with individual employment contract and the exception - employment as civil servants, with all features resulting from establishing a service relation (Ștefănescu 2007: pp. 21-27).

Art. 122 part. 2 of Law no. 466/2004 provides that "local government authorities employ social workers or contract their services" to perform activities of identification and evaluation of social needs of individual, family or group and making contingency plans, "respecting a ratio of one social worker for no more than 300 beneficiaries”.

From the provisions of H.G. no. 118/2014 approving the Methodological Norms for the application of Law no. 197/2012 on quality assurance in social services it results that social service providers may enter either in an "individual employment contract or in a contract of providing services" with „people with experience/ qualification in the management of social services or in social work field”. In addition to social workers - that is the rule - and social employees – that is the exception, Law no. 292/2011 on social work provides that in the process of providing social services can be involved volunteers which, for the work done, enjoy certain facilities. It is certainly an option that social service providers use, on the one hand, because this reduces costs with employees' salaries and, secondly,

because if using volunteers can benefit from facilities for accessing funds from state budget, local budgets or international funds (art. 123 par. 1 and 2). To avoid however situations when a social service provider should avoid entering into contractual relationships (work or service providing) with a social worker, preferring instead to enter into a voluntary agreement with a person holding the competencies provided by law in order to be included in the proposed team to provide social services at the time of accreditation, the Volunteering Law no. 195/2001 expressly provides in art. 6 par. 1: "It is forbidden to conclude a voluntary agreement in order to avoid the conclusion of an individual employment contract or, where appropriate, a civil contract of providing services or other type of civil onerous contract for making the same benefits". On the other hand, the Code of Ethics of social workers provides in art. 13: "For social work services provided in the, contractual relationship established with the recipient of it, "the social worker whatever form of practicing the profession, is receiving a salary or a fee negotiated freely with beneficiaries" of the services rendered or with the providers of social work services or with another employer entity in which they operate, where appropriate and in art. 20 par. 1: „The social worker will provide social work services to beneficiaries only in the context of contractual professional relations and of informed consent of the recipient, as appropriate”.

In social work field are also active "formal and informal caregivers". Care services for dependents or other persons who require personal care at home – people with disabilities, the elderly – services involving assistance in carrying out instrumental activities of daily living are awarded by informal caregivers and volunteers and only in their absence by formal caregivers (art. 52 par. 6 of Law no. 292/2011 on social work). Provisions of Law no. 292/2011 on social work show that formal caregiver is the qualified person, professionally certified, who provides personal care or help to perform basic and instrumental activities of daily life by the person who lost operational autonomy [art. 6 letter s)]; and informal caregiver is unqualified person, family member, relative or any other person who provides personal care or help to perform basic and instrumental activities of daily life by the person who lost operational autonomy [art. 6 letter ș)]. Art. 87 of Law no. 292/2011 provides, for example, that a person with severe disability, depending on the nature of disability and the specific of care needs, can be assisted and cared for at home by a family member employed as a formal caregiver, as provided by law, with the result that employment is reflected in the conclusion of an individual labor contract.

According to art. 124 of Law no. 292/2011 on social work, the personnel working in social work shall:

- a) operate in accordance with law;
- b) ensure confidentiality of information obtained in the exercise of the profession;
- c) respect the privacy of beneficiaries;
- d) respect the freedom of the beneficiary to choose social services and social service providers;
- e) respect professional ethics;
- f) actively involve the beneficiaries of social services and, where appropriate, their families in decision making and the provision of social services;

g) respect the dignity and uniqueness of the individual.

Regarding the rights of personnel working in social work field, whether it is employed by an individual labour contract, will have all the specific rights of employees (Radu 2008: pp. 173-174), as provided by Law no. 53/2003 (Labour Code). Some categories of personnel working in the public system of social work can benefit from allowances added to base salary, depending on the specific conditions of activity performing. Categories of staff and the conditions for granting allowances are established by Government Decision.

Central and local public administration authorities, as well as public and private providers of social services have an obligation to promote, facilitate and provide to their employees programs of professional perfecting and specific training programs (art. 126 of Law no. 292/2011 on social work).

The remuneration of employees of the public system of social work is made according to the Law no. 284/2010 regarding the unitary remuneration of personnel paid from public funds, as amended.

Personnel involved in providing social services have, under the conditions of law, disciplinary, patrimonial, administrative or penal liability.

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Fiscal burden and business opportunities

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Abstract

The business in Albania is surviving thanks to the evasion and monetary contribution of local entrepreneurial. In the early years of regular daily economic system, due to lack of big market for a long time consumer demand it was great but the offer was quite limited and not qualitative, so the profits of merchants were quite large. Also in this period and fiscal management, it was in his beginning. However, things have changed and now in Albania are very high quality international firms and local entrepreneurs through two or three are subsidiaries. Development of business but especially the garment trade is becoming even more difficult. For that, we have analyzed statistically, the financial statements of some important business activity of known European brands as well as two subsidiaries of foreign companies. The analysis concluded that in the case of “mother” companies cost of goods sold is lower than the companies that are resellers. This also worsens the result of interest expense of bank loans that have Albanian entrepreneur, what brings a non-profit business. In conclusion we can say that before we settle the obligations on businesses we should see how much profit are to be able to meet these obligations, as is the obligation of VAT.

Keywords: *goods; VAT; tax; EBIT; turnover; liquidity; economy; indicator*

1. Introduction

The beginning of the 90s found the Albanian economy in deep crisis and changing the system from a centralized economy to a market economy. Lack of cash from the state or individuals paralyzed the economy (National Business Center 2016). In these conditions, individuals who had started to make little savings reseller, as the form that requires less capital and has the possibility to recycle quickly, buying and reselling items outside the country. In their early, this form of doing business it was quite profitable since mark-up was top - traded items as non-quality and relatively high prices because supply was limited. In addition, the tax authorities were in their infancy and although the fees were quite high tax, obligations to pay by businesses were quite low (National Business Center 2016).

Over the years, the referral started to re-dimensioned after the offer began to grow and differentiate. The trade required items with quality and well-known brands. Therefore, they signed the franchise's agreements as well as some of the most popular firms also raised their points of trading.

Causes of evasion in a general sense in the fact that no one wants to pay for Albania but also related to the inability of local businesses to pay these obligations for small market stern and poor. For this, we analyzed the financial statements of the seven

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companies, of which three are subsidiaries of international companies, manufacturing firms or three and four are trading firm

Inditex Group is a Spanish multinational clothing company headquartered in Arteixo, Galicia (Inditex 2016). It is made up of almost a hundred companies dealing in activities related to textile design, production, and distribution. The company is a component of the Euro Stoxx 50 stock market index.

Inditex, the biggest fashion group in the world, operates over 6,600 stores worldwide and owns brands like Massimo Dutti, Bershka, Oysho, Pull and Bear, Stradivarius, Zara, Zara Home, Tempe, and Uterqüe, and also a low-cost brand Lefties. The majority of its stores are corporate-owned; franchises are only conceded in countries where corporate properties cannot be foreign-owned (in some Middle Eastern countries, for example).

The group designs and manufactures almost everything by itself, and new designs dispatched twice a week to Zara stores (Inditex 2016).

Most of the company's manufacturing is done in countries with low labour costs, mainly in Bangladesh, India, Morocco, China and Turkey, although some production continues in Spain, Brazil and Portugal, particularly for its Zara brand. In addition, Inditex has a factory for shoe design, production and distribution in the town of Elche, on the Spanish Mediterranean coast.

LC Waikiki's journey started in France in 1985, continuing after 1997 as a Turkish brand under the umbrella of LC Waikiki Mağazacılık Hizmetleri Ticaret A.Ş (LC Waikiki 2016). Today LC Waikiki trades in 614 stores in 28 countries, with the company's philosophy that "Everyone Deserves to Dress Well" enabling people to enjoy accessible fashion through quality products at affordable prices.

LC Waikiki, which selected as Turkey's "Favorite Company in the Ready-to-Wear Industry of 2013" actually established in 1988 by the Dizdar family from Safranbolu, and the Küçük and Kısacık families from Malatya (LC Waikiki 2016) Today).

M.Z Fashion Group started back in 2005 as a retailer of international apparel and lingerie with the desire to reshape the Albanian Retail market. The Group currently operates a diverse group of retail stores representing well-known international brands such as Mango, Springfield, Geox, Golden Point, Okaidi, Prenatal, Carpisa, Parfois, Terranova (M.Z Fashion Group 2016). It is the first company to introduce and implement Franchise Concepts meeting worldwide standards on fashion retail through a proper presentation of the brands to the public and customers. The Fashion group success has been the result of its commitment to customer service, the brands it offers to customers, the retail experience and market understanding. Fashion Group has been at the very forefront of companies who understand that their business is more than their product and is ambitious in the plans for development and growth, aiming to partner with new brands that can bring value to the Albanian retail market, by offering the public new, attractive fashion brand at affordable prices (M.Z Fashion Group 2016).

AlbChrome Ltd, was first found in the beginnings of 1991, when, with the fall of communist regime, the path for private business and professional development of Industry in Albania, was opened and free (AlbChrome Ltd 2016). In year 2000, important concessionary assets as mines, smelters, enrichment plants, concentrate factories etc., all part of a major chrome industry infrastructure in Albania, were given to a private company by the Parliament of Albania, by means of a Concessionary Agreement. This company, at the time called DARFO srl, worked and exploited these concessionary assets till 2007 when an Austrian – Russian group took over the

concession and formed a new company called ACR (Albanian Chrome 2016), which signed the beginning of technological and industrial development of all the assets of this concession. This way, under the Austrian and Russian industrial expertise, two out of three furnaces installed in Elbasan Ferro – Chrome Plant were refurbished and their technology was changed to provide for a higher performance and production. In addition, Bulqiza Mine experienced a reconstruction of the whole exploitation scheme. Important investments were done for security, exploration and ore processing fields, making the company more efficient.

Kurum International Sh.A. produces iron and steel products including hot-rolled steel re-bars. The company also produces lime and industrial oxygen. The company is base in Elbasan, Albania. Kurum International Sh. A. operates as a subsidiary of Kurum Holding A.S (Kurum International 2016).

Lufra - Milk processing factory, began in 1992 and the business has been improving in continuity. Lufra is the largest dairy company in Albania. Its center, manufacturing plant, located in Lushnje. Lufra 's products are 100 % natural products, produced from selected farm milk across Albania , mainly western lowlands. Each liter of milk from these farms tested before entering production. As regards the processing and packaging technology, Lufra collaborates with leading companies in the world, Priamo and Tetrapak. Finally, each product is subject to bacteriological analysis, to arrive to consumers safely (Lufra 2016).

2. A statistical and data analysis of the companies

2.1. Curing capital ratio (the ratio of non-current assets and capital invested)

Curing capital ratio (the ratio of non-current assets and capital invested) indicates what part of the fixed assets occupy asset, showing how flexible is the company to change the activity (Kolnikaj and Shehu 2004: p. 74).

Table no. 1

Companies	2012	2013	2014
Trade companies			
Inditex Group			64,5%
LC Waikiki	51%	44.4%	61.1%
MZ Fashion	23%	22.3%	35%
Production Companies			
Kurum	27.3%	49.4%	40.9%
Albchrome	54.2%	53.2%	57.5%
Lufra	93.8%	88.2%	95.7%

This indicator reflects the cost that will have the investor if the need to change the scope of activities. Viewed as hardening of the asset is the same as for trading companies as well as for production companies. This shows that investment in active fixe by manufacturing companies is quite low. This hardening of the decrease of manufacturing companies is positive for them that can easily change with the technology they work or the scope of their activity. In addition, it tells the story of a non- significant investment made by investors, who does not serve the country's economic development.

2.2. Financing assets of the firm

Indicator of fixed assets financing shows in what reports are with each other sources to finance in long-term assets. Since long-term loan considered calculating the share, capital will only second financial indicator. We build the calculations based on the following table:

Table no. 2

Companies	2012	2013	2014
Trade companies			
Inditex Group			97.6%
LC Waikiki	51%	44.4%	61.1%
MZ Fashion	87%	86.3%	247%
Production Companies			
Kurum	67.3%	95%	77.2%
Albchrome	207%	83.6%	85.1%
Lufra	287%	156%	288%

This indicates that long-term assets, with the exception of Lufra Company are fully finance from its own resources and with the exception of two companies with long-term resources financed a good part of short-term assets. Thus, enabled automatically self-replication and stable assets will not arising replication problem of financing. Nevertheless, the fact of financing long- term assets sources reassuring that companies will not have the problem of liquidity for short-term payment obligations or solvency problem for recreating these assets.

2.3. Magazines availability indicator

The magazines availability indicator is as follows:

Table no. 3

Companies	2012	2013	2014
Trade companies			
Inditex Group			8.6%
LC Waikiki	27.7%	28.9%	23.2%
MZ Fashion	55%	57.4%	42.3%
Production Companies			
Kurum	10.7%	5.6%	13.6%
Albchrome	22.8%	18.9%	24%
Lufra	4.2%	6.1%	2.4%

This indicator is ratio of inventory with total assets.

From the above data inventory look at the situation in 2014 compared with 2012 has changed for the company LC Waikiki has reduced the inventory to about 23.2 %. Fashion MZ company has reduced the inventory by 55 % to 42.3 %. Manufacturing companies inventory situation for this period also has undergone changes to society so Kurum stock has increased by around 27 %, for society Albchrome increased by 5 % and for Lufra company was decreased by 75 %. The availability of magazines indicator for some of the trading and manufacturing companies is in levels of over 20 %, which is

a high level of inventory as well as the VAT amount, prepaid affecting their solvency. These indices despite the importance they have must be combined with indicators for rotating inventory to draw strong important to draw strong conclusions.

2.4. Indicator of liquidity

This indicator shows what part of the liquidity asset is ready to liquidate immediately obligations and for our companies is as follows:

Table no. 4

Companies	2012	2013	2014
Trade companies			
Inditex Group			20.3%
LC Waikiki	21%	26.7%	38.8%
MZ Fashion	22.6%	14.9%	28.6%
Production Companies			
Kurum	61.9%	45.4%	45%
Albchrome	22.8%	18.9%	24%
Lufra	4.2%	6.1%	2.4%

The liquidity indicator is high above all businesses. This shows that companies in the future will not imminent financial difficulties. This fact also shows that companies do not use enough assets to increase profits. This indicator has generally been increasing except where Lufra Company has fallen from 4.2 % to 2.4 % or about 40 %.

2.5. Current ratio

The current ration or the ratio between current assets and current liabilities for the company over the years (Higgins 2007: p. 249) is as follows:

Table no. 5

Companies	2012	2013	2014
Trade companies			
Inditex Group			0.854
LC Waikiki	1.5	3.47	4.94
MZ Fashion	0.83	0.86	0.71
Production Companies			
Kurum	1.16	0.86	1.22
Albchrome	1.018	0.75	0.17
Lufra	0.06	0.22	0.08

This connection is base on the principle that the financing of current assets to current assets should be finance by short-term obligations. For this reason, but also for the fact that the business must be located not in financial difficulties, this ratio must be greater than one.

From the above calculations, we see that four of the six company of the index is less than one. This shows that these companies may soon be in trouble means of

payment that constitutes the beginning of deterioration in other financial indicators of economy activity attendance.

3. Analysis of indicators of rotation of circulating assets

Indicators of inventory turnover show how many times a year the company has recycled it over the years is:

Table no. 6

Companies	2012	2013	2014
Trade Companies			
Inditex Group			4.3 times
LC Waikiki	5.14 times	3.8 times	4.25 times
MZ Fashion	0.69 times	1.27 times	1.28 times
Production Companies			
Kurum	7.29 times	6.16 times	3.6 times
Albchrome	2.2 times	2.8 times	2.2 times
Lufra	15.6 times	3.3 times	9.2 times

Based on the above data look LC Waiki and Inditex Group and being part of the same industry have substantially the same flow indicator. While MZF, which operates in the clothing trade, has this indicator, 1:28 time which means that the following year it expected to buy the stock only once after that I possess it is sufficient to continue the activity.

Regarding the extraction and processing industry and represent by Kurum and Albchrome we see turnover ratios are 2.2 and 3.6, which means that the inventory is released every 100 and 163 days. The inventory turnover of 2.2 times Albchrome is very slow. The same conclusion is also Lufra company which processes and markets milk and by products trailer. The inventory turnover of this company is 9.2 times or 39 days. Knowing milk and cream as the main products of this company have the duration of one to two weeks follows that this indicator may not be accurate.

Table no. 7 - Percentage of gross profit/year

Companies	2012	2013	2014
Trade companies			
Inditex Group			17%
LC Waikiki	11.7%	18.8%	19.6%
MZ Fashion	0.9%	-2.7%	-4.9%
Production Companies			
Kurum	1.4%	10.9%	0.9%
Albchrome	-14%	-11.4%	6%
Lufra	4.4%	4.6%	2.8%

In the table above was giving the profit before interest and tax. We see that EBIT (Earn before Interest and Tax) (Higgins 2007: p. 137) for the company LC Waikiki in 2012 was 11.7 %, in the year 2013u increased by 60 % and came in 18.8 %, this is because increased sales by about 45 % as a result of opening a new store and on 2014 was 19.6 %, with a slight increase from 2013. For the company MZ Fashion see that on

2012 was 0.9%, on 2013 was -2.7%, and on 2014 was -4.9%, this despite increasing turnover 35% in 2013 compared to 2012 and by 56% on 2014 compared to 2013. The EBIT distortion to quality occurred due to increased cost of goods sold which from 61% on 2012 to 2013 was 72.7% and on 2014, it was 76.4%.

EBIT for the company Kurum in 2012 was 1.4% in 2013 was 10.9% and in 2014, it was 0.9%. Given that, the turnover for the past three years is the same from the profit or income and expenses, the change in result, which leads to the change of EBIT it, is due to the change of the cost of goods sold. So in 2012 the cost of goods sold was 86.7%, in 2013 was 65.3% or 31.4% less that in absolute value would be around 7.2 billion, and in 2014 was 68.7%. Since producer Kurum is also, the products that it trades cost of goods cannot change so much. In 2012 the society Albchome EBIT was -14%, in 2013 was 11.4% while maintaining the same result in 2012 and in 2014 have a qualitative change as society comes to profit by 6%, which is mainly due to increase throughput by about 25%. EBIT for Lufra society is at the same level with some minor changes, so in 2012 it was 4.4% in 2013 was 4.6% and in 2014, it was 2.8%.

Indicators calculated by looking at companies LC Waikiki Inditex Group and have a real and sustainable result. While three manufacturing companies and resale company MZ Fashion confections have a weaker profit and easily manipulated.

4. The analysis of indicators of profitability

ROE: This indicator shows that profit per capital invested for company shareholders (Brigham 1983: p. 423) have received over the years under review is as follows:

Table no. 8

Companies	2012	2013	2014
Trade companies			
Inditex Group			50.6%
LC Waikiki	42.8%	45.8%	41.7%
MZ Fashion	3.2%	-12%	-73.5%
Production Companies			
Kurum	10.2%	27%	2.4%
Albchome	-31.4%	-13.6%	8.3%
Lufra	18.6%	14.7%	15.3%

From the analyse of the table, we can see that MZ Society Fashion and Albchome have negative returns, which means that shareholders are spending money in these companies. While, LC Waikiki and Lufra during these three years have a stable returns. Kurum while society has a great variability during these three years. These changes are due to the variability of annual results, which we have analyzed previously.

ROI: The indicator of profitability of capital invested which express than how much giving by all financiers (shareholders' equity and borrowed capital) by mainly activity (Erich 2003: p. 213):

Table no. 9

Companies	2012	2013	2014
Trade companies			
Inditex Group			26.7%
LC Waikiki	28.8%	38.3%	36.4%
MZ Fashion	0.56%	-2.7%	-3.4
Production Companies			
Kurum	1.2%	5.9%	0.5%
Albchrome	-10.1%	-8.6%	5%
Lufra	4.4%	2.4%	1.3%

As seen from indicators calculated in the above table two companies LC Waikiki and Inditex Group, have better profitability as well as capital-invested for shareholders. The four other companies have clearly seen have not their sustainability in their activity.

5. Problem analysis

As evident from the above, all companies are investing quite well using equity or long-term credits for investments in assets fixe but at a fraction of them circulating. Investment scenario that enables the company to exercise activity without difficulty liquidity problems shows the indicator of liquidity. Surely, this is not confirmed liquidity given no indication when analyzing availability. Only two companies have this indicator on one, four other companies have below number one, what you can put them into liquidity difficulties in the short term. This report also moves more for the past three years. Therefore, for the company MZ Fashion during three years this ratio has moved from 83% it was in 2012 was, at 86% on 2013 and 71% in 2014. The companies which have the availability ratio of less than one per several years shows that these companies should have problems with the financial results for a period longer than one year.

Inventory is another voice problematic. As discussed above the indicator of inventory turnover is very low. The analysis by industry is that for the resale garment industry, turnover index should be at least four; for MZ Fashion Society was around 1.28 in 2014 and in 2012, was 0.69. In the steel processing industry turnover Kurum look the inventory is about 3.6 by 2014 from 7.29 that was in 2012; as we can noted, the turnover in 2014 was twice less than in 2012. The turnover of inventory indicator has been so many changes in the 2012 it was 15.6, in 2013, this indicator was 3.3 times and in 2014 was 9.2 times. The indicator for the society Albchrome inventory turnover has been the same for three years. The inventory turnover indicator is quite low by industry in four of the six companies that are considering.

No less retrievable problematic in profitability investment Company where we both returned within one or two years while other companies have very large movement.

Analysis of all indicators in their complexity to convey that in these cases we are dealing evasion disclosure of real data. This is because these four companies have liquidity difficulties and have a very high level of debt. Therefore, in 2014, the interest costs against turnover realized for the company MZ Fashion is 1.8%, 6.7% for the company Kurum, for the society Albchrome is 1.6%, and for Lufra society is 2%. These

expenses in liquidity put the societies in difficulties and unable to make necessary improvements in the activity of the society and in their devices. Thus, they stumble on long-term investments.

6. Conclusions and recommendations

The analysis of financial indicators of the above companies, which are the main of the largest in Albania, shows us that fiscal burden is quite high for local companies, which are obliged to establish or continue economic activity by addressing banks for loans. In addition, interest charge is enough high and no long term so instalment is enough high.

However, in more detailed we can mention the companies in the majority have:

- Negative financial indicators;
- Major liabilities to banks and third parties;
- Liquidity difficulties;

To improve this situation, the businesses have used as a way of solution the avoidance from tax obligations by:

- Not reporting the actual revenues that they realize, making the sale in cash or non-fiscal bills;
- Knowledge of liquidation expenses and non-tax bills;
- Use of voice 'accounts payable' to justify payments made which have source of income not declared.

To improve this situation is need:

- To improve work by businesses;
- Lending by the banking sector for the liquidation of furniture suppliers and other opportunities and resume work;
- Tax relief load especially value added tax burden but also whether in the way of liquidation.

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Book review:

**Cristina Ilie, Comunitatea românilor din Spania.
Dimensiunile discriminării și tipurile de aculturație
[The community of Romanians in Spain. Dimensions of
discrimination and types of acculturation], Bucharest,
University of Bucharest Publishing House, 2014,
328 pp., ISBN: 978-606-16-0439-5**

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It is without doubt that international human migration is one of the most defining phenomena of the world we live in. Tackled from various scientific fields, defining and explaining it is still a challenging task for any scholar. For the contemporary Romanian society, the emigration of extremely large amounts of population seems to be a potential national risk, not enough discussed on the public agenda, nor efficiently controlled by any state policy or legal frame. Approaching the topic of international migration by the country of origin and destination creates a clear territory for sociological study, providing the possibility to extract regulations and analogies applicable for the entire group of population that follows the same migratory route.

Mrs. Ilie`s work is a thorough analysis of the Romanians` community in Spain, focused on its characteristics and evolutions between 1990 and 2012. As a consequence of this scrutinizing process, and, as the author confesses, following the experiences recalled by the responders of her field research, the construction of the paper becomes incidentally directed towards the study of the types of acculturation and their degree of discrimination in the Spanish society. Therefore, the main hypotheses that lead the research, based on the „actual conflict theory” and „scapegoat theory” is that, in an economic crisis, the Spanish state and its citizens tend to discriminate the Romanian community in Spain. Thus, the main objective of the research was to identify the level of discrimination of Romanians in Spain in all aspects of social life. Another key objective in conducting this research was to identify the level of acculturation of Romanian immigrants in Spanish society

The author sets three main directions in building the book: she starts by presenting the Romanian migration phenomenon to Spain, widely discussed in the professional literature (books, treaties, official documents, investigation reports, legislation, press, etc.); secondly illustrating the acculturation and integration of immigrants as well as the stereotypes and prejudices as elements of discrimination and, the last direction, which has as starting point the individual field sociological research, that wants to be a new approach to the type of acculturation of Romanian citizens in society Spanish and the perception of their degree of discrimination.

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Therefore, the volume is harmoniously structured in accordance with the rules of a genuine scientific approach, consisting in 7 chapters¹ that follow a logical progression, subdivided into thematic chapters, plus the introduction, conclusions, bibliography, annexes consisting of the interview guide, questionnaire, table distribution of Romanian communities in Madrid, illustrating the means of transportation of the Autonomous Community of Madrid and facsimiles of some representative documents for the Romanian community in Spain, as well as images captured during the field research carried out in Madrid.

The first chapter of the book introduces us the coordinates of immigration to Spain, undertaking historical and demographical characteristics. Far from being just a sociological approach to the study of international migration, the book "*Comunitatea romanilor din Spania. Dimensiunile discriminării și tipurile de aculturație*" (The community of Romanians in Spain. The dimensions of discrimination and types of acculturation) creates a complex image of the phenomenon, bringing along legal and economical points of view. In order to accomplish this, the author dedicates the second chapter of her work to a thorough overlook on the legislation and policy of the Spanish state on immigrants' regime, offering the reader a real radiography of the current Spanish legislation on immigration and the Hispanic state policy oriented in this direction. Furthermore, the third chapter of the book is dedicated to the study of the effects of the current economic crisis on Spanish society, starting with a remembrance of past economic crisis effects on migration and an overview of the effects of the global economic crisis in 2008 on the migration phenomenon as well as a description of its main effects on Spain.

The fourth chapter of the book presents the Romanian community in Spain, highlighting the context of external migration of Romanians, the evolution of Romanian migration to Spain and the current situation of the Romanian community in Spain, detailing the demographic structure of the Romanian community, the restriction of free movement of Romanian citizens in Spain by applying the safeguard clause, the mass media of Romanians, churches, Romanians' associations and cultural and artistic events organized by the community of our countrymen. In the fifth chapter, entitled *The image of Romanians in Spanish society*, the author analyses the media trends in the Spanish state, the aversion reactions of Spanish citizens against our countrymen as well as the decisions issued by the Government of Spain in the summer of 2011 to restrict the labor market for Romanian workers, concluding on the existence of a trend of discrimination against Romanian immigrants in Spain.

In the sixth chapter of the volume, a complex demonstration on the forms and theories regarding discrimination and acculturation is created by the author. The concepts are further studied in the final chapter, by discussing the results of an opinion survey on the *Types of acculturation and the perception on the degree of discrimination of Romanian immigrants in Madrid*, performed by Mrs. Ilie in the Romanian

¹Chapter I: Communities of immigrants in Spain;
Chapter II: Legislation and politics of Spanish state regarding immigrants;
Chapter III: Effects of the current economic crisis on Spanish society;
Chapter IV: The community of Romanians in Spain;
Chapter V: The image of Romanians in Spanish society;
Chapter VI: Discrimination and acculturation. Forms and theories;
Chapter VII: Types of acculturation and the perception on the degree of discrimination of Romanian immigrants in Madrid (opinion survey).

community in Madrid, located in the Madrid region (Comunidad Autonoma de Madrid).

Going through the pages of volume, the reader gets acquainted with the characteristics and regulations of the community of Romanian immigrants in Spain. The conclusions following this analysis reveal several discrimination related issues that this community is confronted with, issues they tried to cope with by undertaking a behavior that aims at helping them integrate in the host society. Unfortunately, the Romanian immigrants do not only face this kind of problems in the society, but also in public institutions, in the education and justice systems, and, as the respondents confessed, mostly on the labor market.

One of the angles the author focused on was the Spanish media representation of the Romanian communities and various actions performed or related to it. This examination resulted into revealing that Romanians do not benefit from a positive reflection in the means of public information in the country of destination, and this fact also influences the perception of the Spanish society towards this group of immigrants.

However, in the final part of the book, the author also introduces a couple of solutions for the improvement of these situations, solutions that could be easily set into practice as a national Romanian policy meant for the support of the Romanians living abroad.

Book review:

**Cristina Ilie Goga, Andreea Mihaela Niță, Alexandra Porumbescu, Emilia Maria Sorescu, Ionuț Șerban (eds.)
Forum on Studies of Society. Conference Proceedings,
Bucharest, Pro Universitaria Publishing House, 2016,
301 pp., ISBN: 978-606-26-0710-4**

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Studying society requires, in this reviewer's opinion, a concerted effort to explore minute details while maintaining open relationships with the whole. With a view to the Forum's mission statement regarding the significance of connected communities (be they scientific) to globally researched society and, constructivist considerations aside (or not), this type of enterprise generates a block by block or, rather, meaning by meaning building process in replicating the inner workings and functions of human activity in an interplay between the subjective and the objective, between the socially evident or transparent and the socially incognizant, between the unit and the whole.

Explaining society, its temporalities and features, into the likes of a multi-cell, or more appropriately, plural-cell organism implies progressive understanding by means of rendering and organizing it in concepts, drawing criterion-based distinctness, representing its systemic complexity. And then, breaking through the divisions of comparted structure - the apparently isolated subject is nevertheless a referential actor, driving, mitigating or negotiating own construction and deconstruction. Groups, institutions and actions make up the larger picture of association, participation and social purpose. Whether meeting or shared ideas about the subject(s), respective beliefs, behaviour and benefits, can become mutually defining with a re-assembled social reality is for those who study society to say. So, what do they say?

Each paper brings a new and particular glimpse into society's mosaic, augmenting our knowledge of social realities, change and potential for both conservation and transformation. We learn about pressing needs, priorities and strategies, ongoing struggles for adjustment, adaptation, accommodation, integration, empowerment, or against prejudice, violence, misappropriation and injustice, we ascertain emergent scenarios for societal or group-specific risk, contemporary crises and socio-political and economic dilemmas, not least discovering new conditions in relation to cultural orientation and outlooks on the world in its environments. For instance, reading through the articles we could draw conceptual reciprocity or extension from likely overlappings of distinct topical areas, about forms of prerequisites to social comfort - and this, despite the fact that *social comfort* does not once bear mention in the contents of the volume, is potentially conducive of convergence and may be key to further analysis.

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In a way, this volume is not different to an object of social reality reflecting on social subjects, an embodiment as well as a release. Its coordinators make sense of it through its constitutive elements by prior criteria, process direction and ulterior consensus. The reviewer identifies patterns and elaborates a narrative on the imperatives, derivatives and alternatives. The reader decides relevance.

Let us consider the context lying before us and the included realities of this first edition of the Studies of Society endeavour.

The collective works of this volume, 29 papers, written by 38 authors from 8 countries (Belgium, Bulgaria, Estonia, Greece, Hungary, Italy, Romania, Turkey), provide national and international insight, interpretation and perspective at the crossroads of discipline, domain, study case and practice, cumulatively outlining a diverse, yet distinctly self-consistent approach on seven main topical areas: Sociology and social work and services, Scientific Method and educational models, European Studies and democratic polity and development, Nationalism and Culture and identity policies, Global Society and migratory trends and flows, International Relations and diplomatic affairs, International Law and national regulatory frameworks.

This reviewer sees fit to introduce the papers in the form of central questions, directly or subtly addressed by authors. Hopefully, the reader shall turn area-specific inquiries into dialogue(s), trans-contextually. Thus, here is a brief and interrogative summary of the volume in 29 study-based, thought-provoking, cross-topical researched or follow-up questions, referenced by author, article and volume page:

Is interdisciplinary research a pre-requisite to advancing the study of past, present and future?¹ Is self-reflexivity the next normative dimension of (social) consciousness?² What are the (social) limitations to the (social) objectives of education?³ How to actively involve the family in its own education strategy?⁴ Can present day child protection regulations still range from inherently insensitive or neutral to culturally offset?⁵ Can civic action effectively combat youth marginalisation?⁶ What appeal does direct democracy still hold in relation to political agency and to what measurable effect?⁷ Is social media instrumental to the learning practice of social participation and responsibility?⁸ Can there be a sustainable approach to the education-labour expectation and employment equation instead of a trade-off?⁹ What does positing capital versus labour arguments in relation to the minimum wage prove?¹⁰ How does EU cohesion policy connect with Member-State development?¹¹

¹ Cristinel Trandafir, *The bases of scientific knowledge: history, sociology, philosophy*, pp. 211-215.

² Bogdan Popoveniuc, *The Fourth Person*, pp.234-245.

³ Elena Cocoş, *Romanian education: challenges, issues, disputes*, pp.290-296.

⁴ Maria Pescaru, *Family education - Guidelines and actual practice*, pp.198-202.

⁵ Emilia-Maria Sorescu, *Cultural and practical challenges for child protection*, pp.105-116.

⁶ Mihaela-Cristina Pârnu, *The role of civil society in fighting the exclusion of disadvantaged children in Romania*, pp.268-278.

⁷ Valentina Marinescu, *Practical aspects of direct democracy in Romania after 1989: Challenges for theory and research*, pp.176-187.

⁸ Margarita Kaleynska, *Teaching civic education through social media*, pp.246-253.

⁹ Andreea-Mihaela Niță, *The training impact on the labor market. Case Study: Mapping the labor market in Dolj County during 2015*, pp.83-93.

¹⁰ Abdilcelil Koç, *Minimum Wage Analysis in OECD Countries in the Neoliberal Era (1980-2014)*, pp.203-210.

Are there positive outcomes under deregulation for health insurance and social products competition?¹² What are the principles underlying a fair process of institutionalising care and care-giving practice for persons with disabilities?¹³ How does loneliness influence quality of life for the elderly?¹⁴ Do we know what elderly people with disabilities expect from social services and why this matters in terms of policy design?¹⁵ Which traits in the aggregate profile of persons with disabilities play a determinant role in the choice for care services?¹⁶ Is the goal of social responsibility better served by policies modelled on social entrepreneurship?¹⁷ What are the likely shortcomings and missing links between women empowerment and entrepreneurship?¹⁸ What kind of support and social emancipation is necessary to effectively combat gendered domestic violence?¹⁹ What are the plausible conditions and triggers for aggressive forms of reciprocal behaviour in domestic violence?²⁰ Are there stress-associated risks and effects in social work exposure?²¹ How well do teacher-steered mentoring schemes fare in the effective learning processes of prison detainees?²² What culture for detainee adaptation in penitentiary and what institutional culture for social re-integration?²³ Does public administration change with societal development in terms of governance models?²⁴ Is there a relationship between the modernization of society and the values behind the praxis of accountancy?²⁵ Can diplomatic, cultural relations survive and even trump ideological differences between states?²⁶ What is the significance of norm convergence between national regulation and

¹¹ Oana Maria Stepan, Dumitru Beldiman, *European Union cohesion policy and its role on the future development of Romania*, pp.279-289.

¹² Stela Stoyanova, *Evolution of social and health market in Bulgaria*, pp.136-142.

¹³ Songül Sallan Gül, Hüseyin Gül, *Disability and Home Care of Persons with Disability (PWDs) in Turkey*, pp.11-23.

¹⁴ Roxana Pleșa, *The impact of elderly loneliness on satisfaction with life*, pp.254- 267.

¹⁵ Milena Hristova Yorgova, *Social Services for Elderly People with Disabilities: Choices and Rights*, pp.94-104.

¹⁶ Yuliya Yordanova Pulova-Ganeva, *Social and demographic characteristics of persons with disabilities in the Republic of Bulgaria*, pp.216-233.

¹⁷ Teodora Todorova, *Social entrepreneurship – a social policy challenge*, pp.154-162.

¹⁸ Songül Sallan Gül, Ayşenur Örümcü, *Questioning Women Empowerment and Entrepreneurship in Turkey*, pp.72-82.

¹⁹ Ayşe Alican Şen, Songül Sallan Gül, *Combating domestic violence in Turkey*, pp.163-175.

²⁰ Valentin Fulger, *The reciprocity of the forms of conjugal violence. Case study Jiu Valley*, pp.24-34.

²¹ Sonya Budeva, *Professional deformations in social work: Burnout and Secondary traumatic stress*, pp.35-47.

²² Gert Hurkmans, Agnes Bocsok, Ahmet Yurdakul, Lya Manniste, Fabio Sozzi, Guglielmo Fera, Stamatis Spirou, Beatrice Crippa Muti, *Comparative analysis of existing methodologies of mentoring teachers in 7 European prison facilities with educational programs*, pp.56-64.

²³ Cristina Ilie Goga, *Adaptation strategies of inmates to prison environment. Theoretical and empirical evidence*, pp.48-55.

²⁴ Hüseyin Gül, *What kind of a public administration for Turkey*, pp.117-129.

²⁵ Petya Petrova, *Society changes Accountancy*, pp.188-197.

²⁶ Ionuț Virgil Șerban, *Diplomatic, cultural and political relations between Romania and Italy (1956-1959)*, pp.130-135.

international convention on carrier's liability?²⁷ Can we reconcile two apparently contradictory concepts, migrant (autonomy) and community (embeddedness) via the network argument?²⁸ What is falsifiable in the relation between migration (seen as problem) and identity preservation policies (seen as solution) as mediated by narratives of cultural justice?²⁹.

To conclude, the present volume is an open invitation to exercise a patient and steady focus and shift between the immediate and the (seemingly) distant (with)in society, between questions and answers, changing lens and attempting to close the gap between perception, observation, experimental research, explanatory models, societal values and goals and the results of interactive practice. We welcome the challenge and uphold the tenet of inter-disciplinary connection-making and design-matching logic to be continued in future editions.

²⁷ Sevastian Cercel, Ștefan Scurtu, *Carrier's liability in the Romanian Civil Code of 2009 and the Convention concerning International Carriage by Rail (COTIF)*, Berne, 1980, pp.143-153.

²⁸ Alexandra Porumbescu, *Theoretical approaches in the study of international migration. Migration networks*, pp.65-71.

²⁹ Călin Roșu, *Modern Age of great migrations: pragmatic solutions*, pp.297-301.

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