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Dr. Emilda ROSENI, Dr. Kozeta NOTI
LITERATURE REVIEW: ASSESSMENT CHAPTER
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Abstract

In education, the term assessment refers to the wide variety of methods or tools that educators use to evaluate, measure, and document the academic readiness, learning progress, skill acquisition, or educational needs of students.

Just as academic lessons have different functions, assessments are typically designed to measure specific elements of learning—e.g., the level of knowledge a student already has about the concept or skill the teacher is planning to teach or the ability to comprehend and analyze different types of texts and readings. Assessments also are used to identify individual student weaknesses and strengths so that educators can provide specialized academic support, educational programming, or social services.

The purpose of this paper is to explore how the assessment component is reflected in the curricular documentation and how the assessment component is used in the practical curriculum.

In conclusion, it can be argued that from reviewing and analyzing the documentation the assessment component finds expression in the Albanian curriculum and it even finds renovated elements in the curriculum. It can be seen uses of contemporary terminology, coherent with curricular changes occurring in Albania by the late 1990s.

Keywords: measurement, assessment, curriculum, foreign languages

INTRODUCTION

Referring to Matthews and Ross (2010, p. 395), the content analysis is defined as "*a technique for reviewing categories that contain data and their compilation in a smaller number of categories in order to be easily understood.*"

The principal objective of the researcher is to provide a detailed description of the issue being studied and the result of the content analysis consists of the categories that describe the phenomenon taken in the study. This method is widely used to analyze different texts and documents. In our case, it is used to analyze foreign language curriculum documentation of lower secondary education, supporting documentation of IZHA (Institute of Education Development) on foreign language curriculum, CEFR and 25 foreign language teachers' diaries.

McKee (2003) points out that content analysis usage, as a research methodology is an example of language use to study human knowledge and communication. So, even though this method is used by scholars of various fields such as social sciences, communication sciences, history, psychology, etc., content analysis is more widely applied in the first two fields.

Naturally, there is no research method that can be considered as perfect. As such, content analysis has the advantages or aspects that can be easily questioned, some of which are being discussed below.

Advantages:

- ✓ Enables to conduct a study at a relatively low cost compared to other research methods, especially if these documents to be analyzed can be easily found.
- ✓ Enables easy data analysis, especially when it comes to large amounts of information.
- ✓ Provides quantitative and qualitative view in data analysis. This combination gives more value to the study as it sees the phenomenon taken in the study not only from the numerical point of view but also from the phenomenological one.
- ✓ Data collection through content analysis makes it possible that these data be stable, leaving open the possibility of analysis by other researchers. This element serves as an indicator of a high level of credibility.
- ✓ Provides direct study of information about the matter taken into consideration as it is written or recorded. This is because the participants willingly or not can leave out information that maybe not have any particular value for the study that results to be very important.

Disadvantages:

- ✓ Content analysis is a descriptive method; therefore it shows what is in the analyzed documents but it may not be able to clarify the reasons why the document was formulated in a certain way.
- ✓ The document or material taken into consideration in this study may not be complete, may be limited or may have deficiencies of different nature.

- ✓ This research method does not take into account the circumstances in which written or recorded material is produced and other elements that do not exist in written or recorded form.

DOCUMENTATION TO BE ANALYZED

The following documents were considered to conduct this research paper.

- Analysis of the foreign language curriculum documentation content of lower secondary education.
- Analysis of IZHA's supporting documentation for the foreign language curriculum
- CEFR analysis
- Analysis of teaching programs/ syllabus

RESEARCH QUESTIONS/APPLIED SCIENTIFIC METHODS

Data from the analysis of Albanian state documentation was collected by responding to the following research questions of the study.

Research question no.1: How much and in what way do the assessment roles in the foreign language curricula are reflected?

Research question no.2: How is the assessment approach reflected on competence basis in the curriculum of foreign languages ?

Research question no.3: Which assessment role is being given priority in the curriculum of foreign languages?

Research question no.4: How is CEFR reflected in the curricular documentation of foreign language?

Many current studies use qualitative content analysis, which addresses some of the weaknesses of the quantitative approach. Qualitative content analysis has been defined as: • “a research method

for the subjective interpretation of the content of text data through the systematic classification process of coding and identifying themes or patterns” (Hsieh & Shannon, 2005, p.1278), • “an approach of empirical, methodological controlled analysis of texts within their context of communication, following content analytic rules and step by step models, without rash quantification” (Mayring, 2000, p.2), and • “any qualitative data reduction and sense-making effort that takes a volume of qualitative material and attempts to identify core consistencies and meanings” (Patton, 2002, p.453). These three definitions illustrate that qualitative content analysis emphasizes an integrated view of speech/texts and their specific contexts.

MAIN RESULTS FROM THE DOCUMENTATION ANALYSIS

These research questions are given answers through a detailed analysis of the documentation produced by the Albanian institutions in the attempt and partial realization of the fundamental changes that underwent the first Albanian education system. This system, successful years ago, was seen as unnecessary and necessarily replaceable either in terms of social values, or in terms of the theoretical aspect or the applicable models.

Thus, in order to come in a response of the research question through the research method, the content analysis, it was first stopped in each of the documents produced by the institutions depended on MES, which were analyzed to understand the place that the renewed curriculum of Foreign Languages, the most essential, that of the assessment other than the measurement.

There are around 27 documents produced by curriculum specialists who try to fix and raise not only a new system of organization of the lesson/class but what is more important to guide and inspire the teacher

towards a new formation, which through updating and acquisition of competences would lead students toward a new approach that would see them as "managers" of their knowledge as it would enable the whole school system to pass from "the school of knowledge to the school of habits".

From reviewing and analyzing the documentation it can be said clearly that the assessment component finds expression in the curriculum and we may find in the curriculum updated elements. There we can see the use of contemporary and consistent terminology with the curricular changes that have taken place in Albania since the late 1990s. This renewal and modernization process either in the use of terminology or in introducing new conceptual elements is to be welcomed but insufficient to complete and end the process of stabilizing a new approach of our school to the measurement process through measurement. It is precisely the introduction of the measurement concept in education that makes the real difference of attitudes towards curricular innovations. Specifically, the real disintegration of this new concept would help the school's approach to changing perceptions of student performance.

Until now, the assessment process is not conceived as a relationship between the two actors: teachers and students, but as a relationship with one side where only the ability of one of the two actors is verified, i.e. the learner. The student is often "subordinated" to the verdict of the "superior" factor which remains in the communication element of the results. During this process there is no exchange of opinions or attitudes. We have to do with an unconditional acceptance act by the student and teacher's opinion expressed through the mark given to the student.

The new attitude offered by the new conceptualization of the curriculum approach to the activity of knowledge acquisition provided

by the learner offers through the measurement re-reporting of both actors (teacher and student) since measurement is nothing more than a very precious indicator that measures in fact the quantity and quality of work done by the teacher.

As the assessment up until a few years ago tried to sum up both elements (whether student or teacher's work), the measurement of student's knowledge illuminates us in fact to better understand the performance of the teacher's work by creating the latter's ability to stop at problematic elements that are not appropriately absorbed or introduce difficulties for the learner/student.

Student Assessment Framework in Pre-University Education

This escalation of assessment through measurement helps the teacher "to assess" his/her own work to improve it. The assessment component remains only the quantifying role of the acquisition novelty quality by the learners. This theoretical approach finds little or no place in materials made available by MES and IZHA. The only dedicated assessment document is a manual produced by the MES "*Student Assessment Framework in Pre-University Education*", remaining within the draft boundaries which nevertheless provides accurate guidance on the journey and features of the assessment on transparency, validity, impartiality and reliability that the assessment process must respect. This manual presents and sets out the basic principles upon which the assessment should be based on the respect of some basic elements such as the meaning of assessment, the types of assessment, skills and competencies assessment or even the assessment structure itself. What is immediately apparent in this manual left as a draft is that

generalizations are done into it in the form of abstracts but we do not find any full explanations and steps for the realization of this process.

Another disadvantage or let's say lack of clarity is related to the fact that in this manual the concept and implementation of the measuring process comes out to be implicit and offered together with the concept of assessment. Thus, the entire escalation of the independent implementation of the measurement presentation as a novel element of the innovative process offered by the new curriculum, an element which is partly reflected in other guidelines or didactic materials such as the document produced by IKAP, in the draft the assessment framework is missing. This is probably because the authors have stopped, channeled and provided the basic principles and distinctive elements upon which the whole process of knowledge acquisition controlling is based by the learner without stopping at further escalation.

Pre-university education system in the Republic of Albania: Law no. 69/2012

In order to reach full and clear conclusions on how much and in what way the measurement and assessment process are reflected into the curriculum, the analysis is done by knowing the Law "*On the pre-university education system in the Republic of Albania, no. 69/2012*", where according to article 48 the student assessment aims to identify the learning achievements. Students of other classes are assessed with marks, full numbers from 4 to 10, where the lowest passing grade is five. In the national examinations of basic education the students are assessed in subjects such as Albanian language, Math and Foreign Language.

Normative Provisions (2013)

Normative Provisions (2013) are in addition analyzed, which introduce indispensable guidelines to cope with the great challenge of realization in our education system of a new culture that truly sees the student in the lime light. Normative provisions also serve as a very good guide to reach to an evaluation of the institution achievements, but they also do not offer concrete milestones on which the assessment process is organized and even less provide guiding and instructing milestones for the application of measurement and assessment.

Curriculum framework

The curriculum framework is another document that has become part of the analysis needed to answer the research question as to how much and in what way are reflected the roles of assessment in foreign language curriculum. Specifically in its interior are provided the necessary and accurate definitions of the levels, an organic correlation of the results with the level of student achievement is also performed. In this basic education document, the chapter dedicated to assessment is important for the Albanian school's journey towards the competence-based assessment.

More concretely, the main purpose of the assessment is to make decisions aimed at improving the learning outcomes and the process itself. Making decisions requires constant information gathering to measure and assess all aspects of the process. Assessment practices have a decisive impact on the learning process. So the main goal of assessment for learning is to oversee student's progress during the learning process and gather information to facilitate and help decision making to improve this process.

Assessment for learning

Assessment for learning aims to determine achievements at the end of a particular assignment, chapter, semester, etc., to set the grades and to certify the students for further learning.

The principles on which the assessment is based are defined, such as: **Validity** (Assessment should provide valuable information on the processes, results and values that students develop during the education process at different levels). **Transparency** (Students have the right and need to get acquainted with the criteria and methods with which they will be assessed. This guarantees impartial assessment and helps learning. Clear and open criteria help professional judgment, ensure that decisions are reviewed by everyone and are sustainable). **Impartiality** (impartial assessment means assessing learning outcomes, not being influenced by the characteristics and circumstances of each student including gender, ethnicity, language, race, economic and social circumstances, location and personality etc). **Holistic Assessment** (Judgments for students' progress should be based on different types and sources of information. The information obtained from the assessment should show reliably if the student is able to accomplish what is described in the learning outcomes. Integration of types and various sources of data collected over a defined period of time and in different situations is a necessary condition to provide sustainable and impartial judgments for students' achievements).

Core Curriculum

We judge during the assessment and make decisions about the continuous progress and the achievement level of learning outcomes, defined in the Core Curriculum and in syllabus. Through assessment, comprehensive and full information is gathered for the degree of mastery and demonstration of competences by the students.

The main types of educational evaluation are:

- Internal evaluation.
- External evaluation.

Internal evaluation is carried out by teachers and school leaders/directors in daily teaching and educational activities. This assessment uses various tools to highlight the level of competence acquisition, more concretely:

- the width and depth of learned learning;
- willingness to respond the challenges of the level and to progress towards learning even more challenging;
- implement learning in new situations and circumstances.

External evaluation

Whereas with external evaluation will be understood the evaluation carried out by central, regional and local education authorities (MASR, PAK, IZHA, DAR/ZA).

External evaluation can be done for purposes:

- Inspection and verification of assessment quality at the classroom, school or municipality level.
- Standardized assessment at the educational level
- Research.
- Decision-making in education at different levels, areas, aspects.

State standardized assessments/evaluations are organized at the end of the education level. These assessments are focused on measuring the level of demonstration of key competencies predicted for each level.

Importance of Curriculum framework & Core Curriculum

The curriculum framework goes hand in hand with the core curriculum and the curriculum package in this analysis. In the final analysis, the element of evaluation in the Core Curriculum is present and just as other

previously analyzed documents valuable orientations are provided, though they are generalized and repetitive from one manual to another. Even the measuring element begins to appear crystallized by providing an interesting and necessary optics to appear the peculiarities and features that separate and join the measurement from the evaluation. Each core curriculum implements and respects the general goals of education as well as the fundamental principles set out in the curriculum framework.

The core curricula of the three levels have in common:

- Key Competencies
- Learning areas

The Core Curriculum document is the basic document that arranges the progress of teaching process based on the Curricular Framework for Pre-University Education of the Republic of Albania. Within it, learning outcomes are described for each key competence and learning field according to the curriculum steps, implementation of curriculum methodologies, students' assessment, time distribution (syllabus) for each field.

The Core Curriculum document presents the measurement through the term assessment for learning. This gives general guidance where the measuring component is expressed through monitoring student progress and gathering information to facilitate and assist in making decisions to improve this process.

Assessment of learning

Whereas the concept of assessment, this document expresses through: assessment of learning, where the main purpose of this assessment is to determine achievements at the end of a particular assignment, chapter, semester, etc., to set the grades and to certify students for further

education. It is also used to judge the effectiveness of learning or curriculum.

This document sets out the philosophical basis of assessment criteria by talking about:

1. Validity
2. Transparency
3. Impartiality
4. A holistic assessment
5. Types of assessment

There are suggestions in the theoretical plan as practically no guidance is given on how to apply validity or transparency by the teacher, i.e. on what basis the assessment table should be drafted.

As such, the document itself predicts and instructs that for specific measurement and assessment criteria, the instructor should refer *to the relevant documentation which is regulated by the specific instructions of the MES*.

Curriculum package

The curriculum package, which was reviewed for the purpose of this study, precisely in the manual "Specific Guidelines of Ministry of Education, Sport and Youth for Assessment" that includes:

- Teaching programs
- Teaching plans
- Special directives of Ministry of Education, Sport and Youth
- Directives institute of education development Albania (IZHA)

This element, the curriculum package, is one of the most popular materials for teachers and especially teaching programs, teaching plans, special directives of MES and guidelines of IZHA with which teachers are often encountered during their daily work. Furthermore, the teaching

programs and plan-programs in the final analysis are nothing more than an intermediate step, perhaps necessary for the initial transition from centralized programs to curricular decentralization, a process that is still unfinished as in the end of it there will be teachers themselves those who will be offered and will undertake the design of the program itself and the programming of their course progress by taking from the curriculum the main elements, so being within the curriculum framework. In this second phase of the emancipation of the curriculum process, the teachers themselves based on the standards of level-based achievements, skills and competences that are clearly expressed today in the curriculum will be able to organize in an independent way their work in the classrooms. Thus, the curriculum package, which today is not clearly expressed on the needs that teachers have to orientate and why not lead, will be replaced by manuals of assessment criteria.

Internal evaluation (IKAP)

The only directive that provides concrete guidance for assessment is that of IKAP on internal evaluation. It submits that the assessment is based entirely on the objectives of the subject program, i.e. the school and the teacher assess the students for the objectives of achievement that are described in the program. The object of assessment is the knowledge, skills and attitudes of the learner. The teacher assesses the student's competences in oral and written communication by "seeing" step by step every skill and achievement. Student assessment is a continuous and inclusive process that requires careful planning and systematic implementation, based on contemporary parameters. The assessment leads the students' learning and does not only intend the mark and does not end with its placement.

Assessment is used:

- to provide the necessary and very important information on student progress, their motivation towards learning and to determine the student's real learning opportunities for further learning;
- to assess the strengths, weaknesses in students' achievements and to discover the causes of the given situation;
- to produce data on the student's final achievement during learning.

Assessment requires:

- clear teaching objectives; experience recognition and students' skills;
- clear requests for students;
- the use of effective teaching methods and techniques;
- student motivation.

Assessment is based on principles that make it a planned, ongoing activity and integral part of the best practices of the teaching and learning process. The assessment is based on:

- a) Measurements based on norms that compare assessment data with typical ones. This assessment shows the situation against the norm.
- b) Measurements based on criteria set out from outside or inside the school. Student assessment is done through several processes, such as:
 1. Control is related to the way of obtaining information on what has been achieved and what the learner has not achieved during learning. Control is carried out in various forms and at any moment of learning.
 2. Measurement is the process by which we can gather information for acquiring the curriculum by student's part, compared to a certain standard. Measurement is a comparative process. This means that

measurement is not possible without a clearly defined and assessed standard, which can be used as a comparison basis.

3. Assessment is the process during which values are determined on the basis of information gathered from the measurement or observation process. Classroom assessment is the process that teachers perform when collecting, synthesizing and interpreting information that serves them to make decisions. The assessment process takes place before, during and after the teaching process. Before the beginning of the teaching process, teachers perform the assessment for two reasons:

- a) to recognize the characteristics, needs and skills of the students;
- b) to plan the lesson.

During the learning process, teachers use assessment to make decisions related to the implementation of the curriculum, learning, classroom management, and assessing students' progress. The assessment that is carried out after the end of the teaching process aims to provide conclusions about students' achievements, with their progress, with decisions of improving teaching in the upcoming year.

The four most common types of assessment in the classroom are:

1. Assessment for classification, placement, which helps to categorize students before the beginning of the teaching process.
2. Diagnostic assessment, which aims to discover the cognitive, physical, emotional, and social causes of the problems that students have in order to determine corrective techniques.
3. Formative assessment, which oversees progress during the learning process, provides feedback to facilitate learning and correct teaching mistakes.
4. Summative assessment, which determines the achievements at the end of the chapter, the course to set grades and provide the certification.

The summative assessment can also be used to judge the effectiveness of teaching and curriculum.

To carry out the measurement, teachers use measurement instruments that include different types of tests and tools for observation. The assessment is based on evidence which has the following resources: test scores (daily test, chapter test, semester test, annual test) projects, homework, classroom work, laboratory work, examination.

Students' achievements are seen in two perspectives:

- a) How many students pass the class
- b) How well students have acquired the learning objectives against the curriculum

Achievement Standards for Foreign Languages

In another document of IZHAs, such as "Achievement Standards for Foreign Languages", the assessment is seen through standard objectives of the four skills expressed through the levels. Standards are seen as:

- a measuring instrument for the acquisition of foreign languages level
- a very important, indispensable element with a direct impact on the improvement of the teaching process.

So, through this document, the measurement process begins to crystallize and actualize, that is, the process of assessing the student's knowledge through clearly defined criteria in the standards. This novelty constitutes a further escalation of the assessment process where measurement is expressed as an independent process that enables the teacher to calculate fairly the student's achievements, his difficulties to better calibrate the information and ongoing work. While the assessment aims to help the student calculate his achievements.

The introduction of the standard element aimed and aims at:

- increasing the degree of knowledge acquisition by the student, having this time strong reference milestones.

- increasing the teacher's responsibility for a more qualitative teaching in order to achieve the standard.

- raising the awareness of educational institutions and other actors in the field for the necessity of standardizing the achievements on level basis. Thus, the standards help teachers to have a more concrete, coherent way of understanding students' skills in the four learning skills of foreign language:

- Understanding

- Reading

- Speaking

- Writing

Since 2000, teachers can and should use the achievement standards:

- To monitor, assess and report the achievements of each student;

- To identify students who need more support from the teacher;

- To encourage open discussions with colleagues and parents about the achievements of each student;

- To set specific goals and objectives for either an individual or a class, even a particular school, thus opening the way for conceptualizing and designing a school-based curriculum, a curriculum that not only guaranteed the starting point for a full decentralization of education, but also deeper knowledge of skills and specific opportunities to use the latter as a basis for designing individualized strategies on the path to reach achievement standards;

During the drafting of this document, the basis of a later document produced by IZHA, so the MES, entitled the "Curriculum on

Competency Basis", a document which today constitutes the fundamental pillar of the academic staff re-formation or training in the process of the great number of teachers, not only of foreign languages, all over the country. In this document, namely the Standards of Achievement, are stated the competences that will be present in the Curriculum on Competency Basis, firstly mentioned as skills: social cultural skills, pragmatic skills, skills for an active citizenship, etc.

Assessing pupils on Curriculum with Competency, in basic education

Instruction no. 34, date 11.09.2015 on "Assessing pupils on Curriculum with Competency, in basic education" is a document that governs assessment issues at a national level. The main focus of the instruction is related to assessment for learning and continuous assessment. Special place also have types of assessments such as: test assessment, portfolio assessment rating by categorizing all classroom clusters and assessment periodicity. The reason for selecting this important document lies in the fact that it provides the relevant articles that guide the student assessment process for the curriculum on competences basis of basic education.

This document provides a way of documenting students' achievements by determining what the teacher's tasks are. According to this instruction, the periodic assessment for grades IV-IX is carried out at the end of a three-month period, in order to highlight the progress and students' achievements in order to be monitored and reported. This type of assessment is provided through three separate marks such as: continuous assessment expressed by mark, assessment expressed by mark through a test or summary assignment, and assessment expressed by mark of the student's portfolio. Concerning the final assessment, which is carried out at the end of the school year by means of a mark

and a description referring to the achievement levels, it is performed through three levels.

Foreign language teaching program in grade 6 and assessment component

Foreign language teaching program in grade 6 and assessment component referring to CEFR: The foreign language learning program for the 6th grade is designed in accordance with the National Curriculum for Modern Languages for Pre-University Public Education and in accordance with the Common European Framework of Reference for Languages in order to respond to an open society according to the requirements and needs that lie ahead of learning and acquiring foreign languages in our country. Foreign language learning in the sixth grade of the nine-year education takes place at A2.1 level referring to the Common European Framework of Reference for Languages, continuing in the seventh grade with level A2.1.2 (elementary user). At the end of this level, learners can understand discrete sentences and frequently used expressions about areas that have immediate advantages, (such as personal or family information, purchases, the nearest environment, etc.) can communicate while performing simple, common tasks that require a simple exchange of direct information on familiar and common topics. Regarding the linkage of key competences with the competences of the subject / field, the following competencies are noted:

Competences of the field Listening Speaking Reading Writing	Key Competence Communication and Expression Thinking Learning to Learn
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Appropriate use of language	Competence for life, entrepreneurship and environment Personal competence Digital competence
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English language teaching program in the 7th and 9th grade

English language teaching program in the 7th and 9th grade: The impact of CEFR is quite sensitive in terms of assessment. This element is also noted in the English Language Program for the 7th grade (IZHA 2005, pg. 5) in the evaluation subdivision where we find the script: "The description of the levels cannot be considered as separate. It is considered in the framework of the levels description achieved by the end of the sixth grade. The teacher relies on the description of levels to build assessment strategies and techniques both students and its own. At the same time, s/he uses them to determine the degree of progress, acquisition and student achievement.

The English language program for the 7th grade different from that of the sixth grade provides general descriptions about students' assessment issues. Whereas it is noticed that in the 8th and 9th grade program we have clearly identified the presence of CEFR where it is said that the teacher, through assessment, "reveals" the degree of knowledge gaining and its consolidation (by the student), skills and abilities included in this program and this assessment is organized in two forms such as continuous oral assessment and written assessment.

This assessment is done in support of achieving the objectives of the lines and sub-lines. Written and oral assessment is classified in:

- ◆ Formative assessment, through which information is acquired about what the learner has achieved in his / her language formation in accordance with the objectives set.

- ◆ Diagnostic assessment, which is continually being conducted to obtain information on daily preparation and acquisition of previously provided language material. It also provides information on learning effectiveness and helps to further teaching / learning progress.
- ◆ A planned assessment based on the realization of the sub-lines objectives, hence on chapter basis. This assessment is expressed by mark and is done at the end of each repeating lesson.
- ◆ Motivational assessment, which helps to stimulate the learner's desire to learn English language. This assessment is an ongoing and long teaching process.

CONCLUSIONS

This session aims to provide a brief summary of the conclusions based on the findings of the research and to present the respective recommendations. Based on this fact, the findings of this study arise from the findings of research questions.

- From reviewing and analyzing the documentation, it can be clearly stated that the assessment component finds expression in the Albanian curriculum and it even finds renovated elements in the curriculum. It can be seen uses of contemporary terminology, coherent with curricular changes occurring in Albania by the late 1990s.
- To see how much and in what way are reflected the assessment roles in the curriculum of foreign languages is considered the document of Curriculum Framework, which in its interior provides the necessary and accurate definitions of the levels, the organic linkage of the results on the level of student's achievement. In this basic education document, the dedicated assessment chapter is important for the Albanian school's journey to assessment on competence basis.

• In the final analysis, the element of assessment in the Core Curriculum is present and as other previously analyzed documents provides valuable orientations, though they are generalized and repetitive from one manual to the other. Even the measuring element begins to appear crystallized by providing an interesting and necessary optics to break down the peculiarities and features that separate and join the measurement from the assessment.

RECCOMENDATIONS

Based on the conclusions reached and their discussion, this research paper sets out some recommendations.

- It is recommended that teachers recognize all the necessary components for a better and objective assessment of the student.
- It is recommended to have inclusion of the teachers not only at the school level but also at the national level in terms of curriculum changes and new assessment methods.
- It is recommended that teachers are made clear the difference through manuals or guidelines, between competences in general and language competencies.
- It is recommended to have a greater clarity in the drafting state documentation related to the assessment terminology.
- To extend the assessment chapter in the foreign language curriculum by providing, in addition to theoretical elements, concrete and practical approach to actually help teachers.

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Joniada MUSARAJ, Marsida FESHTI

PRELIMINARY USE OF INTERNAL LEGAL TOOLS FOR PROTECTION OF INTERNATIONAL RIGHTS

ABSTRACT

According to the ECtHR, there are two fundamental reasons that the domestic remedies referred to in Article 13 of the Convention are of relevance: a) firstly, because the ECtHR deals with a case only after all the remedies provided for by the domestic law of the country concerned have been exhausted; b) Secondly, it has now become the practice of this Court to develop, in the course of the investigation, whether the domestic remedies have been exhausted, and a concrete line of determination of the burden of proof in the proceedings.

In determining whether any domestic remedy meets the criteria of availability and effectiveness, the particular circumstances of the individual case must be taken into account. Consideration should be given not only to the formal remedies available, but also to the general legal and political context in which they operate, as well as the applicant's personal circumstances. So in order to determine if any internal remedy meets the availability and effectiveness criteria, during the study, we needed to consider the particular circumstances of each individual case. According to the ECtHR for the purposes of Article 13 of the Convention, an effective domestic remedy must be a remedy, an effective remedy, a legitimate body for the individual to complain about, the local authorities must provide the appropriate legal and remedy.

The paper seeks to find out what are the factors that may impede the submission of a case alleging infringement to an international court. The methodology used is the doctrinal and analytical doctrine of judicial practice.

Keywords: domestic, remedies, circumstances.

Introduction

The growing concern over the application of the exhaustion of national remedies to international law requires careful consideration of its origins and historical development.¹ It is generally accepted today that to attribute international responsibility to a state occurs only at the international level following the depletion of national remedies by the individual concerned, as the state has sought to resolve the issue with its available remedies. researchers. The early meaning of this rule, however, meant self-help and solidarity and civil responsibility for the actions of fellow citizens.²

Internal remedies means remedies that are open to the injured individual before the courts or administrative authorities of the state, which is allegedly responsible for causing the damage. The possible means that a foreigner may have available vary from country to country. For this reason there can be no coding rule to regulate all situations. In the first place, a foreign national must exhaust all possible judicial remedies. If domestic law permits an appeal to a higher court, this appeal must be filed in order to reach a final decision on the case. The foreigner is required to exhaust all the means which may result in a binding decision. The totality of local remedies does not include only remedies intended to provide a favor and not to claim a right.³ In fulfilling the rule of exhaustion of internal remedies, it is important to know the internal laws and procedures in order to assess whether all possible remedies have

¹ A.A.Cançado Trindade“Origin and historical development of the rule of exhaustion of local remedies in international law” published në <http://rbdi.bruylant.be/>.

² Spiegel H .W, “Origin and Development of Déniat o f Justice”, American Journal o f International Law (1938) pg 64.

³ Janina, S., “Diplomatic protection of human rights” 2013.

been exhausted. In order to meet the requirement of exhaustion of local remedies, a State must allow foreigners access to courts within its territory for the purpose of repairing the damage caused to it. Failure to exercise this right is in itself a violation of international law known as 'denial of justice'. Only after all legal remedies, including appeals, have been exhausted and *res judicata* on the merits of the case can the claim for diplomatic protection be raised. Means based on the discretionary actions of public bodies are not included in this rule.¹

The rule of exhaustion of domestic remedies is justified by the principle of non-interference in the affairs of another state. That is to say, states should be free to organize their internal systems at their own discretion. If a foreigner goes beyond these mechanisms and makes international claims, international law may find itself involved in the internal affairs of a state. Moreover, a logical underpinning of this rule can be found in the fact that the alien who conducts an activity within the territory of the host state enjoys protection but also has responsibility before the laws of the country, so it seems fair for him to seek repair. under these laws in the domestic courts.²

The principle of subsidiarity

The principle of subsidiarity means that the primary responsibility for the protection of human rights rests with the states: only when all domestic remedies have been exhausted can a claim be made to the ECtHR. The claim must also be made within six months of the failure of the last resort. The main objective is to encourage petitioners to seek

¹ Crawford, J., "The ILC's Articles on responsibility of states for internationally wrongful acts: A retrospect", *The American Journal of International Law*, V. 96, 2002, f.44.

² *Ibdi.* Janina.

justice before national authorities before coming to Court. Reasoning to exhaust all national remedies is a rule enabling national authorities, in particular courts, to prevent or remedy alleged violations of the Convention. This causes states to not be held accountable for their actions before an international body if it has been able to rectify the problems encountered by the applicant.¹

The ECtHR reiterates that the exhaustion rule provided for in the Convention obliges the complainants to use the domestic remedies usually available and sufficient in the domestic legal system to enable the restitution of the allegedly infringed law. The existence of these tools must be assured, both in practice and in theory. If these criteria are not met, these tools lose their availability and effectiveness. The responsibility to prove compliance with these criteria rests with the State to which the claim is based.²

In determining whether any domestic remedy meets the criteria of availability and effectiveness, the particular circumstances of the individual case must be taken into account. Consideration should be given not only to the formal remedies available, but also to the general legal and political context in which they operate, as well as the applicant's personal circumstances. The lack of funds does not relieve

¹ Simonsen, N., "The Strasbourg Court, the 'Exhaustion of Domestic Remedies' Rule, and the Principle of Subsidiarity: Between a Rock and a Hard Place?" <http://ohrh.law.ox.ac.uk/>

² Shih Vernillo v. France, vendimi i 20 Shkurtit 1991, Series A no. 198, pp. 11-12, para. 27; Aksoy v. Turkey, no. 21987/93, para. 51-52, Reports of Judgments and Decisions 1996-VI; and Akdivar dhe të Tjerë v. Turkey, nr. 21893/93, para. 65-67, Reports 1996-IV)

the applicant of the obligation to make at least some effort to obtain legal proceedings.¹

What is an effective domestic complaint?

According to the ECHR for the purposes of Article 13 of the ECHR, an effective domestic complaint must meet the following criteria:²

- a. To be a legal defense tool;
- b. Be an effective legal tool. The Court has held that the remedy required by Article 13 of the Convention must be effective both in practice and in law, especially in the sense that its exercise is not unduly hindered by the acts or omissions of the organs of the respondent State. So the tool should provide clear and secure opportunities for reinstatement instead of the infringed right.
- c. Legitimate body for the individual to complain about. The ECtHR has stated that the CC of the Republic of Albania will be considered as an effective internal legal remedy in respect of claims that violate the right to due process of law.
- d. Local authorities must provide the appropriate legal solution. The ECtHR has held that Article 13 allows not only the competent domestic authorities to adjudicate complaints under the Convention but also to provide the appropriate legal remedy. The ECtHR states that the authorities required by Article 13 do not necessarily have to be judicial

¹ , S. and others., “The Rule of Prior Exhaustion of Local Remedies in the International Law Doctrine and its Application in the Specific Context of Human Rights Protection”, Social Science Research Network, 2007.

² Toska Dobjani, E., “The Albanian Constitutional Court as an effective remedy within the ECHR in relation to non-enforcement of final court decisions” published in the Albanian Journal of Legal Studies, Volume I, 2011, p. 26.

authorities, but if they do not, their legal powers and the guarantees they provide must be effective.

e. Local authorities must speak out by decision.

But according to the ECtHR, there are two fundamental reasons that the domestic remedies referred to in Article 13 of the Convention are of relevance: a) firstly, because the ECtHR deals with a case only after all the remedies provided for by the domestic law of the country concerned have been exhausted; b) Secondly, it has now become the practice of this Court to develop, in the course of the investigation, whether the domestic remedies have been exhausted, and a concrete line of determination of the burden of proof in the proceedings. The exhaustion of domestic remedies and the existence of an effective European judicial system are essential to the normal functioning of the Court's control machinery. It is absolutely necessary for the individual to seek protection from the domestic legal system first and then, exceptionally, to be able to apply to the ECtHR. For this reason, States parties to the Convention are not only obliged to establish rules, but also to undertake concrete obligations for the best realization of individual rights. This leads to the discussion of how the domestic courts understand and apply the domestic remedies.¹

Also, when it comes to the exhaustion of national remedies at the national level, it is important to note that “The domestic authority (or national instance) need not necessarily be a court. It can be an administrative body (the minister or prison director in *Sinver v. The United Kingdom*), or a political body (a parliamentary committee in the

¹Zaganjori, J., “The Effectiveness of the Internal Assets of the Albanian System in the meaning of Article 13 of the European Convention on Human Rights” Conference organized by the MFA and the Council of Europe “Improving the quality of ECHR implementation through expanding cooperation between local institutions September 26-27, 2007 ”.

Klaes v. FRY case). It is important that this national authority complies with the requirement of the effectiveness of the complaint guaranteed by Article 13, especially with regard to the binding force of its decision. From this point of view it should be emphasized that the remedies should be effective in legal and practical terms and that the decision taken by the relevant authority should affect the merits of the case, or the alleged right, and not just its form.¹

Cases against Albania

In Marini v. Albania, the Court reiterates that the remedies available to the litigant at the local level to appeal the length of proceedings are "effective" within the meaning of Article 13 of the Convention if they prevent the alleged breach or continuation, or provide appropriate redress for any breach that has already occurred. Therefore, Article 13 offers the alternative that a remedy is "effective" if it can be used both to expedite the court's decision on the case and to provide the litigants with appropriate redress for the delays that have occurred.

In the case of *Ramadhi and others v. Albania*, in order to assist in the enforcement of the obligations under Article 46 by the respondent State, the Court sought to indicate the type of measures that the Albanian State could take to put an end to the nature and causes of the the violations found in the present case. It considers that the respondent State must first of all provide for a remedy to provide a genuine and effective remedy for the identified violations of the Convention in the present proceedings, as well as for all similar pending appeals, in accordance

¹ See also Recommendation Rec (2004) 6 of the Committee of Ministers "On the improvement of internal remedies", published in the Official Journal No. Extra, July 2007.

with the principles for the protection of the rights provided for in Articles 6/1 and 13 of the Convention and Article 1 of Protocol No. 1.

CONCLUSIONS

By providing the appropriate remedy, the State should *inter alia* designate the competent authority, lay down procedural rules, ensure that these rules are implemented in practice and avoid any obstacles to compensation under the Property Act. These objectives can be achieved by taking appropriate legal, administrative and budgetary measures. These measures should include the development of property valuation maps for complainants entitled to receive in-kind compensation, and the designation of an appropriate fund for complainants entitled to receive compensation in value. , all of this to enable all petitioners to have a successful judicial decision in their favor, which compensates them under the Property Act, to obtain the designated amount or land as soon as possible. These measures should be treated as a matter of urgency. Therefore, in order to be ahead of the protection afforded by Article 6 of the ECHR, the rules of procedure sanctioned must be observed. The absence of these conditions does not legitimize anyone to claim a violation of the right of access to trial.¹

¹ As in the case of *Sotiris and Nikos Koutras Attee v. Greece*, judgment of 11 February 1992 of the ECHR, the applicant company applied to the Ministry of Economy under Law 1892/1990 to subsidize the construction of a hotel after fulfilling certain criteria. located. On June 29, 1992, the company 's claim was dismissed and the applicant appealed to the Supreme Administrative Court for review of the legality of this decision. On 16 February 1996 the said court dismissed the applicant's claim on the ground that the applicant had failed to observe the procedure in place in the lodging of an appeal. According to this decision, the registration number and date must be signed by the receiving officer of the application and the applicant himself. Consequently, the Supreme Administrative Court held that we were not in violation of the right of access to court if the required form for filing the application was not complied with.

So in order to determine if any internal remedy meets the availability and effectiveness criteria, during the study, we needed to consider the particular circumstances of each individual case. According to the ECtHR for the purposes of Article 13 of the Convention, an effective domestic remedy must be a remedy, an effective remedy, a legitimate body for the individual to complain about, the local authorities must provide the appropriate legal and remedy.

The exhaustion of domestic remedies and the existence of an effective European judicial system are essential to the normal functioning of the Court's control machinery. It is absolutely necessary for the individual to seek protection from the domestic legal system first and then, exceptionally, to be able to apply to the ECtHR. For this reason, States parties to the Convention are not only obliged to establish rules, but also to undertake concrete obligations for the best realization of individual rights. This leads to the discussion of how the domestic courts understand and apply the domestic remedies.¹

According to the ECtHR, we have a violation of Article 6 .1 1 of the Convention as regards access to court, as long as the procedure really needs to be complied with, but as long as the application could be identified, its application had to be considered regularly registered and tried. So according to the same court, it is important to give the individual the opportunity to go to court, when this is possible, when the rights and freedoms of others are not violated and the principles of the organization and functioning of the court are not violated. courts.

¹Zaganjori, Xh.,“Efektiviteti i mjeteve të brendshme të sistemit shqiptar në kuptimin e nenit 13 të Konventës Europiane të të Drejtave të Njeriut “ Konferenca e organizuar nga MPJ dhe Keshilli i Europes “Përmirësimi i cilësisë së zbatimit të KEDNJ nëpërmjet zgjerimit të bashkëpunimit ndërmjet institucioneve vendase 26-27 shtator 2007”.

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JOHN DEWEY: EDUCATIONAL PRACTICE IN THE SERVICE OF CONTINUOUS IMPROVEMENT OF SOCIETY.

Abstract

The philosopher, psychologist, prominent American educational reformer John Dewey considered education closely related to the democratization of society. This is best shown by his works, *School and Society*, *Democracy and Education*, etc.

According to J. Dewey, education is based on experience, which means: to live, to act, to reconstruct situations, to intervene in things. It is adaptation, in order to overcome the obstacles that appeared constantly.

For J. Dewey, education must be an ongoing practice that directs action toward the betterment of society, and science must be oriented to find the deep connection between the individual and society.

He thought that the didactic process could not be isolated from society, should not be closed in the close teacher-student relationship, but should be extended from the individual to the social, and bring within him the whole society, with its tasks and rules. The goal should always be to achieve peaceful coexistence between classes.

About these issues and about their actuality in our society consists the paper that we will present at this conference.

Key words: J. Dewey, *School and society*, *Democracy and education*, educational experiences.

I. Pragmatism in the context of philosophical thought

The debate that constantly characterizes philosophical thought at the end of sh. XIX has been quite diverse and crossed European borders. Hegel's metaphysical thought is confronted with multiple critiques. On the old continent, the criticism of Marx, Nietzsche, Schopenhauer and their supporters stands out. We briefly treat each of them. Marxist critique is radical and consists in proposing radical and revolutionary changes to capitalist society under a completely opposite motto from Hegel's, which was limited to the explanatory role of philosophy for the world. According to Hegel, philosophy explains the world, but does not change it; the philosopher, when he speaks of what the future will be like, forgets that he arrived late¹. On the contrary, philosophy according to Marx should not know the world as it is, but as it should be; according to him, will change it. Schopenhauer, on the other hand, developed another metaphysical, less abstract, and utterly pessimistic form that reflects the painful destiny of man, who is the prey of a blind will that operates everywhere in nature, as in the inorganic world (flowing rivers, the direction taken by the needle). magnetic, etc.) and organically in plants, animals, humans and everything².

And in moments of pleasure and joy the man is the prey of this will or of this blind force. This way of doing philosophy stands out in Europe, while in the US another philosophical current is born and developed that considers metaphysical thought as dogmatic, like castles in the air, because it has no practical application for the good of man and society. In the US, the critique of traditional philosophy is based on the data of other sciences, mainly pedagogy, sociology, psychology

¹Dalpra M. (1989) *Sommario di storia della filosofia* La nuova Firenze f.63

² Same page107

(functionalist), according to which the human mind is in function of human adaptation to the environment, both physical and social, etc. . In the late 800's the US society was in a constantly changing democratization and the previous conception of philosophy in general and that of Hegel in particular did not suit him, so new ideas would make this change possible. In this context, the philosophical current of pragmatism was born and developed in the USA by Peirce, James, J. Dewey etj., whose interests were not limited to philosophy, but, as mentioned above, included political activity, sociology, psychology. etc. Although in Hegel's philosophy the dialectical process occupies an important place, his conception of the world is considered by pragmatists as static, unchangeable, unmodifiable, unaffected by the will and initiative of people.

Also, compared to previous philosophers, pragmatists have a radical difference in terms of philosophical conception of truth. The whole history of philosophical thought has been described by the search for truth, but American pragmatism is characterized by a particular aspect of this search. It is oriented towards what is necessary for the individual and society; or rather to call it really necessary. According to pragmatists, that idea which turns out to be necessary in practical experience is true; d.m.th has positive consequences for the vital needs of people.

Pragmatism, as a term, was first used by the American philosopher C. Peirce. This term is used to refer to the theory that thought should produce a practical behavior or action. Then it will be W. James who will take the term pragmatism, but it starts from the ancient Greek meaning pragma as fact, action in the way used by the eminent sophist Protagoras. J. Dewey (1859 -1952) also intervenes in this discussion. With this philosopher, and with other followers, pragmatism will further

develop the human-environment, subject-object, individual-society relationship¹.

II. J. Dewey on the adaptive role of education

Pragmatism is addressed in most textbooks and in other works of both philosophy and pedagogy. A special place in these manuals and works is occupied by the main representative of this philosophical current J. Dewey. We begin with the manual *Istituzioni di pedagogia e scienze dell'educazione* by the eminent Italian scholar Riccardo Massa. In this manual, along with other authors who have significantly marked the development of educational sciences, occupies an important place, pragmatism and pedagogy of J. Dewey, which emphasizes the role that this philosopher gives to experience and socialization in education: "education, based on experience is necessary for the man, because he must adapt to the environment that surrounds him, which is composed of things, events, problems, individuals "². In this context, the role that the school should play in combining learning with socializing and coping with real-life problems is emphasized: in an efficient and simple way, the problems of social life, in order to prepare children and adults to face the real problems they will encounter outside the school, in the course of their lives, and to lead society. towards democratic goals "³.

J. Dewey has in mind a society in constant economic, social, political transformation and it is to this society that the student must adapt and the school must help him in this adaptation. The force of change is unpredictable and for this there can be no rigid preliminary

¹ <http://www.filosofico.net/pragmatismamericano.htm>

² Massa Riccardo (2000)*Istituzioni di pedagogia e scienze dell'educazione* Laterza f.171

³ Same p.173

programs: “in a society in constant transformation the content of education should not be fixed, but some skills should be developed, which the child should apply in different situations”¹. As mentioned above, the success of the individual life depends on his ability to adapt and this according to J. Dewey will be achieved in full cooperation with others in the shared experience, taking into account the traditions of the past and school institutions. and beyond: “It is also important that such skills are reinforced with others. Social interaction is one of the most significant bases for the development of human intelligence and personality, radicalized in the institutional network, in traditions, customs, models and representations of the environment where it belongs.”²

For pragmatist philosophers, philosophy is not an end in itself but must serve humanity in the process of life, in its ongoing experience of institutional life and in special cases and survival, so philosophy must have a practical application and this application, according to J. Dewey, finds in pedagogical educational practice, in this way the philosophy becomes applied: “Since education is the process through which the necessary transformation is achieved, in order not to be left in the stages of a simple hypothesis about that which is desirable, we arrive at a justification for the assertion that philosophy is the theory of education as a deeply guided practice”.³

We continue with another work of historical character entitled *Appunti di Storia della pedagogia* by Italian authors Paulo Taroni and Lorenzo Zaganelli. According to them, J. Dewey was an American philosopher and pedagogue, careful about the life, culture, and science

¹ Same p.172

² Same p.172

³ Same p.173

of the nineteenth century, where during his long life he consciously participated in the transformations that Western society has undergone between the XIX-XX centuries¹. These authors are not limited to the main representative of this philosophical current, but also address this current; her way of conceiving truth. According to them, *Pragmatism* really considers practical and concrete action useful for the affirmation of man in society.² Here is what these authors say about the American pragmatic vision of a society in a radical transformation:

"Based on the pragmatic vision were the affirmation of natural rights that are independent of social life, the belief in the abilities of the individual, the opposition to all forms of violence and oppression, according to a democratic political line, the optimism for the typical development of the United States since a predominantly agrarian economic form, they were turning to an industrial production that for a few decades made them world superpowers. The values of the initial conditions of life remain present in the American way of thinking: work, individual skill and talent, the spirit of initiative and, above all, individual adaptability."³ The Americans of the United States live in freedom and defend it through the continued exercise of democracy. They are characterized by optimism, a spirit of initiative and sacrifice, and the ability to adapt. These authors do not limit themselves to philosophical thought, but explain the sense of activity of American society. According to them, the society in which J. Dewey lived is in a rapid transformation and needs efficiency and activity: it is a civilization interested in concrete skills and competencies.⁴ From the above we

¹ Taroni P. e Zaganelli L. (2004) *Appunti di Storia della pedagogia* Allori Edizioni Ravenna f.185

² Same p.185

³ Same p.186

⁴ Same p.186

understand the role that pragmatists give to experience, the adaptation of the individual to the environment and to society in transformation, which requires continuous modification of skills and competencies, in order to achieve this adaptation. "The notion of experience was placed at the center of his pedagogy"¹. J. Dewey's interests were all-encompassing and the biological, psychic and logical aspects are of great importance in the learning process. According to J. Dewey, the child learns in the process of experience and learning can not be separated from experience: "*the notion of experience expanded, to the conception of an active self that acts and transforms the world, the external environment and society to fit them better; experience is the totality of reality that encompasses all aspects of reality, in a constant unsolvability between what is physical, biological, psychological, conscious and mental.*"² For pragmatists there is no absolute immutable truth, but they really consider the idea that gives a positive result in practical experience, in overcoming obstacles and in the realization of the life and social process. Human adaptation to the environment is fundamental for pragmatists and especially for J. Dewey, for whom school should positively influence this adaptation. On this issue Paulo Taroni and Lorenzo Zaganelli write: "And the school is involved in this continuum; education for Dewey is a continuous process that starts from birth and continues in the constant assimilation of active knowledge in relation to the environment; school should be a continuation of real life in society, to prepare children to face the real issues of the future life"³. For J. Dewey, the aspirations for a more democratic society were great and the educational process itself would be inseparable and in the

¹Same p.187

²Same p.187

³Same p.187

function of democratization, development and improvement of the society: "Education should be a continuous practice that leads the action to improvement of society should focus on forms of practical activity, necessary for culture and society. "Thought is always associated with action, it is the instrument that guides man to the active possession of the environment."¹ J. Dewey considers the human mind as an instrument that makes possible the adaptation of man to the environment and society.

III. J. Dewey: School and society

One of the many works of J. Dewey that deals with the relationship between school and society is the book translated into Albanian entitled *School and Society*. All his assertions in this book begin with the verb *I believe* that makes it look like a system that has modality operators². According to J. Dewey, the man is formed only in relation to others and by becoming part of social consciousness: "I believe that all education develops from the participation of the individual in the social consciousness of mankind."³ The individual with his intellect receives and gives to the consciousness of the society in which he lives, which is the result of a long historical and cultural process. The individual consciousness intertwines with the collective consciousness. The School according to J. Dewey is not just a preparation for life, but it is part of life. The child will be aware of the social situation in which he is and possibly of those situations in which

¹Same p.188

² There are modal systems that put forward statements modal operators can, should, know, believe, giving variety to these logical systems.

³ Dewey J (2003) *School and society*, translated by publishing house Plejad Tiranë, page 11

he will be: *“I believe that truly unique education is achieved through the stimulation of the child's strengths through the demands of the social situations in which he finds himself.”*¹

The social behaviors, of which J. Dewey spoke, are not achieved immediately. The period to move from instinctive behaviors to social behaviors is quite long. J. Dewey seeks to interpret, translate, and adapt a child's instincts to social behavior: “I believe that knowledge of social conditions, of the present stage of civilization, is quite necessary to interpret correctly child forces”². The child has his own instincts and inclinations, but we do not know what these mean until we can translate them into social equivalents.³ J. Dewey seeks to find out where these instincts come from by going back to a social past and looking at them as a legacy of the activities of previous people.

According to J. Dewey, education has a big problem, because in a constantly changing and all-encompassing society it is not possible to predict the future. And J. Dewey addresses this issue in the book *School and Society*: “With the advent of democracy and modern industrial conditions, it is impossible to categorically prophesy how will be the civilization twenty years from now. It is therefore impossible to prepare the child for any exact structure of conditions. To prepare him for the next life means to give him the ability to possess himself - it means, therefore, to train him to achieve a full and ready use of all his capacities, according to which the eye, the ear and the hand should be tools ready for this mastery, so that his judgment may be able to grasp the conditions in which he should work and the executive forces should

¹Same p. 11

²Same p.12

³Same p.13

be trained to act economically and efficiently."¹ From the above passage it is understood the importance of knowing the capacities of each, the continuous preparation to act effectively and the strengthening of self-confidence that you can overcome the constant obstacles that life has.

While long ago the author of the *Great Didactics*, Komenski, said that life is school, for J. Dewey school is life. Here is what J. Dewey says: "I believe that the school is primarily a state institution. Education being a social process, makes school a simple form of community life in which all its branches of teaching are focused to be as effective as possible in promoting the child, thus sharing the inherited resources of humanity and to use his forces for social purposes². For J. Dewey, man, by integrating into society, participates in the resources inherited from generation to generation, at the same time contributing to the enrichment of this heritage.

In the book *School and Society* J. Dewey does not separate education from the life process: education is a process of living and not a preparation for the next life³. J. Dewey also speaks about the problem of the risk that what children learn in school will not serve you in relationships in social life, where learning many sciences has no effect on these relationships. He says: "I believe that we violate the nature of the child and make difficult the good ethical results, through the rude acquaintance of the child with a number of special studies, reading, writing, geography, etc., outside of relationships with social life. I believe that the real center of the interrelationship of school topics is neither science nor literature, nor history, nor geography, but the social

¹Same p.14

²Same p.14

³Same p.15

activities of the child himself”¹. According to J. Dewey, in the educational formation process, literature should serve the social integration of the child in society and accompany him in this integration: “I believe that literature is an expression of the reflection and interpretation of social experience, so it should accompany and not precede such an experience”². From the above two passages it is understood that for J. Dewey knowledge of science data alone is not sufficient, it is even harmful to the child if not integrated with social experience. According to J. Dewey, learning habits and tools include problem-solving methods and scientific research; in addition, learning experiences should include collaborative behaviors and self-discipline as both are important to democratic life. Through these skills and experiences, the school can convey the culture of society while preparing pupils and students for the changing world.³

J. Dewey closely linked education and democratization. According to him, progress, democratization, reform are achieved through education: "I believe that education is the basic method for social progress and its reform." He states that in ideal schools we should have the coordination of individuality and institutional ideals and that the duty of the community for education is the highest moral duty⁴.

And in the other work *Democracy and Education* J. Dewey argues that democratic society and democratic education are participatory and evolving, not just preparatory. He saw school as a

¹Same p.19

²Same p.20

³Ornstein A. Hunkins P. (2003) *Curriculum Basics, Principles and Problems* translated by Institute of Pedagogical Studies Tirana f.67

⁴ Same p. F.28

miniature of society, in which students could learn and practice the habits and tools necessary for democratic living.¹.

IV. J. Dewey's Critique of Traditional Education

J. Dewey criticizes the traditional pedagogical system and the traditional philosophies of his time. The main objectives of this critique were perennialism and essentialism. Previous philosophies were no longer valid for a reality in all-round progress. Because reality was constantly changing, J. Dewey did not see the need to focus on a certain set of knowledge, as did the perennials and essentialists. Instead, progressivism pays close attention to the way we think, not what we think.² Progressivism arises and develops in the period when *Logic and Critical Thinking* develop, which have to do more with the way one thinks than with what one thinks³.

J. Dewey also criticizes the old methodology, describing it as imposing and divisive between teacher and student: "With the method of teacher imposition and student absorption, traditional education can be compared to writing data on a disk. passive recording, resulting in the repetition of what is written, when the appropriate button is pressed in recitation or exam"⁴. J. Dewey does not consider the production of learning by the student to be efficient, but compares it to a reproduction

¹Ornstein A. Hunkins P. (2003) *Curriculum Basics, Principles and Problems* translated by Institute of Pedagogical Studies Tirana f.67

² Same p.67

³ Vaughn, L. e Macdonald, C. (2010) *The power of critical thinking*, CDE, Tiranë, p. 3

⁴Ornstein A. Hunkins P. (2003) *Curriculum Basics, Principles and Problems* translated by Institute of Pedagogical Studies Tirana p.67

made on technology instruments. He called for a middle ground, a balance between traditionalists and progressive extremists: “not only attacked traditional ideas, as they exalted silence to virtue, but criticized those who tried to free the child from adult authority and social control. He declared progressive extremists and laissez-faire philosophers to be destructive of the ideas of progressivism, while warning that any movement that thinks and acts because of one ism is so involved in reacting against other isms that it is inadvertently controlled. of them”¹.

J. Dewey, among other sciences, is dedicated to logic; mainly in the work *Logic and Theory of Research*, he distinguished the thought "that happens to have", i.e. that thought that arises involuntarily, from the "reflective" thought, which follows a continuation of reasoning. According to him, the school has the duty to educate to think, ie to act in such a way that the child transforms the thought "he has" into a reflective thought and, to do this, it is necessary to engage in active activities, to arouse interest in it and involve it, stimulate it to design, create and always realize new experiences; It is also important to dedicate the right space and time to the work project for its realization.²

Conclusions

Dealing with American pragmatism and its main representative J. Dewey not only quenches a curiosity, but n.q.s dealing with philosophy, pedagogy or psychology, reflects differently on the current problems of education and society similar to those of that time.

¹ Same p.68

²Taroni P. e Zaganelli L. (2004) *Appunti di Storia della pedagogia* Allori Edizioni Ravenna f.190

Although the period to which we refer, in this article belongs to the end of XIX century and the beginning of XX century and the country we are referring to is another continent, the issues that were addressed in some aspects may be current. We look further at where this actuality may consist. One problem that was addressed was the risk that school and education may not serve the future of the pupil or student. This danger is current in today's societies, but more pronounced in our country. The role of experience in education and vice versa of experience in education is always current. The dilemma of vocational or scientific training is current. The problem of the relationship between the scientific disciplines and the human social disciplines in school curricula is constantly controversial. One acquires knowledge through scientific disciplines, but knowledge is not limited to science; young people need a broader human culture. An education system which mythologizes vocational education, eliminates or curtails human formation. Schools can not only be institutions of learning, but formation and integration into social life. These are some of the issues then that remain current today. Theoretical knowledge of these problems is a prerequisite for the possibility of solving the current problems that characterize our education and society.

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Leonard KADRIMI

The right of navigation and development in the Albanian reality

Abstract

Transport is an important phenomenon in the world and national economy and, as such, the need has long arisen for a better legal regulation with a tendency that goes towards uniformity due to the nature of the transport phenomenon as essentially international and, on the other hand, the traffic flow of goods cannot avoid the impact of legislation with special national characteristics.

In this paper we will give an analysis of how transport and navigation law has developed in the Albanian legal reality, what were the principles that guided our legislator in the adoption of legislation in the field of sea and air navigation and how much has influenced the integration process toward EU and the approximation of legislation with the EU in drafting the transport codes. In addition, giving a description of the Albanian legislation in the field of transport, we will analyze the international conventions that Albania has ratified and how these have influenced during the process of drafting the Albanian domestic legislation in the field of transport.

Keywords: legislation, navigation law, harmonization of legislation, international conventions

1. Introduction to the panorama of the Albanian transport law and the latest trends

The phenomenon of transport is governed by the Albanian Law by means of laws that have a specific character by disposing on road; maritime transport; railway; air transport. As part of the commitments made in the framework of the European integration process, the Albanian legislator has long begun a process of improving and regulating the phenomenon of transport, as one of the most important sectors of life in the country.

Maritime transport is one of the sectors that first had its regulation, at least in relation to the primary legislation, culminating with the approval of the Maritime Code with law 9251, dated 08.07.2004. To complete the regulatory landscape, we should also mention law 9130, dated 08.09.2003 "On Durrës Port Authority" and law 10109, dated 02.04.2009 "On the maritime administration of the Republic of Albania", together with the ratified agreements¹. However,

¹The United Nations Convention on the Law of the Sea (UNCLOS) 1982, International Convention for the Safety of Life at Sea (SOLAS), 1974, International Convention on Load Lines, 1966, International Convention on Tonnage Measurement of Ships, 1969, International Convention on Maritime Search and Rescue (SAR)

there is a need for strengthening not only in terms of legal regulation of the sector, but also at the commercial-economic level, given that although Albania is in the middle of some maritime corridors, it feels the need to increase maritime traffic and transit in its ports.

The large number of activities in which the maritime world is involved requires regulation that is in line with uniform international law, so that these activities of international character can occur without any problems and do not constitute an obstacle to international trade.

1979, International Convention on Standards of Training, Certification and Watch keeping for Seafarers “STCW 78”, emendate in 1995, Convention on the International Regulations for Preventing Collisions at Sea COLREGs 1972; Convention on Limitation of Liability for Maritime Claims, LLMC '76 and Protocol of 1996; International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (FUND) e Protocols. International Convention on Civil Liability for Oil Pollution Damage (CLC '69) e CLC protocol '76; MARPOL convention 1973-1978; Athens Convention relating to the Carriage of Passengers and their Luggage by Sea (PAL) '74 and Protocols; Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf; Convention on Facilitation of Maritime Travel and Transport FAL 1965; United Nations Convention on Conditions for Registration of Ships 1986 con i Protocols; United Nations Convention on the Carriage of Goods by Sea 1978 the “Hamburg Rules” which entered into force in 1992. For the purposes of this thesis, we immediately emphasize that Albania approved the latter on 20/07/2006 and the Convention is in force since 01/08/2007.

Already "Sectoral transport strategy 2008-2013" approved by decision of the Council of Ministers no. 1214 in September 2008 noted that Albania's great efforts are being made in terms of the legality and adoption of national maritime law; harmonization of commitments made since the signing of international maritime conventions; ports; port and navigation security; maritime transport; environmental protection ¹.

The harmonization process has continued in recent years with the adoption of various acts in the field of maritime transport, among which it is worth mentioning law no. 168, dated 31.10.2013 "On security in ships and ports"². However, work is still underway to implement and enforce bylaws implementing the Maritime Code, such as the adoption of government decisions and regulations on maritime safety, the ship register and the maritime administration so that this can fulfil its tasks regarding the improvement of the technical conditions of the ships sailing with the Albanian flag and consequently the reduction of the number of arrests of the ships sailing with the Albanian flag in

¹"Sectoral transport strategy 2008-2013", 2008, pg. 11-12

²This law is in line with the provisions of the International Ship and Port Security Code, as well as Directive 2005/65 / EC which aims to increase port security. Implementation of the EU Directive has led to the previous law 9281 of 23.09.2003 "On ship and port security" "

the ports of other countries¹, as well as to raise standards and ratings by the shipping classification society.

If on the one hand the process of integration and adaptation of community legislation continues in relation to public transport law ², non the other hand they have a shortcoming in the proper treatment of the private part, both in the legal literature and in the jurisprudence regarding the correct interpretation of the rules and clauses of the transport contract, both for its legal nature in doctrinal elaboration, and for the single clauses and forms of interpretation of the law in the courts.

¹Decision of the Council of Ministers no. 404, dated 13.05.2015 "On the approval of the national plan of European integration 2015-2020"

²In the doctrine see: A. GJETA, *La disciplina della gestione aeroportuale e dei servizi aeroportuali nel diritto dei trasporti europeo e nazionale*, Libreria Bonomo Editrice, Bologna, 2015; A. GJETA, R. SHTINO, *Competencies of local government in the field of urban public transport: the right to mobility of citizens and the most appropriate models of urban public transport management. Lectures from EU countries (Italy and Great Britain)* in *Jus&Justitia*, no. 5, 2012; E. TELITI, *The Albanian legal framework in road transport contracts. The challenges and perspectives in the process of EU integration* in S. ZUNARELLI, M. MUSI (editors), *Current issues in maritime and transport law*, Bonomo Editore, 2016, pp. 403 e ss.; A. GJETA, *Il Codice del diritto aereo albanese. Prime considerazioni in merito a una codificazione ispirata al diritto uniforme e comunitario* in *Rivista del Diritto della Navigazione*, 2015, Volume XLIII, n. 2

A sign of this neglect in this area is also seen in the lack of knowledge and doctrinal elaboration of the problem.

2. Regulation of maritime transport discipline in Albania

Codification always brings difficulties given the fact that it must comply with an organic, complete system and, in principle, tend to be autonomous within the legal system.

Maritime law, due to its nature as a set of norms that aims to regulate a mainly international economic activity, is mainly regulated by legislation developed precisely at the international level¹. At this level, in addition to the conventions to which states have joined, a soft law has been consolidated, drafted by maritime practice, which states implement in order to standardize technical and commercial requirements, providing a discipline that in this respect provides for minimum requirements that are almost uniform, which are undoubtedly important to carry the transport of goods, especially marine ones, in a

¹It should be noted that the "international" nature of transport is a necessary condition for implementing the conventions of a uniform law. In this regard, a division should be made between international instruments that regulate only cases that have the character of "internationality" and other instruments that apply even in the internal situations of a certain national system.. See in the case of conventions as sources of law S. ZUNARELLI, M.M.COMENALE PINTO, *Manuale di diritto della navigazione e dei trasporti*, vol. I, Cedam, Padova, 2009, pg. 50-54

regime of legal certainty and that gives uniformity and security to foreign operators who enter into trade relations with Albanian carriers and vice versa.

In this regard, we recall that Albania has ratified various conventions of maritime law over the years. Albania is a signatory to the main conventions of uniform law of the sector¹, which undoubtedly have a significant impact on domestic law, as it is clear that the goal towards the realization of a complete and organic framework of legislation is an essential necessity for all legislation that aims to be in line with the needs of the time.².

At the same time, Albania, in the wake of European integration, is under the influence of regional organizations such as the European Union.³. This impact is expressed through the implementation of the

¹Among them we can mention UNCLOS (1982), SOLAS (1974), LLMC (1976), CLC (1969), while in addition we can mention the accession to international organizations and regional cooperation such as IMO.

²G. CONTALDI, *L'incidenza del diritto europeo e internazionale sulla configurazione giuridica dell'ENAC in APAC* (a cura di), *Prospettive per un governo dell'aviazione civile in Italia*, Jovene, Napoli, 2011, pg. 205-212

³See Title VIII of the Stabilization and Association Agreement (ASA), signed on 12 June 2006, under the heading "Cooperation Policies", and specifically in its Article 106 on transport provides that "cooperation between the Parties shall focus

acquis communitarian, as an integral part of the European integration process. Albanian maritime law, like air law, is deeply affected by these developments. In addition to these considerations, it is necessary to mention the internal developments, which are related to the market entry of new shipping carriers and the need for the government to proceed with the adoption of bylaws on the concession of port management, the establishment of the Port Authority, as well as the implementation of internationally approved private law.

The Albanian Maritime Transport Code precedes by 5 years the air transport code (Law 9251, dated 08.07.2004). With the adoption of the maritime code, Albania has finally regulated the maritime sector in a special and autonomous way. The issue of transport was completed with the adoption of the air code in 2008. It should be noted that even with regard to the air code, the legislative techniques were similar, trying to introduce international law within the country and at the same time explicitly affirming (Article 5) the supremacy of ratified

on priority areas related to legislation" community in the transport sector", focusing mainly on "restructuring and modernization of Albanian transport, improving the free movement of passengers and goods, as well as access to the transport market and transport infrastructure, including ports and airports, to encourage the development of multimodal infrastructure related to major trans-European networks, particularly to strengthen regional links, to achieve operational levels comparable to those of the European Community "in GUUE L 107/166 dated 28.4.2009

international law. The Albanian legislator, with law 10040, dated 22.12.2008, has tried to meet the needs related to these internal and external developments and has reorganized the air transport system, setting the objective of a systematic construction of the issue. It is worth mentioning in this introduction the treatment of tourist ports with law 9710, dated 10.04.2007 "On tourist ports in the Republic of Albania", which together with the two aforementioned codes, adding the organic laws governing the Civil Aviation Authority and the Port Authority of Durrës, constitute the normative framework of the right of navigation in Albania.

Road and rail transport remains regulated separately.

In accordance with the widespread practice, in the Albanian legal system air and sea transport is regulated in two separate codes and not in a single code governed by common principles. This choice seems closer to the French system and unlike the Italian Navigation Code, which remains, however, unique in the ranks of the various orders of the continental tradition.

The legislator has not even tried to make a formal approach of the two disciplines. Unlike other countries with a code system in this area, Albania has chosen a complete separation of navigation discipline,

keeping air navigation separate from sea navigation.¹ The two realities, in fact, are not perceived by the Albanian legislator as similar and related to a formal unity and unity of the navigation discipline even if the tendency of a mutual osmosis between maritime and air law in terms of legal uniformity, where similar legal solutions are provided for similar situations².

3. Conclusions

Albanian law has long included important international legislation in the field of transport and has become part of it. In addition, starting from the European integration process, Albania has recently

¹The Albanian Navigation Code precedes by 5 years the aircraft code (L. 9251, dated 08.07.2004) It should be noted that even in that case, the legislative techniques were similar, trying to introduce international legislation within the navigation code and , at the same time, explicitly affirming (Article 5) the supremacy of transposed international law.

²For the reconstruction of doctrinal debate, in Italy and abroad, see: S. ZUNARELLI, M. M. COMENALE PINTO, *Manual*, op. cit., f. 28-30; M. CASANOVA, M. BRIGNARDELLO, *Diritto dei trasporti, Infrastrutture e accesso al mercato*, Vol. I, Giuffrè, Milano, 2011, pg. 5-12.

included in its domestic legislation and has regulated its legislation according to EU norms.

In the law of navigation, Albania has made the choice to keep the different forms of navigation, transport, and separate from each other and that are not subject to the same rules and principles, both in private and public law.

We hope that the process of approximation of legislation with EU legislation will complete this process of renewal of legislation and codification in Albania in terms of transport in general.

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S. ZUNARELLI, M.M.COMENALE PINTO, *Manuale di diritto della navigazione e dei trasporti*, vol. I, Cedam, Padova, 2009, pg. 50-54

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Marsida KRASNIQI, Rezarta KALAJA

Challenges and employment opportunities of nursing students after finished the master in “Surgical Nursing”

Abstract

Nursing profiling provides a specialist with the best and in-depth knowledge of the market of labor, which would be easier to be selected as the winning candidate. Today a big problem is the migration of the professional in the medical field, which is affecting the medical service by reducing the quality of services to the patient and at the same time is reducing the necessary transfer of knowledge for the younger generations.

In this study two questionnaires were constructed to better understand the importance of the professional program master in "Surgical Nursing". The first questionnaire was sent to students who have completed their studies in the professional master and the second questionnaire was sent to the institution where they were employed.

230 students who have completed professional master in Surgical Nursing in UAMD and 92 health institutions filled out the forms. From the answers received it was noted that most of the prospectuses work in public and / or private institutions inside and outside Albania putting in daily practice the knowledge obtained in our master program. Most of them admitted that the master had positively influenced the selection and stability of their place of work. The health institutions that employ our former students responded positively in terms of professional

training of the surgical nurse. The institutions responded that they would recommend this study program for any nurse looking to work in the wards surgical.

The students who graduate in the master program "Surgical Nursing" have increase the interest of public and private hospitals institutions as well as the clinics or polyclinics for their employment. In our study we have found an interest to employ our students from hospitals of other countries such as Germany and Italy

Keywords: *Professional Master, Surgical Nursing, Challenges, Employment Opportunities.*

Introduction

Nowday Albania is in need of specialists in the field of medicine (Koduzi, Kongjonaj, & Lazarevik, 2015). As everywhere in Europe (Wass, 2006), and beyond, there will be a need for specialist in medical fields. While today is counted about a third of the Albanian population that is leaving abroad (Nurja 2011), (Koduzi, Kongjonaj, & Lazarevik, 2017) the health care system is one of the sectors significantly affected by mass migration of medical personnel. The migration of health care personnel in Albania is a phenomenon that has been going on for several years and is growing more and more, this can cause instability of the health care system. The migration of health personnel is also contributing to the reduction of quality of services to the patients and at the same time will reduce the transfer of knowledge to the younger

generations (Buchan & Sochalski, 2004). Based on the data collected from the Order of Doctors of Albania, the number of doctors who have requested the certificate of "Good Standing" has reached 765 doctors, this certificate is needed in order to apply to find a job abroad. According to the data received from the Order of Nurses of Albania the number of working nurses in their profession in different countries has reached 1232, mainly in Italy, Greece and England.

On the other side, nursing profiling provides a specialist with the best and deep knowledge in the labor market, which would be easier to select as the winning candidate. The training of nurse specialist in the field of surgical nursing is a priority for UAMD and is continuing to be pursued by increasing the quality of teaching with contemporary programs ("UAMD," 2018). Surgical nurses are specialized nurses who work in operating room, reanimation and in microsurgery rooms. "The care provided is holistic and has roots in health promotion, disease prevention and maintenance health ". ("Immigrant Health Workers in OECD Countries in the Broader Context of Highly Skilled Migration," 2007) Nurses specialized in surgical nursing field can work in operating room, reanimation and microsurgery having proper theoretical and practical training, as well as professional experience. Also they may apply for other advanced training as clinical nurse specialists and researchers in the field of surgical nursing.

The Master's program in "Surgical Nursing" provides quality based on, the quality of teaching according to contemporary methods in professional practices and cooperation with public and private institutions. The Professional Master in "Surgical Nursing" has functioned since the academic year 2012 - 2013, currently is being

readjusted in function of the legal and sub-legal acts. During this time hundred of nurses have been graduated in this program. Continuous raising of the theoretical and practical level, as well as the promotion of the students in group working are essential objectives of the master program in "Surgical Nursing".

The professional master program in "Surgical Nursing" will aim to achieve the follow main objectives which are a market demand:

- To prepare the specialist to enter the market, which includes establishing contacts with various public and private institutions.
- Provide students with an environment (nationally and internationally) to exchange their experience and expertise.
- To pursue the professional integration of each student.
- Participate in international partnerships.
- To produce internationally qualified surgical nursing specialist work in any public and private health institution.
- Professional growth of the nursing specialist in the field of surgery with the latest updates of science.
- Practice in different surgical fields in different health institutions public and private.
- Creating an opportunity at the university for the guaranteed support of surgical nurses who want to mini-specialize abroad for a period of time up to 1 month

The program of the professional master "Surgical Nursing", contains didactic-scientific activities in-depth theoretical and practical training, of mastering the methodologies of research and special operational techniques, realized through teaching modules, highly qualified hospital seminars and practices. The program also includes independent

scientific research as a basis for the final thesis at the end of the study, where students with an average of over 8 from 10, will receive a diploma thesis led by a leader academic with academic title.

An important element of studies in the professional master "Surgical Nursing" is that lecturers and students will be grouped in small groups and will be followed during their internship in health institutions, for an efficient and complete experience.

The master program in "Surgical Nursing" is conceived in accordance with Higher education developments in Albania and in approach to the requirements and specifics of the labor market local and regional and beyond.

Students in the master program must gain experience in the field of surgical nursing and will be able to work independently as an assistant nurse in operating rooms. UAMD will offer this program for students who have completed their studies in, Bachelor in General Nursing and Bachelor in Midwifery at UAMD but also students at other universities.

Methodology:

To understand the importance of the master program in “Surgical Nursing”, two questionnaires were constructed. The first questionnaire was sent to students who have completed studies in the master program in "Surgical Nursing" in our Department of Medical Technical Sciences. After completing the questionnaire with alumni of our master, we started by sending the second questionnaire. The second questionnaire was sent to the institution where they were employed.

The questionnaire sent to the students contained 19 questions and was organized in three parts:

- Part I: Information on personal data
- Part II: Experience during the master program in "Surgical Nursing" at UAMD and career after completing the master.
- Part III: Perspectives of this program in the future.

The questionnaire sent to the institutions contained 15 questions and was also organized in three parts:

- Part I: Information on personal data.
- Part II: Experience with former students of the our master "Surgical Nursing".
- Part III: Perspectives of this program in the future.

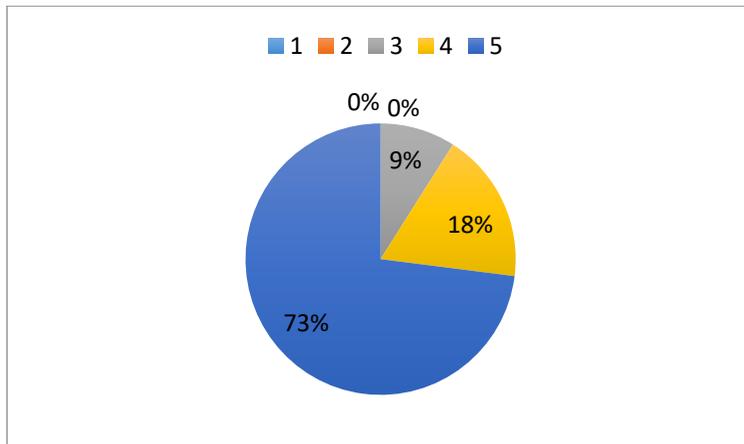
Results:

Results of the first questionnaire: The questions were addressed to 253 students graduated in master program "Surgical Nursing" at UAMD. The results of the questionnaire are as follow:

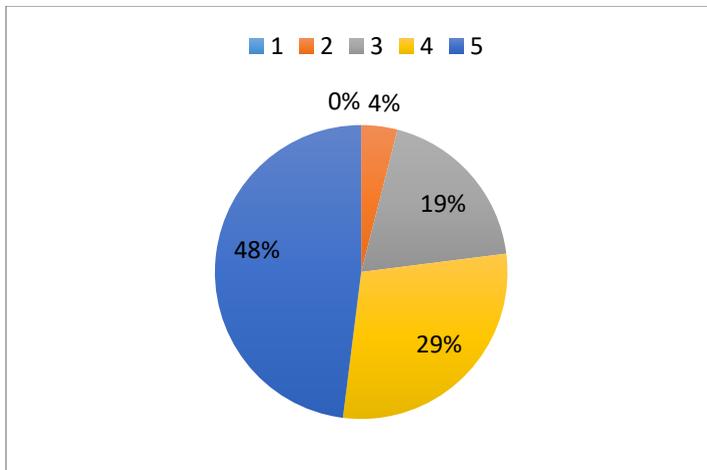
From 253 questionnaire that we sent, only 230 former students answered and completed the questionnaire, of which 66% are female and 34% are male. Most of the respondents belong to the age group 23-33 years old. Most of the prospectuses surveyed work in public and / or private institutions within and outside Albania applying the knowledge obtained in the program master studies offered by Department of Medical Technical Sciences.



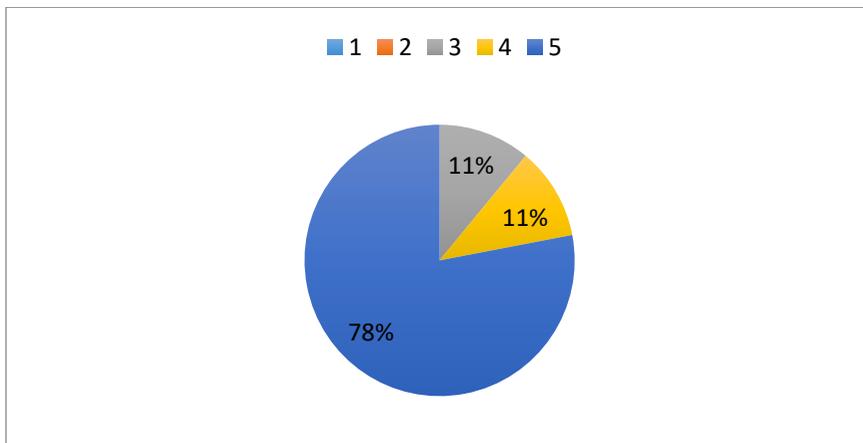
To the question of how much they have benefited from the whole experience of master program in “Surgical Nursing”(from 1 - not at all to 5 - many), more than 70% answered “Yes, they have benefited a lot ”and less than 1% “did not benefit at all ”.



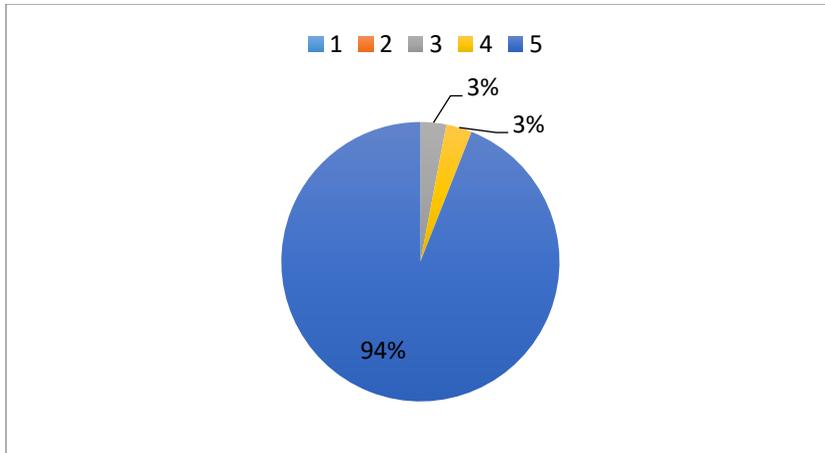
Answers to the question "how much is your training evaluated in the labor market", 48% answered many, 29% responded well, 19% average, 4% slightly, and only 1% were answered at all.



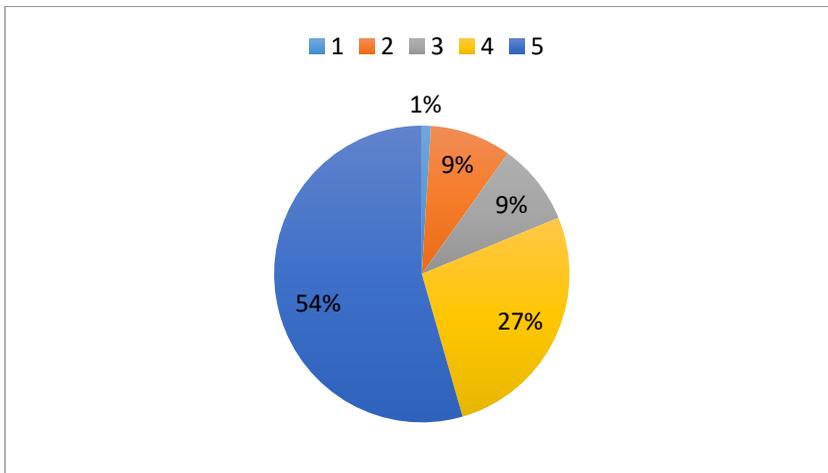
To the question “In your experience as a professional in the field of Surgical Nursing, judge the importance of this master program in our country”, 78 % answered more and less then 1% answered not at all.



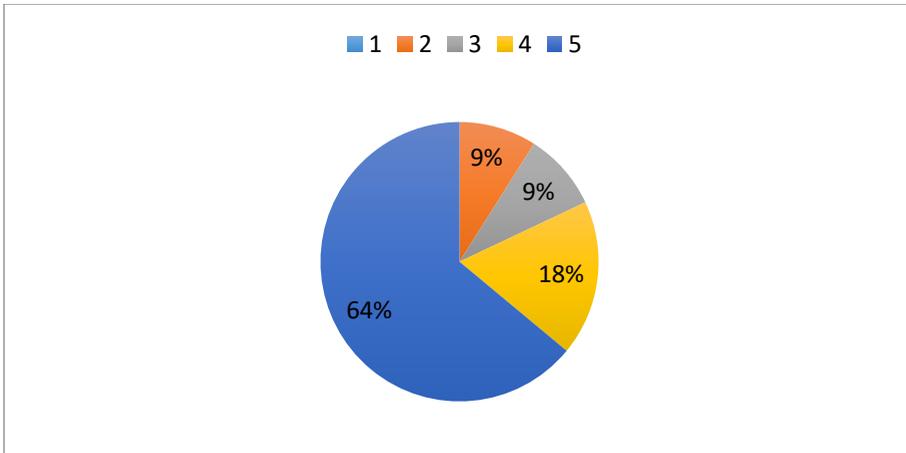
To the question “How important do you consider the master program in “Surgical Nursing”, over 94% answered very much and less then 1% answered at all.



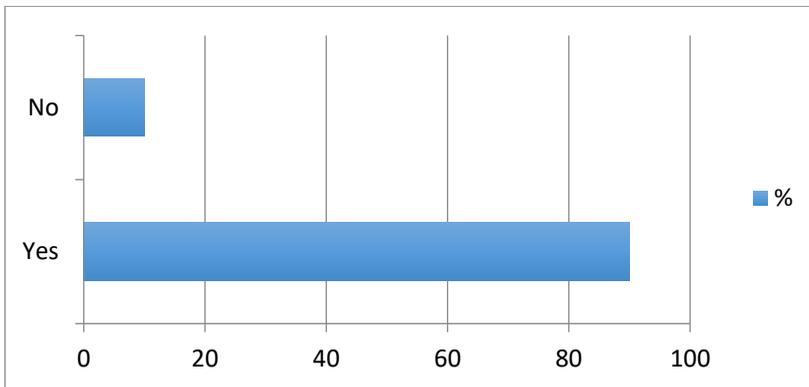
To the question “How much has this study program affected your employment”, 55% answered, it has affected a lot”. 27% sufficient, 9% average, 9% little and 1% not at all.



To the question “Has this program master affected your professional growth”, 64% answered yes, 18% answered sufficiently, 9% moderately, 9% answered little and 1% not at all.

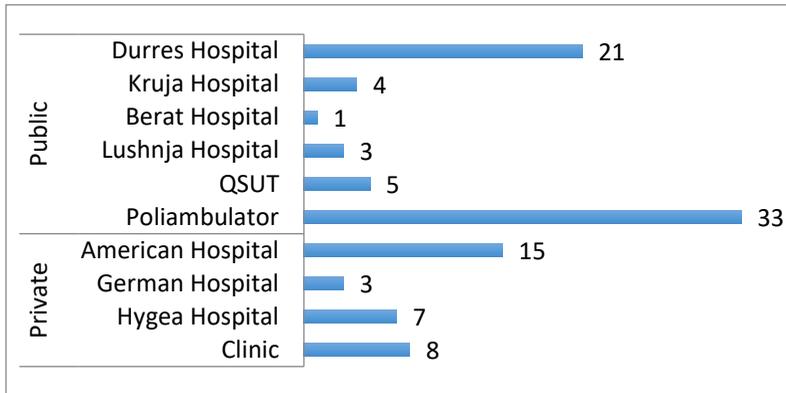


To the question “Would you recommend this study program to others”, more than 90% answered yes.

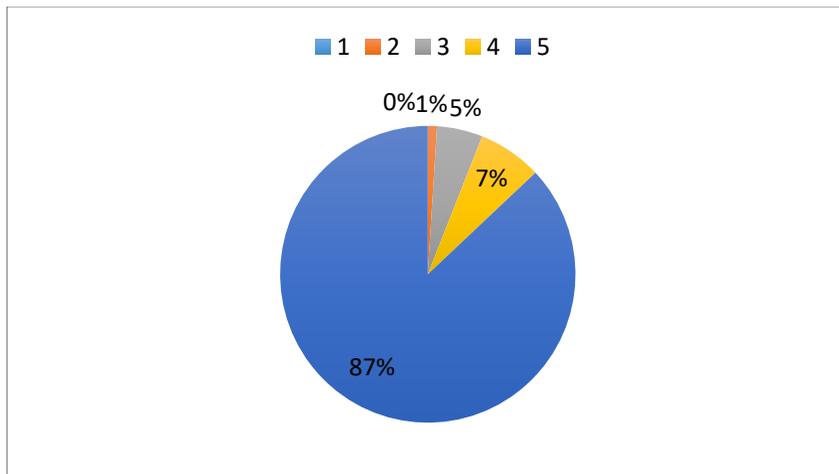


The results of the second questionnaire: 177 questionnaires were sent to the institutions where our former students works, based on the addresses of contacts we received from the first questionnaire.

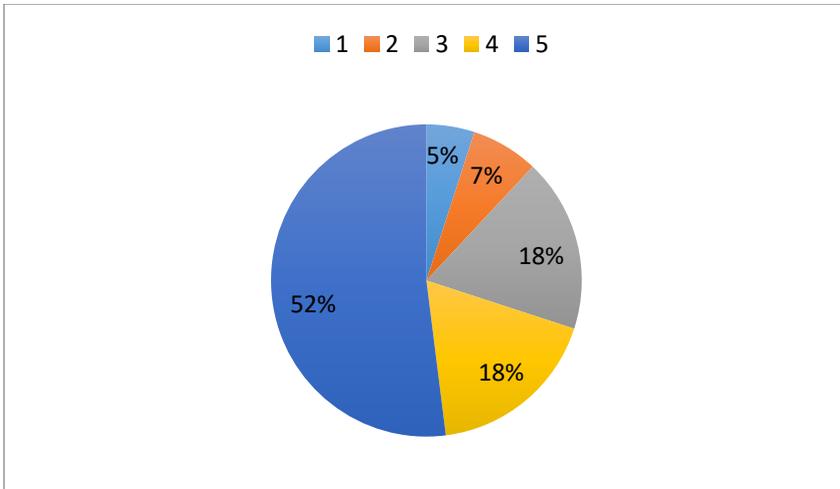
The second questionnaire addressed to the institutions was completed by 93 of them, of which were public and private health institutions in Albania. The results in percentage are presented in the following graph:



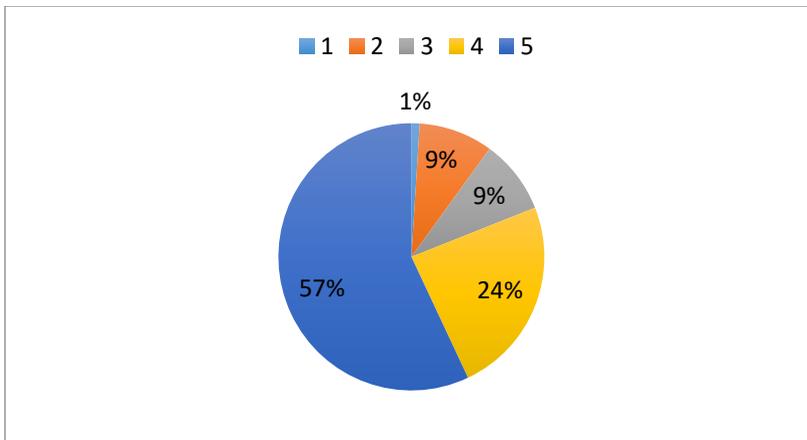
To the question “How you judge the formation of the nurse in the field of “Surgical Nursing” in UAMD, 87% answered very well and less than 1% not well.



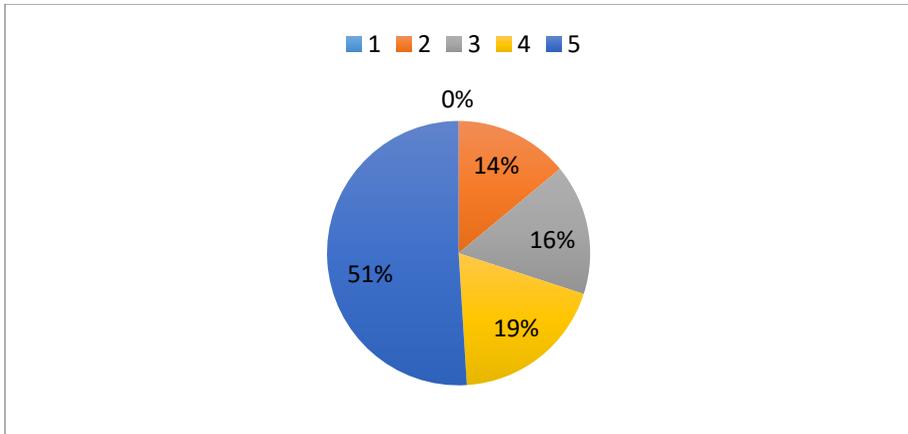
To the question of how did the master program influenced in our students to work independently in the operative room, 52% answered “it affected a lot”, 18% sufficiently, 7% little and 5% not at all.



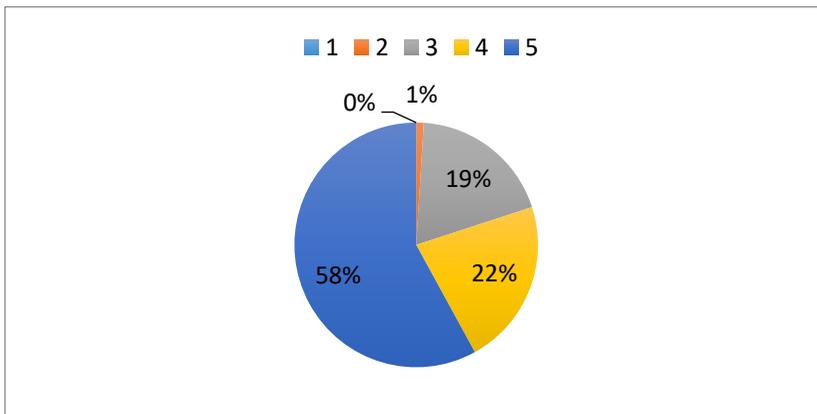
To the question “How much did the master program in “Surgical Nursing” influenced to you institution for the employment of the former students”, 57 % answered “it has had a big impact”, 24% sufficient, 9% average, 9% little and 1% not at all.



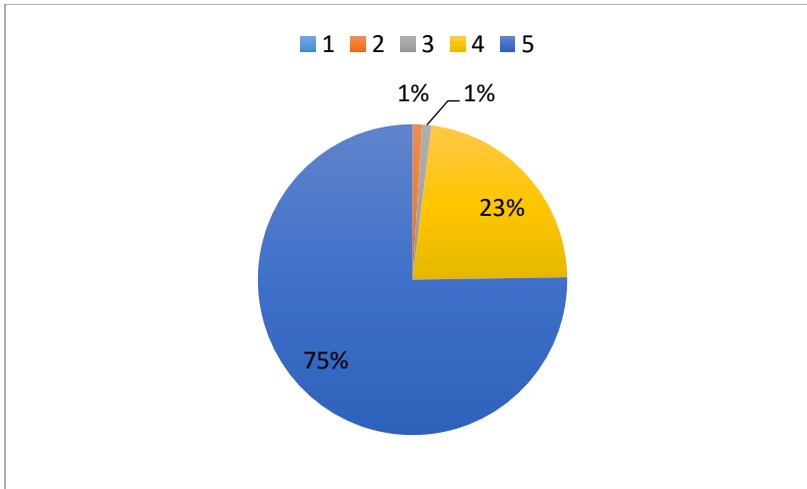
To the question “As an expert in this field how do you describe the impact of the study program for the country”, 51% responded “it has a big impact”, and less than 1% answered that the program has no impact.



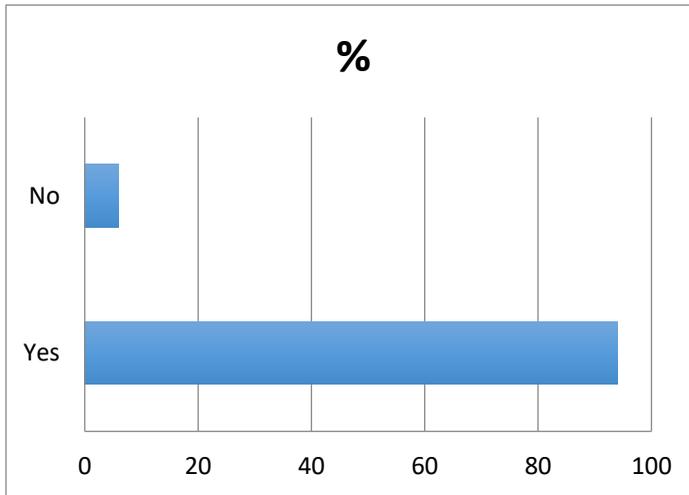
To the question “Do you think this master program should have priority for the selection of candidates for the job”, 58% answered “it should have strong priority”, 22% “it should be very significant, 19% significant and less than 1% responded “it should not have priority.



About the importance of this program in the development of nurses who want to work in the surgical field, 76% answered very important and 1% little important.



To the question “Would you recommend this study program to the nurses looking to work in operating room”, more than 90% answered yes.



Based on the answers to these questionnaires, we conclude that the opening of the master program “Surgical Nursing” is a labor market demand. The master program in “Surgical Nursing” prepares specialists in the field of surgery and to fit them to work in public and private health

institution. Until now the department of medical technical sciences has a cooperation agreement with the regional hospital of Durres, where students in addition to professional internships are offered employment opportunities after the master studies. Also a part of the students are employed in Durres hospital and are currently continuing their training as in the master program “Surgical Nursing”. But we are convinced that various public and private health institutions will employ our former students. Till now we have 89% of our former students that are employed. The institutions that are interested in our students are private and public hospitals as well as clinics. Inters in employ our students has been shown from hospitals in other country as in Germany and Italy.

Conclusions:

In conclusion it can be said that the master program in “Surgical Nursing” is a necessity and would complement the panorama of this institution in delivery of study programs that go in line with market trends and priority areas for quality health service of our country and would enable students in general nursing and midwifery, the possibility of continuing further studies.

On the other side the problems with the migration of health workers in the country are becoming too much current. The consequences of this emigration will fall directly on the quality of the health system (Maffla, 2008). In Albania, the Ministry of Health recently called on all doctors exiled to return, promising them better working conditions. Under these conditions, we can say that the training of medical professionals is an obligation for the institution of education.

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