



The 9th InTraders International Conference on Social Sciences and Education Proceeding Book

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InTraders Academic Platform

www.intraders.org

Publisher

Kürşat ÇAPRAZ

**The 9th InTraders International Conference on Social Sciences and Education
Casablanca, Morocco, 6-10 February 2023**

e-ISBN: 978-605-72229-3-0

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e-ISBN: 978-605-72229-3-0

Edition: First Edition, 15 March 2023, Sakarya, Türkiye

Language: English

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The legal and scientific responsibility of the manuscripts belongs to the authors.

The 9th InTraders International Conference on Social Sciences and Education provide the Republic of Turkey, Council of Higher Education "International Conference" criteria. The 9th InTraders International Conference on Social Sciences and Education (Hybrid) was held on 6-10 February 2023, Gray Boutique Hotel Casablanca, Casablanca, Morocco

Declaration

InTraders with this declare that from all participants coming from Taiwan, Chile, Palestine, North Macedonia, Romania, Pakistan, India, Kazakhstan, Kosovo, and Türkiye, more than half of the studies belong to countries different than Türkiye.

Foreign authors present 57 % (20/35) of studies out of Türkiye.

Appreciation

I am gratified to have the honour to put forward the vote of thanks to all the Congressional Coordinators, Congressional Committees, and Authors who provided intensive work performance for the Conference.

Special thanks to whom joined the opening ceremony participants.

OPENING CEREMONY

Kürşat Çapraz, InTraders Academic Platform, Sakarya University, Türkiye
Prof. Dr. Violeta Madzova, Vice-Rector, International Balkan University, North Macedonia
Prof. Dr. Afrim Alili, Kolegji Biznesi, Kosovo

The Congress is scheduled using Zoom Live Sessions and in person.

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We aim to contribute international trade field through our [International Spring Conferences](#), [International Winter Conferences](#), [International Autumn Conferences](#), [Academic Journal](#), and [Conference Alerts News](#).

InTraders conference is international and targets participants from all over the world, shaping the organization in this direction.

The Congress aims to have papers from academicians and private sector managers. The written and presentation language is English.

[Conference main topics](#); social sciences and education topics.

Thank you for your great work, dear friends. Last, my little motivators, Emre and Yunus ÇAPRAZ, are great....

In the upcoming next 10th Conference, The 10th InTraders International Conference On Social Sciences and Education, 12-16 June 2023, Craiova, Romania.

Topics; Social Sciences Titles: Sociology, Psychology, Communication Studies, Journalism, Public Relations, Advertising, Social Work, Philosophy, Economics, Business Administration, Labor Economics, Human Resources, International, Finance, Econometrics, Political Science and Public Administration, Law, Islamic Economics and Finance, Management Informatics Systems, Health Management, International Trade, Logistics, Distance Education, Higher Education, Teaching and Learning, E-learning, Lifelong Learning

A beautiful congress with more than international congress criteria is waiting for all of you.

I wish to meet you all at these new international conferences...

Kürşat ÇAPRAZ

Director of InTraders Academic Platform

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The 9th InTraders International Conference On Social Sciences and Education 6-10 February 2023				
Gray Boutique Hotel Casablanca, Casablanca, Morocco				
Conference Program				
Monday, February 6 2023, 09:40-10:00 (GMT+01:00)				
Keynote Speakers				
Vice-Rector, Prof. Dr. Violeta Madzova, International Balkan University, N. Macedonia				
Prof. Dr. Afrim Alili, College BIZNESI, Republic of Kosovo				
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35	Deniz Günay, Tülin Atan	Does Nutrition During the Rest Break of Training Affect Performance in Archers?	Ondokuz Mayıs University	Türkiye
15	Nazlı Çağıl Küçükgöksenel, Hasan Selçuk Eti, Teoman Akpınar	The Effect Of Store Atmosphere On Purchasing Behaviour	Tekirdağ Namık Kemal University	Türkiye
12	Aytuğ Z. Bolcan and Ü. Serdar Serdaroğlu	The Effects of Continental Blockade on Firm Dynamics	Istanbul University, International Balkan University	Türkiye / N. Macedonia
32	Murat Birol, Emel Birol	Presentation of Family Representations Through YouTube Commercials: An Examination of Automobile Driving and Stereotypical Perception	Giresun University, Istanbul Gedik University	Türkiye
1	Mihaela POP	The conflicting norm in the field of civil status. Comparative study	"Titu Maiorescu" University, Faculty of Law and Economic Sciences - Târgu Jiu	Romania

Session 2, Monday, 6 February 2023, 11:20-12:30 (GMT+01:00)				
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37	Abdurrahman İLGAN Ömer Seyfettin SEVİNÇ Osman AKTAN	Teachers Opinions about In-service Training in terms of Career Ladder	Izmir Demokrasi University, Düzce University	Türkiye
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52	Imërlije Alili, Afrim Alili	CAUSALITY ANALYSIS BETWEEN ECONOMIC GROWTH AND CLIMATE CHANGE: CASE OF REPUBLIC OF NORTH MACEDONIA	College BIZNESI	Republic of Kosovo
33	Emel Birol, Murat Birol	EXAMINATION OF POSTERS WITH THE THEME OF ADDICTION WITH AN EMPATHIC DESIGN APPROACH	Istanbul Gedik University, Giresun University	Türkiye

Session 3, Monday, February 6 2023, 11:00-12:00 (GMT+03:00)				
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10	Shakeel Shahzad , Fazlullah & Imad Khan	The Role of Financial Inclusion in Income Inequality, Poverty Reduction & Economic Growth in Developing Countries	Director, Firm of Research, Policy and Development, Islamabad, Bahria University, Islamabad, Kohat Institute of Medical Sciences, KIMS, Kohat, KPK	Pakistan
16	Elena Parnardzieva Stanoevska , Andrijana Bojadzievska Danevska , Luljeta Sadiku , Savica Dimitrieska	Fin-tech Solutions in the Banking Sector (Case of North Macedonia)	International Balkan University	N. Macedonia
4	Maya Moalla	Patterns of Regional economic growth in Turkey	Independent Researcher	Türkiye
Session 4, Monday, February 6 2023, 13:00-14:00 (GMT+03:00)				
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29	Asena BOZTAŞ	The Yield of the Climate Crisis Cyclical Economy and Turkey	Sakarya University of Applied Sciences	Türkiye
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<https://www.intraders.org/icse> e-ISBN:978-605-72229-3-0

**Use of Instagram in the Process of Political Communication: Comparative Analysis of
Leaders' Instagram Accounts**

Tuba KALÇIK ÜSTÜNDAĞ¹

Abstract

The new media tools that emerged with the development of technology have also affected politics closely. Political actors, who have been using traditional mass media for many years to inform the electorate about their policies, promises, and projects to influence and attract them, have started using new media tools effectively. Social media, which has become the most popular channel of politics in the new period, has become one of the indispensable tools of today's politicians. Political actors, who can reach a much wider group of voters with instant sharing according to the mass media, use this channel in non-election periods, especially during elections. Instagram, which is the most preferred platform after Twitter, allows users to share texts as well as photos and videos. The opportunities offered to users by Instagram, whose popularity is increasing daily, have pushed political actors to use this channel actively. Political actors, who met with their voters via Instagram with visual shares, had the chance to enter into two-way communication with their target audience and to be more visible. The study revealed how Instagram is used as a means of political communication by political actors. The official Instagram account of the leaders of political parties in Turkey has formed the universe of this work. The study sample includes the official Instagram accounts of the AK Party, CHP, HDP, MHP, and İYİ Party leaders selected by the purposeful sampling method. The study examined leaders' posts by subjecting the content analysis to the one week between January 2, 2023, and January 9, 2023, the non-election period. In light of the findings obtained, it was comparatively revealed how leaders used Instagram accounts to communicate politically.

Keywords: Political communication, social media, Instagram

INTRODUCTION

Today, social media platforms, which are widely preferred in political communication, as Korkut states (2022:135), are a two-way communication channel built on the foundations of the Web 2 technology, where the user manages the content. Unlike traditional media, social media, which offers an interactive communication network, has provided a great advantage to users in

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this respect. Contrary to the one-way communication flow, social media, which also allows users to intervene and return to messages such as incoming information-messages, has made it possible to communicate with political actors that they previously positioned as inaccessible and to convey their criticisms, demands and expectations to them through this channel. The ability of political actors to communicate interactively with the constituency through social media has also opened important doors for them in terms of political communication. Political actors, who can reach a large group of voters in a short time through social media, offer the opportunity to measure their pulse, to act effectively in times of crisis, to explain their goals and objectives in campaign processes, and to show their actions in the non-election period, as well as to provide information about themselves (Türk, 2013:57). Political actors who engage in the process of interactive communication with voters have the opportunity to measure how their policies and promises have an impact on them through feedback, and on the other hand, they have the opportunity to review and, if necessary, rearrange their low-impact policies or promises. While campaigns carried out through new media are much less costly than the media tools in traditional election campaigns, they offer important opportunities to political actors in terms of the speed and accessibility of campaigns. Social media platforms, which offer various opportunities such as encouraging political participation, following the agenda in the political field, obtaining information and voicing thoughts on the agenda, offer voters very different features than the one-way communication environment (Westerman, Spence and Van der Heide, 2014). Neuman (2018:59), who states that social networks that emerged as a result of the development in communication technology have also created an evolution in the communication process, expressed this situation as a transformation from push media to pull media. In this new period, which can also be interpreted as the public taking part in this process more actively by gaining a pluralistic identity in a horizontal form (Öztürk and Zeybek, 2020:94), all political actors with different cultures or ideologies, regardless of their voting rate, can see social media platforms as a space to explain themselves, communicate with voters and share video, photo or textual elements.

Literature Review

In the process of political communication, which is the type of communication established by political actors to explain themselves in order to make changes in thought or behavior or to transform what is available, political actors use various communication methods to achieve their ideological or political goals (Dondurucu and Uluçay, 2015: 446). At the core of political communication is the purpose of persuasion (Eroğlu and Yalın, 2006: 170). Political actors,

who carried out their efforts to persuade through traditional media tools, started to use new channels in the 2000s. As Korkut pointed out (2022:140), in parallel with the development of Internet-based Web 2 technology, political communication channels have also increased. New media tools have also joined the traditional media tools. The feature that distinguishes social media from the traditional and popularizes it in the political field is that it allows interaction. While there is a one-way communication channel in the traditional, there is a two-way and interactive process in social media. The interaction feature also gives users the chance to participate. While there is a one-sided communication channel in traditional media, the distance between the voter who is in the position of a viewer on social media platforms and the political actor disappears and voters have a participatory position by becoming a part of the communication process as well as feedback. Another is the ability of social media to be more open to the flow of information, comment and voice their thoughts relatively freely than traditional media. Social media is also a much more effective channel in terms of organization, in a short time, people can quickly unite around a certain topic. The ‘connectivity’ feature, which means that social media connects with other platforms, that is, provides access to other resources with links and tags, is another feature that distinguishes it from traditional media (2011:18).

Instagram (Çakır and Tufan, 2016:12), where the founders gave its name from the combination of the word instant, and the word telegram, which is one of the basic communication methods in the past, only allowed the sharing of photos in the first period and offered the opportunity to share videos to users in the later period.

Instagram, a social media platform like Facebook, Twitter, was founded in 2010. Like others, the pictures shared by users through this channel are built on a system that allows other followers to reach through videos (Al-Kandari, Al-Hunaiyyan and Al-Hairi, 2016:54). In the report prepared by We are social (2023), Instagram is the most preferred social media platform in Turkey after WhatsApp in 2022. Twitter is preferred by 69.6%, while Facebook is used by 78.1%. Instagram is at the top of the most popular social media platform with a usage rate of 92.5%. In Turkey, 52.15 million people aged 13 and over, as well as 61.1% of the population, use Instagram. Instagram, which carries its popularity in the social field to the political field, has become an important channel where political actors also carry out their communication processes. Instagram, which allows political actors to give information, make announcements, explain their actions, promises and projects, also ensures that voters are politically participatory. Followers give feedback using Instagram’s features such as commenting, liking, reposting to

political party leaders' posts. This feature of Instagram is extremely important in terms of showing that an interaction-based communication process is experienced.

Methodology of the Research:

Under this title of the study, the subject, purpose and importance, scope, limitation and method of the study were included.

Subject of the Study:

Instagram, which is one of the most used social media platforms in Turkey, has also shown its popularity in the political field. The way political actors use Instagram is the subject of this research. In this context, the Instagram posts of the five party leaders who have a group in the Parliament were subjected to mutual analysis.

Purpose and Importance of the Research:

This research aims to reveal how political party leaders with different ideologies use Instagram, a social media platform, as a political communication tool during non-election periods. The research is significant in showing how leaders use Instagram, which is increasingly popular today, and to reveal the difference in the way it is used among leaders.

Scope and Limitation of the Research

In the study, the one-week period between January 2, 2023 and January 9, 2023, which is the non-election period, was selected. In the research, only the posts published on the main page of the AK Party, CHP, HDP, MHP and İYİ Party leaders, who have groups in the Parliament, were taken into consideration.

Method of Research (Universe-Sample and Research Questions)

The official Instagram account of the leaders of political parties in Turkey has formed the universe of this research. The study sample includes the official Instagram accounts of the AK Party, CHP, HDP, MHP and İYİ Party leaders selected by the purposeful sampling method. In determining the selected sample, the fact that there were political party leaders with groups in the Parliament and that they were ideologically located in different places in the political field was effective. In this context, content analysis method was used in the study. Content analysis, which is a qualitative research method, is the conceptualization of the obtained data first, then the arrangement of these concepts in a rational form and accordingly the determination of the theme that explains the data (Yıldırım and Şimşek, 2005: 227). As Weber points out (1989:5),

content analysis is a technique in which valid and logical interpretations uncovered from the text are put forward after a series of processes. The content analysis method is carried out by coding the analysis units according to the previously determined groups (Atabek, 2007: 18). In the research, after the official Instagram accounts of the leaders were evaluated in general, the leaders' shares were divided into groups as activities-announcements, actions/promises/projects, political discourse and important days within the categories of political communication. In the light of the findings obtained, it was comparatively revealed how leaders used Instagram accounts as a means of political communication.

The research questions are as follows:

Which leader is the most popular on Instagram in terms of follower count and likes among the party leaders surveyed?

Which type of sharing did the party leaders who were the subject of the research prefer?

In which category of political communication did the party leaders who were the subject of the research share the most?

Research Findings and Comments:

Within the scope of the research, the official Instagram accounts of President and AK Party Chairman Recep Tayyip Erdoğan, CHP Chairman Kemal Kılıçdaroğlu, HDP Leader Mithat Sancar, MHP Leader Devlet Bahçeli and İYİ Party Leader Meral Akşener were examined.

Table 1: Leaders' Instagram Accounts on January 9

Instagram	Total Number of Followers	Number of Follow-ups	Number of Posts
Recep Tayyip Erdoğan	10 million	3	1210
Kemal Kılıçdaroğlu	1.2 million	3	953
Mithat Sancar	24.3 thousand	265	138
Devlet Bahçeli	543 thousand	1	394
Meral Akşener	1.3 million	3	3448

When the period until January 9, 2023 is examined, as can be seen in Table 1, the most followed leader on Instagram is President and AK Party Chairman Recep Tayyip Erdoğan with 10 million followers. In second place is Meral Akşener with 1.3 million followers. While Mithat Sancar has the least number of followers among the five leaders, he is also the first leader with 285 people in terms of the number of people he follows. The leader who shared the most with 3448 posts was Meral Akşener, while the leader who shared the least was Mithat Sancar with 138 posts. Among the leaders other than Mithat Sancar, Devlet Bahçeli only follows the MHP's official Instagram account, while Recep Tayyip Erdoğan follows the AK Party, the Presidency and his wife Emine Erdoğan's official Instagram account. Kemal Kılıçdaroğlu follows the official Instagram accounts of the CHP, CHP Women's Branches and CHP Youth Branches. Meral Akşener follows three different Instagram accounts belonging to the Good Party.

Table 2: Leaders' Post Type from January 2 to January 9

Instagram	Post Type		
	Photo	Video	Text
Recep Tayyip Erdoğan	7 64%	2 9.5%	0
Kemal Kılıçdaroğlu	2 18%	2 9.5%	0
Mithat Sancar	0	0	0
Devlet Bahçeli	0	0	0
Meral Akşener	2 18%	17 81%	0
Total	11 100%	21 100%	0

As seen in Table 2, when the type of sharing of the leaders is examined in the determined date range, Recep Tayyip Erdoğan preferred the most with 64% of the photo type sharing on

Instagram with 7 photos, while Meral Akşener and Kemal Kılıçdaroğlu shared 2 photos. While Meral Akşener was the leader who preferred to share video content on Instagram with a rate of 81% with 17 videos, Recep Tayyip Erdoğan and Kemal Kılıçdaroğlu shared an equal number of videos. Another point that draws attention in the table is that Devlet Bahçeli and Mithat Sancar did not share at all during the 7-day period.

Table 3: Leaders' Post Content from January 2 to January 9

Instagram Accounts	Content of the Post			Important Dates
	Event-Announcement	Performances-Promises-Projects	Political Discourse	
Recep Tayyip Erdoğan	6 54%	3 100%	0	0
Kemal Kılıçdaroğlu	2 18%	0	3 16%	0
Mithat Sancar	0	0	0	0
Devlet Bahçeli	0	0	0	0
Meral Akşener	3	0	16	0
Total	11 100%	3 100%	19 100%	0 100%

Considering the types of shares on Instagram, remarkable results have emerged. The leader who used Instagram the most for event and announcement purposes was Recep Tayyip Erdoğan with a rate of 54% with 6 shares related to this category, while Meral Akşener was the second leader with 28% with 3 shares. The leader who used Instagram most actively to convey the actions, promises and projects to the constituency was again Recep Tayyip Erdoğan with 3 shares. Other leaders have not shared anything about this category. The leader who shared the most political discourse, that is, speeches explaining their ideologies and policies to the voters, was Meral Akşener with 84% with 16 posts, while Kemal Kılıçdaroğlu was the second leader with 16% with 3 shares. None of the leaders shared about the important days during this process.

Conclusion

Today, social media, which makes its presence felt more and more in all areas of life, has become a popular political communication tool in the political field. Instagram is the most popular of these tools, which political actors frequently resort to in order to engage in effective communication with the constituency not only during election periods but also during non-

election periods. In this study, which investigated the ways in which political party leaders used Instagram, the official accounts of the five leaders who had a group in the Parliament were examined. Between January 2, 2023 and January 9, 2023, which is a non-election period, when the official Instagram accounts of President and AK Party Chairman Recep Tayyip Erdoğan, CHP Leader Kemal Kılıçdaroğlu, HDP Leader Mithat Sancar, MHP Leader Devlet Bahçeli and İYİ Party Leader Meral Akşener were examined, striking results have emerged. In terms of the number of followers and likes, which is one of the questions of the research, it is seen that the most popular leader on Instagram is Recep Tayyip Erdoğan with 10 million followers, while Meral Akşener comes in second place with 1.3 million followers. Mithat Sancar, on the other hand, was the leader with the least number of followers among the five leaders. In the type of sharing preferred by the party leaders, who also had questions in the research, Recep Tayyip Erdoğan with a rate of 64% with 7 posts sharing the most photos, while Meral Akşener shared the most video content with 17 posts. Neither the MHP leader nor the HDP leader made any posts within the specified date range. This is because both leaders prefer to communicate with voters through their party's official Instagram accounts rather than their individual Instagram accounts. Table 3 gives the answer to the research question on which category of political communication party leaders share. According to the results in Table 3, the leader who used Instagram the most for event and announcement purposes was Recep Tayyip Erdoğan with 6 posts and 54%, while Meral Akşener and Kemal Kılıçdaroğlu used 3 shares and 28% on an equal level. The leader who used Instagram most actively to convey the actions, promises and projects to the constituency was Recep Tayyip Erdoğan. Since he is the President and the Chairman of the ruling party, he has effectively explained his services to the country to the voters through this channel. Other leaders have not shared anything about this category. In terms of political discourse, Meral Akşener preferred the most sharing with 16 posts and a rate of 84%, followed by Kemal Kılıçdaroğlu with 3 shares and 16%. Recep Tayyip Erdoğan did not share any posts in this category. Both leaders criticized the ruling party in line with their ideological and political stances in their posts within the framework of this category. In particular, leaders included group conversations within the framework of this category. Since there were no important days between the specified dates, the leaders did not share in this category at all.

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**Analysis Of The Dynamics Of The Number Of Tourists Beneficiary Of The Activities
Organized By Tourism Agencies In Romania Through The Use Of Computer
Applications**

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Abstract

Tourism has become one of the most dynamic fields, due to the continuous adaptation to the needs of tourists, who are under the strong influence of the transformations resulting from economic development worldwide. Any change in the online promotion strategy of tourism businesses must be considered during this period; it can lead either to the growth of the business or its bankruptcy. Unfortunately, no matter how much data is analyzed and how many scenarios are made, the market is no longer predictable, as it was until February 2020. The article is made using the facilities offered by Excel in the analysis of tourism activity regarding the dynamics of the number of Romanian tourists participating in the tourist actions organized by the tourism agencies with the EU destination, as well as the short-term forecast of its level based on the extension of the best trend determined according to the type of organizing tourism agencies, having available public data of the National Institute of Statistics regarding Tourist Actions organized by tourism agencies in 2016, 2017, 2018, 2019 2020 and Romania's statistical yearbooks for the period 2009-20201, data accessed on <https://insse.ro/>.

Keywords: Tourism Agencies, Romania, Computer Applications

INTRODUCTION

Carrying out daily activities under the conditions of multiple and rapid transformations on all levels, favors the emergence of city stress, thus shaping the individual's desire to temporarily leave the workplace, towards quiet, pollution-free areas, for rest, recreation and partying enjoy free time. In the last decade, in Romania but also worldwide, this desire has been facilitated by the reduction of weekly hours and days of the working week, as well as by the increase in the number of days intended for rest or official holidays.

Also, the increase in the standard of living has allowed the sums spent on tourism activities and for pleasant leisure time to be included in the budgets of a growing number of families, and the spectacular development of intermediaries between tourists and tour operators

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and the diversification transport possibilities, led to the creation of a tourist offer able to respond as well as possible to the demand, at the same time stimulating its growth.

We must highlight the fact that the tourism sector covers a wide variety of services and professions, being mainly dominated by small and medium-sized enterprises (SMEs), whose activities generate jobs and prosperity in regions that are highly dependent on tourism, being among the most affected by COVID-19.

According to Eurostat data, at least 6 million jobs, such as those of seasonal workers and people in vulnerable situations, are at risk in the EU as travel restrictions introduced in response to the pandemic continue to severely affect global and European tourism.

At the same time, the study highlighted the fact that the activity of retail travel agencies (with sales activity) was strongly negatively affected before the Covid-19 pandemic, probably due to the direct, online purchase of tourist services by the consumers of such services. The travel agency with sales, in its capacity as an intermediary, being most likely excluded from the tourist market in the near future, not only as a result of the Covid-19 pandemic.

Currently, the fastest viable solutions are being sought in terms of relaunching tourism, thus it is possible to witness a major change in the evolution of this sector, with major implications for the entire economy.

THE USE OF COMPUTER APPLICATIONS IN THE STUDY OF THE EVOLUTION OF TOURIST FLOWS TO THE EU DESTINATION

1.1 Data and methodology used in the analysis of the dynamics of the number of Romanian tourists participating in tourist activities organized by travel agencies with EU destinations

The case study is based on available data series, with annual updates, for the period 2008-2020, regarding the external tourism actions organized by travel agencies for Romanian tourists, with the destination of the European Union.

The data, presented in the table below and represented graphically in figure 1.1. were extracted from the publication archive of the National Institute of Statistics of Romania, from the website <https://insse.ro/cms/ro/> in November 2021 and refer to the activity of travel agencies distributed in two categories: tour - operators and with sales activity.

Type of travel agency	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Tour operator	380549	185958	143402	376327	697160	293894	265117	347219	335650	466432	442848	479871	161657
With sales activity	14811	46605	40086	95297	145524	129951	138931	166473	217260	87757	209125	51186	28571
Total	395360	232563	183488	471624	842684	423845	404048	513692	552910	554189	651973	531057	190228

Table 1 – Evolution of the number of Romanian tourists participating in external tourism actions with the EU destination organized by Romanian travel agencies over the period 2008 – 2020⁴

In the case study, only the data after 2008 were taken into account, because only starting from this year did the INS report data on the European Union as an external destination of Romanian tourists

The description of the evolution of the number of tourists involved in tourist actions was followed, both through tour-operating travel agencies and those with sales activity, using statistical methods used to analyze and model chronological series. Data were processed using Microsoft Excel.

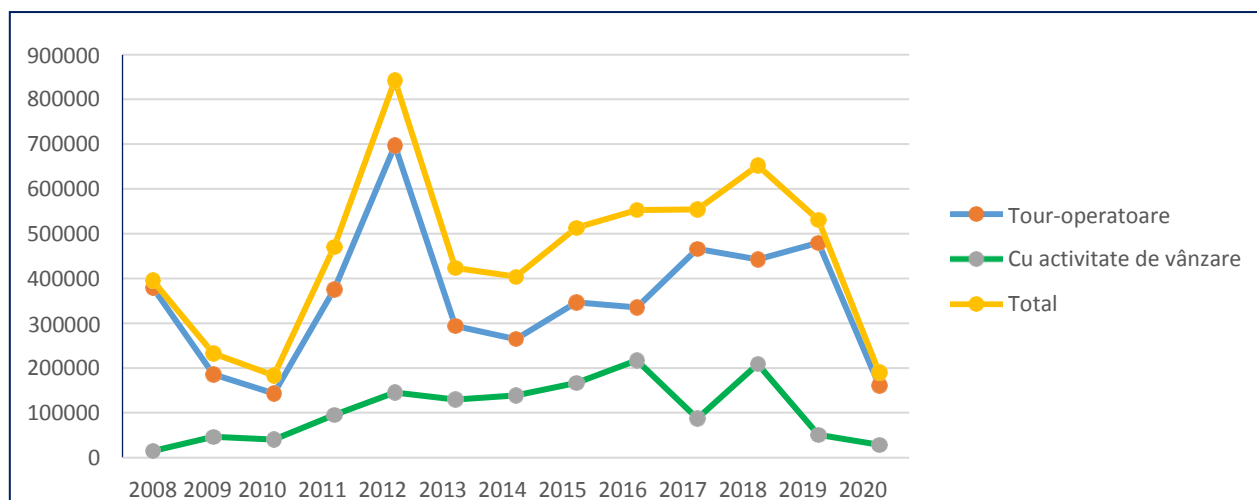


Figure 1.1 – The evolution of the number of Romanian tourists participating in external tourism actions with the destination of the European Union organized by the tourism agencies in Romania for the period 2008 – 2020, by types of agencies

⁴ Source: INS - Tourist actions organized by travel agencies in 2016, 2017, 2018, 2019, 2020; The statistical yearbooks of Romania 2009-2020, <https://insse.ro/cms/ro/content/anuarele-statistice-ale-romaniei>, accessed in November 2021.

1.2 The methodology used

In order to describe the evolution of the number of tourists, involved in tourist activities both through tour-operating travel agencies and those with sales activity, statistical methods used for analysis and modeling of time series were used, respectively:

- *The system of dynamic indicators*
- *The method of least squares for determining evolutionary trends.*

The analysis of a chronological series aims to identify the particularities of the evolution over time of economic-social phenomena, so as to allow us to predict their future values. In other words, using quantitative methods that use data recorded over time obtained by measuring the studied phenomenon, knowing what has happened so far, to predict the shape of the future evolution of the respective phenomenon⁵. This approach involves two stages – a preliminary analysis of the data followed by the modeling of their evolution over time. The model considered to be the most suitable subsequently underpins the forecasting calculations. The preliminary description of the series allows establishing the nature of the phenomenon, which can be from the point of view of the stochastic process - stationary or non-stationary.⁶ The nature of the phenomenon, namely its stationarity/non-stationarity determines the methodology used in the modeling stage. The main tool for the preliminary description of the time series is the set of dynamics indicators obtained from the statistical processing of empirical data. The calculation of these indicators is preceded by the establishment of the particularities of the data series. The statistical analysis of this type of series is carried out by means of a system of indicators whose purpose is to highlight the relationships that are established between the terms of the series over the entire period or a subperiod thereof. The system of indicators includes three types of indicators: absolute indicators; relative indicators; average indicators. But a description of the phenomenon based only on absolute, relative and average indicators is insufficient for the complete characterization of evolutionary aspects, a fact for which the statistical methodology provides a series of analysis models so that the primary information can be researched in order to develop forecasts on different terms and horizons extrapolating the terms of the empirical series. Through statistical modeling, also known as statistical analysis of time series, its decomposition into components is followed, quantifying the influences of all factors. The main component is known as the trend or central tendency - (Y_i) , and corresponds to systemic variations, which are noticeable, however, only if we have data over sufficiently

⁵ Titian, E., Ghiță, S., Trândaș, C. - *Statistică economică*, Ed. ASE, București, pag. 121.

⁶ www.ecursuri.ro – *Statistica, instrument de cunoaștere a fenomenelor și proceselor economice*

long periods of time. This component is formed as an effect/result of the influence of essential causes with long-term action. Some phenomena, although evolving over time, do not show a trend, but show levels that oscillate around a constant value, being stationary chronological series. The modeling analysis of the time series can target two other components in addition to the trend: seasonality and random deviations.

Since the most important thing in the analysis of the chronological series is the determination of the trend and implicitly the separation of the influence of the essential factors with systemic action, from the action of the accidental factors, which determine the deviation of the empirical terms of the series from the theoretical ones, the case study regarding the evolution of the number of Romanian tourists participating in the actions external tourist trips to the EU organized by Romanian travel agencies for the period 2008-2020, will follow the modeling of the trend for each of the eight types of agencies, tour operators and sales. The quantification of the trend and the replacement of the real terms with the terms of the theoretical, calculated, trend series, which expresses the lawfulness according to which the phenomenon illustrated by the researched data evolves, considered the use of the least squares method (MCMMP)⁷, an analytical method for determining the evolutionary tendency that it can be used and you know it's forecast. The method of least squares is an analytical method that offers the possibility of precise determination of the trend with the help of an elementary statistical-mathematical function considering that the studied phenomenon is a function of time. In essence, this method involves choosing a function that best expresses the nature of the researched phenomenon and is consistent with the real data of the time series, then using the least squares method as a methodological basis, the calculation of the theoretical values should be minimal.

$$\sum_i (y_{ti} - Y_{ti})^2 \longrightarrow \min$$

Those theoretical values that satisfy the condition imposed by the expression of the least squares method will actually be the theoretical series of the central tendency. The equations used to adjust the time series can be as appropriate: the equation of the linear function, the parabola, the hyperbola, the exponential function or a polynomial of some degree. The most important issue that must be considered when applying analytical trend methods is the choice of the most suitable model for the observed data. Its choice is usually made on the basis of the schedule, or by performing some prior statistical processing. If it is found that the changes with the base in the chain are approximately equal, then certainly the most suitable adjustment model is the

⁷ Babucea, A.G., *Statistică metodologie*, Ed. Spirit Românesc, Craiova, 2002, pag.153-158.

linear one. When the changes with the base in the chain form approximately a straight line, and the increments of the increments (absolute second-order changes) are approximately equal, the parabola of the second degree is used as a model. If the terms of the series show approximately constant relative increases, then the exponential model is recommended.

After choosing the adjustment function, its parameters are estimated using the least squares method, which involves minimizing the sum of the squares of the deviations from the theoretical values, calculated Y_{ti} and the real, empirical values y_{ti} . Another important problem that must be taken into account immediately after choosing the adjustment model is that of the quantification of time in order to ease the calculations for determining the parameters of the model starting from the condition imposed by the least squares method. If several methods are used for the same series, the one that reflects the real trend of the studied phenomenon is chosen based on the fulfillment of some criteria⁸ and it will be used in the forecast calculations.

1.3. The case of tourist actions organized by travel agencies with sales activity

Regarding the evolution of the number of tourists participating in tourist activities organized by travel agencies with sales activity, the statistical analysis aimed at the same strategy: the preliminary description of the data series, the quantification of the evolutionary trend with various elementary statistical-mathematical functions and the extension of the most according to the trend at the level of 2021.

The data are taken in table 2 and represented graphically in figure 1.2. It is evident the non-stationary nature of the series and the appropriateness of the statistical methodology used and also , after a significant and constant increase until 2016, large fluctuations in the last 4 years that seem to change the direction of the central tendency.

The year	No. tourists
2008	14811

⁸ Babucea, A.G. *op. cit.*, pag. 163-167.

The year	No. tourists
2009	46605
2010	40086
2011	95297
2012	145524
2013	129951
2014	138931
2015	166473
2016	217260
2017	87757
2018	209125
2019	51186
2020	28571

Table 2. - The evolution of the number of Romanian tourists participating in external tourist actions with the destination of the European Union organized by travel agencies with sales activity in Romania for the period 2008 – 2020⁹

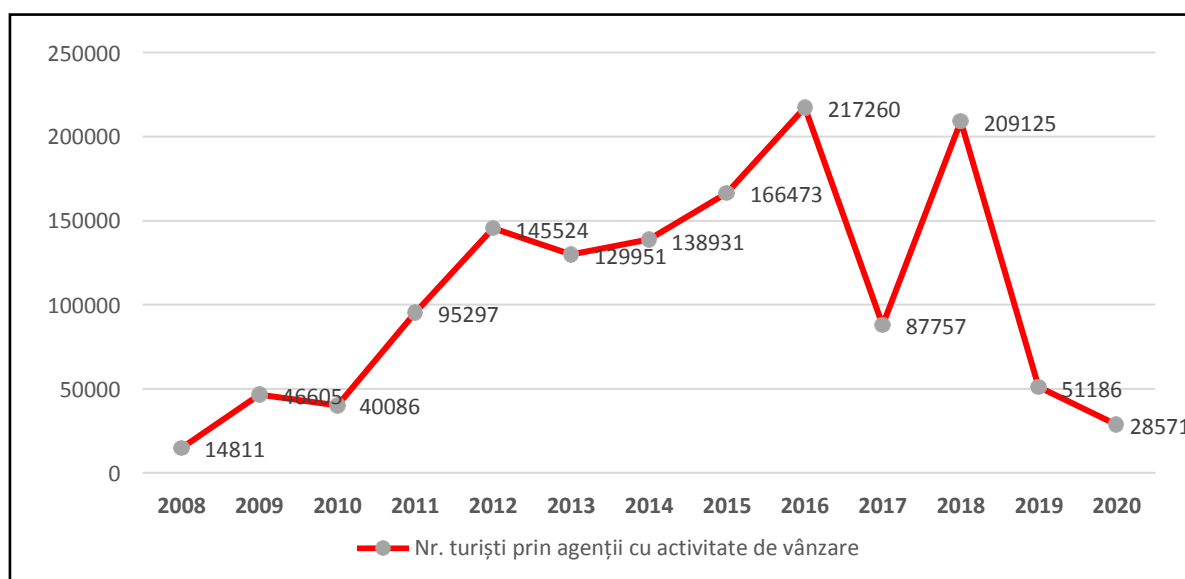


Figure 1.2 – The evolution of the number of Romanian tourists participating in external tourism actions with the destination of the European Union organized by travel agencies with sales activity in Romania for the period 2008 – 2020

Table 2.1. – Calculation of absolute and relative indicators of dynamics

⁹ Source: INS - Tourist actions organized by travel agencies in 2016, 2017, 2018, 2019; Statistical yearbooks of Romania 2009-2020, <https://insse.ro/> accessed in November 2021

years	Y	Δ Modification with base		and Indices with base		R Base Rate (%)	
		fix $y_t - y_1$	in chain $y_t - y_{t-1}$	fix y_t / y_1	in chain y_t / y_{t-1}	fix $I_{t/1} (\%) - 100$	in chain $I_{t/t-1} (\%) - 100$
2008	14811	-	-	-	-	-	-
2009	46605	31794	31794	3.1466	3.1466	214.6648	214.6648
2010	40086	25275	-6519	2.7065	0.8601	170.6502	-13.9878
2011	95297	80486	55211	6.4342	2.3773	543.4204	137.7314
2012	145524	130713	50227	9.8254	1.5271	882.5400	52.7058
2013	129951	115140	-15573	8.7740	0.8930	777.3952	-10.7013
2014	138931	124120	8980	9.3803	1.0691	838.0258	6.9103
2015	166473	151662	27542	11.2398	1,1982	1023.9822	19.8242
2016	217260	202449	50787	14.6688	1.3051	1366.8827	30.5076
2017	87757	72946	-129503	5.9251	0.4039	492.5123	-59.6074
2018	209125	194314	121368	14.1196	2.3830	1311.9573	138.3001
2019	51186	36375	-157939	3.4559	0.2448	245.5945	-75.5237
2020	28571	13760	-22615	1.9290	0.5582	92.9039	-44.1820
Total	1371577		13760				

The interpretation and meaning of the initiators of the dynamics is as follows:

If we compare the evolution of the number of tourists who had the EU as their tourist destination starting from 2009 with the number of tourists from 2008 (fixed base) , it is found that:

- **the largest recorded increase is the one in 2016, when the number of tourists was 202,449 more than in 2008, i.e. 14.7 times higher, which means a relative increase of 1366.9%.**

Where the absolute value of a relative growth/deficit percentage, calculated with the fixed base, is :

$$A_{n/1} = \frac{\Delta_n}{R_{n/1}} = \frac{y_n - y_1}{y_1 \cdot 100} = \frac{y_n}{y_1} - 1 = \frac{14811}{100} = 148,11 \text{ tourists}$$

If you compare the evolution of the number of tourists who had the EU as their tourist destination starting from 2009 with the number of tourists from the previous year (chain base) , it is found that:

- in six years, the number of tourists registered a deficit compared to the previous year:
 - 2010 when, compared to 2009, the deficit was 6,519 tourists, i.e. a relative decrease of 13.98%),
 - 2013 when compared to 2012, the deficit was 15,573 tourists with a relative

decrease of 10.70%;

- *2017 when, compared to 2016, the deficit was 1 29,503 tourists with a relative decrease of 59.60%;*
 - *2016, compared to 2015, when the deficit was 11,569 tourists with a relative decrease of 3.33%;*
 - *2019 when, compared to 2018, the deficit was 157,939 tourists registering a relative decrease of 75.52%;*
 - *2020 when, compared to 2019, the deficit was 22,615 tourists registering a relative decrease of 55.81%.*
- *the biggest increase was recorded in 2018 compared to 2017, with the number of tourists increasing by 121,368 compared to 2011, practically increasing by 58.03% the number of tourists.*

relative increase/decrease percentage calculating with the base in the chain is :

$$A_{n/n-1} = \frac{y_n - y_{n-1}}{\frac{y_n - y_{n-1}}{y_{n-1}} \cdot 100} = \frac{y_n - 1}{100} = \frac{51186}{100} = 511,86 \text{ tourists}$$

To verify the calculations, the relationship between the absolute changes was used , respectively the relationship between the dynamics indices:

$$\sum_{t=2}^{13} \Delta_{t/t-1} = 13760 = \Delta_{13/1}$$

$$G_{t/t-1} = 1,93 = I_{13/1}$$

➤ *Calculation of average indicators:*

- average annual level:

$$\bar{y} = \frac{\sum y_i}{n} = \frac{1371577}{13} \cong 105505.92 \text{ tourists/year}$$

Which means that in the period 2008-2020, on average, a number of 105,505.92 Romanian tourists participated in external tourism actions with destination European Union organized by travel agencies with sales activity from Romania.

- annual mean absolute change:

$$\bar{\Delta} = \frac{\sum \Delta_{t/t-1}}{n-1} = \frac{13760}{12} = 1146.66 \text{ tourists/year}$$

That is, in the period 2008-2020, the number of Romanian tourists who participated in external tourism actions with destination European Union organized by travel agencies with sales activity from Romania recorded an average year-on-year increase of approx. 1147 tourists.

- the average index of dynamics:

$$I = \sqrt[n-1]{\prod_{t/t-1} I} = \sqrt[n-1]{\frac{y_1}{y_0}} = \sqrt[n-1]{\frac{28571}{14818}} = \sqrt[12]{1.93} \cong 1.056$$

So, in the period 2008-2020, the number of Romanian tourists who participated in external tourism actions with destination European Union organized by travel agencies with sales activity from Romania registered an average increase of 1.056 times compared to the previous year.

- the average pace of the dynamics:

$$\bar{R} = \bar{I} - 1 = 1.056 - 1 = 0.056 \text{ or } 5.6\%$$

In other words, during the period 2008-2020, the number of tourists increased, on average, year by year by 5.6% compared to the previous year.

Therefore, we can say that the number of Romanian tourists who participated in external tourism actions with the destination of the European Union organized by travel agencies with sales activity from Romania in the period 2008-2020 generally recorded an upward evolution, even if obviously marked by obvious fluctuations, in six of the 13 years considered the level of the indicator being lower than the previous year.

However, it can be said that travel agencies with sales activity from Romania facilitated tourism actions with destinations in the EU, on average, 1 a 105505.92 tourists annually, from one year to the next their number registering an absolute average increase of 1147 tourists, which means an average annual growth of 1.056 times, respectively an average annual growth rate of 5.6%.

Obviously, we can speak of an upward evolution, the shape of the evolutionary trend being further quantified by adjusting the series with the least squares method.

As the graph does not clearly show the nature of the evolution, various elementary functions were used to model the trend, the most suitable for extrapolation being determined by applying specific criteria.

- *Determine the trend of the linear sequence:*

The expression of the linear trend function is: $Y_{ti} = a + bt_i$.

To determine the parameters a and b , the following system of normal equations is solved:

$$\begin{cases} an + b \cdot \sum t_i = \sum y_i \\ a \cdot \sum t_i + b \cdot \sum t_i^2 = \sum t_i y_i \end{cases}, \sum t_i = 0.$$

Substituting and doing the calculations we get:

$$\begin{cases} 13a = 1371577 \\ 885b = 2855969 \end{cases}$$

Result: $a = 105505.92$, $b = 3227.08$

So, the linear analytic trend-adjustment function is: $Y_{ti} = 105505.92 + 3227.08 \cdot i_{-}$

Table 3. Determining the parameters and levels of the linear analytical trend function

The year	y_i	i_{-}	t_{and}^2	$y_i t_i$	Linear trend	
					And _{you}	$ y_i - Y_{ti} $
2008	14811	-13	169	-192543	63553.84	48742.84
2009	46605	-11	121	-512655	70008.00	23403.00
2010	40086	-9	81	-360774	76462.17	36376.17
2011	95297	-7	49	-667079	82916.34	12380.66
2012	145524	-3	9	-436572	95824.67	49699.33
2013	129951	-1	1	-129951	102278.84	27672.16
2014	138931	1	1	138931	108733.01	30197.99
2015	166473	3	9	499419	115187.17	51285.83
2016	217260	5	25	1086300	121641.34	95618.66
2017	87757	7	49	614299	128095.51	40338.51
2018	209125	9	81	1882125	134549.68	74575.32
2019	51186	11	121	563046	141003.84	89817.84
2020	28571	13	169	371423	147458.01	118887.01
Total	1371577	0	885	2855969	1387712.42	698995.32

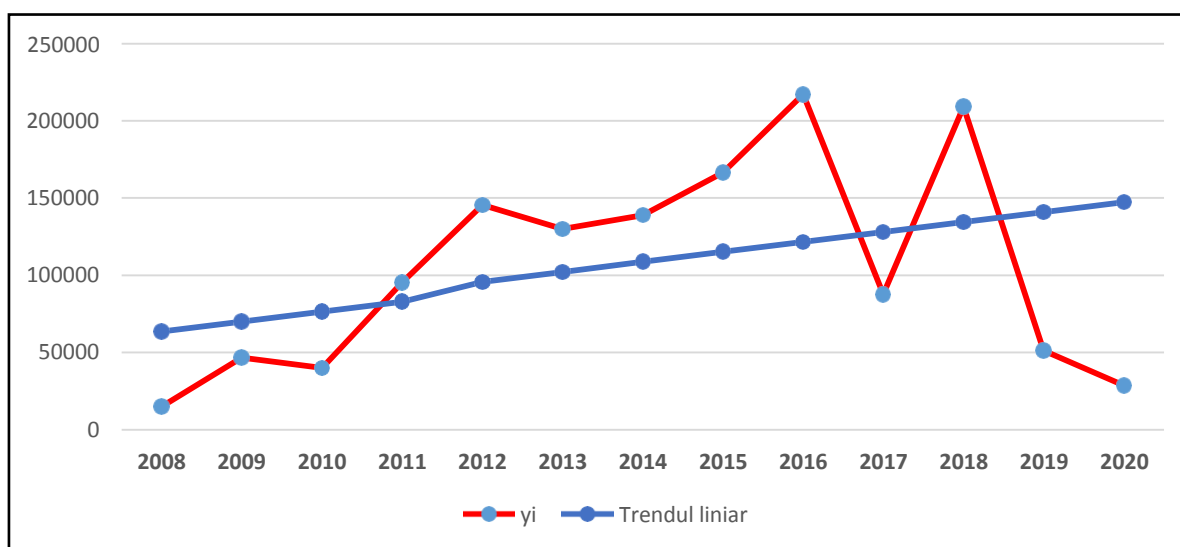


Figure 1.3 - The evolution of the number of Romanian tourists participating in external tourist actions with the destination of *the European Union* organized by travel agencies with sales activity in Romania for the period 2008 – 2020 adjusted with the linear trend

➤ Determine the t of the parabolic series;

The expression of the parabolic trend function is: $Y_{ti} = a + b \cdot ti + c \cdot ti^2$.

The parameters of the function, a , b and c are determined using the system of normal equations:

$$\begin{cases} na + b\sum t_i + c\sum t_i^2 = \sum y \\ a\sum t_i^2 + b\sum t_i^3 + c\sum t_i^4 = \sum y t_i \\ a\sum t_i^3 + b\sum t_i^4 + c\sum t_i^5 = \sum y t_i^2 \end{cases} \Leftrightarrow \begin{cases} na + c\sum t_i^2 = \sum y \\ b\sum t_i^2 = \sum y t_i \\ a\sum t_i^2 + c\sum t_i^4 = \sum y t_i^2 \end{cases}$$

By substituting and performing the necessary calculations we get:

$$\begin{cases} 13a + 885c = 1371577 \\ 885b = 2855969 \\ 885a + 105117c = 56828361 \end{cases}, \text{ hence the parameters of the parabolic trend function:}$$

$$\begin{cases} a = 160952,5 \\ b = 3227,084 \\ c = -814,47 \end{cases}$$

So, the parabolic trend function is: $Y_{ti} = 160952,5 + 3227,084 \cdot t_i - 814,47 \cdot t_i^2$.

Table 4. Determining the parameters and levels of the analytical parabolic trend function

The	y _i	i ₋	t _{and} ²	t _{and} ³	t _{and} ⁴	y _i t _i	y _i t _i ²	Parabolic trend	
								And _{you}	y _i - Y _{ti}
2008	14811	-13	169	-2197	28561	-192543	2503059	-18644.96	33455.96
2009	46605	-11	121	-1331	14641	-512655	5639205	26903.76	19701.24
2010	40086	-9	81	-729	6561	-360774	3246966	65936.72	25850.72
2011	95297	-7	49	-343	2401	-667079	4669553	98453.91	3156.91
2012	145524	-3	9	-27	81	-436572	1309716	143941.0	1582.96
2013	129951	-1	1	-1	1	-129951	129951	156910.9	26959.96
2014	138931	1	1	1	1	138931	138931	163365.1	24434.13
2015	166473	3	9	27	81	499419	1498257	163303.5	3169.46
2016	217260	5	25	125	625	1086300	5431500	156726.1	60533.81
2017	87757	7	49	343	2401	614299	4300093	143633.0	55876.09
2018	209125	9	81	729	6561	1882125	16939125	124024.2	85100.78
2019	51186	11	121	1331	14641	563046	6193506	97899.60	46713.60
2020	28571	13	169	2197	28561	371423	4828499	65259.22	36688.22
Total	1371577	0	885	125	10511	2855969	56828361	1387712.	423223.83

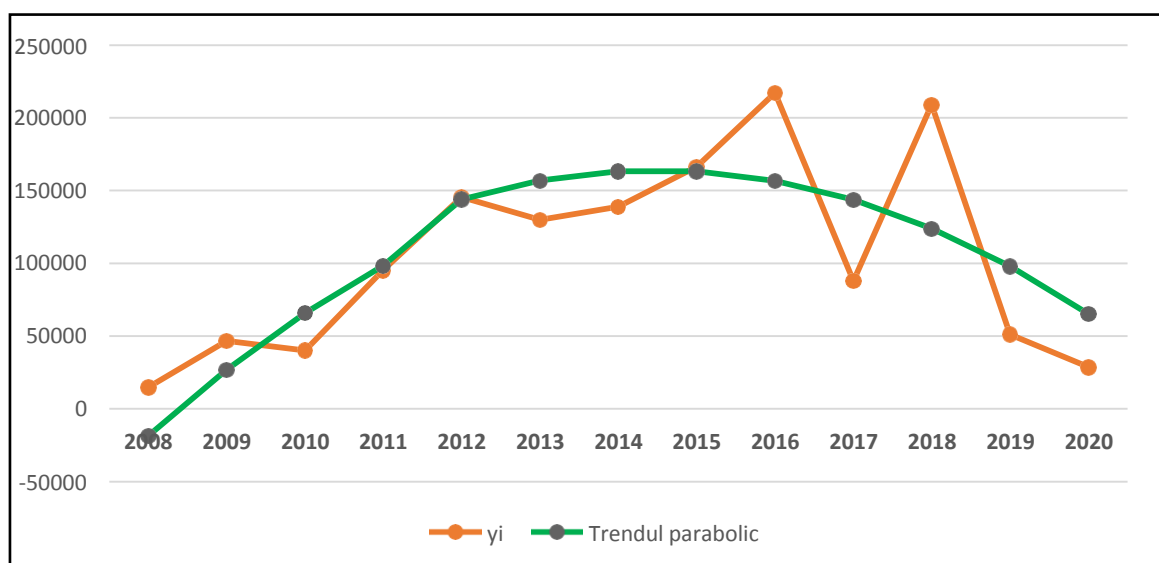


Figure 1.4 - The evolution of the number of Romanian tourists participating in external tourist actions with the destination of the European **Union** organized by travel agencies with sales activity in Romania for the period 2008 - 2020 adjusted with the parabolic trend

➤ Determine the area of the exponential trend:

To determine the exponential trend, the expression of the exponential trend function is considered to be:

$$Y_{it} = ab^{it}$$

The parameters of this function, a and b , are determined in the same way, using the system of normal equations:

$$\begin{cases} n \cdot \lg a + \sum t_i \cdot \lg b = \sum \lg y_i \\ \sum t_i \cdot \lg a + \sum t_i^2 \cdot \lg b = \sum t_i \cdot \lg y_i \end{cases} \text{ unde } \sum t_i = 0, \text{ deci } \begin{cases} n \cdot \lg a = \sum \lg y_i \\ \sum t_i^2 \cdot \lg b = \sum t_i \cdot \lg y_i \end{cases}$$

After performing the calculations, it is obtained:

$$\begin{aligned} \log a &= \frac{\sum \log y_i}{n} = \frac{63,82}{13} = 4,91 \\ \log b &= \frac{\sum t_i \log y_i}{\sum t_i^2} = \frac{37,253}{885} = 0,042 \end{aligned}$$

By anti-logarithmization, the parameters of the function are obtained:

$$\begin{cases} a = 10^{4,91} = 81283,1 \\ b = 10^{0,042} = 1,102 \end{cases}$$

So, the analytical exponential trend-adjustment function has the expression:

$$Y_{it} = 81283.1 \cdot (1.102)^{it}$$

To determine the parameters and calculated levels of the theoretical trend function, the table below was used as a calculation algorithm.

Table 5 Determination of parameters and analytic exponential trend function

The	y_i	i	t and t^2	$\lg y_i$	$\lg y_i \cdot t_i$	Exponential trend	
						And you	$ y_i - Y_{ti} $
2008	14811	-13	169	4,171	-54,218	23120.65	8309.65
2009	46605	-11	121	4,668	-51,353	28054.34	18550.66
2010	40086	-9	81	4,603	-41,427	34040.82	6045.18
2011	95297	-7	49	4,979	-34,854	41304.75	53992.25
2012	145524	-3	9	5,163	-15,489	60813.50	84710.50
2013	129951	-1	1	5,114	-5.114	73790.42	56160.58
2014	138931	1	1	5,143	5,143	89536.48	49394.52
2015	166473	3	9	5,221	15,664	108642.56	57830.44

The	y_i	i	t and 2	$\lg y_i$	$\lg y_i \cdot t_i$	Exponential trend	
						And $_{you}$	$ y_i - Y_{ti} $
2016	217260	5	25	5,337	26,685	131825.67	85434.33
2017	87757	7	49	4,943	34,603	159955.80	72198.80
2018	209125	9	81	5,320	47,884	194088.59	15036.41
2019	51186	11	121	4,709	51,801	235504.93	184318.93
2020	28571	13	169	4,456	57,927	285759.05	257188.05
Total	1371577	0	885	63,828	37,253	1466437.56	949170.30

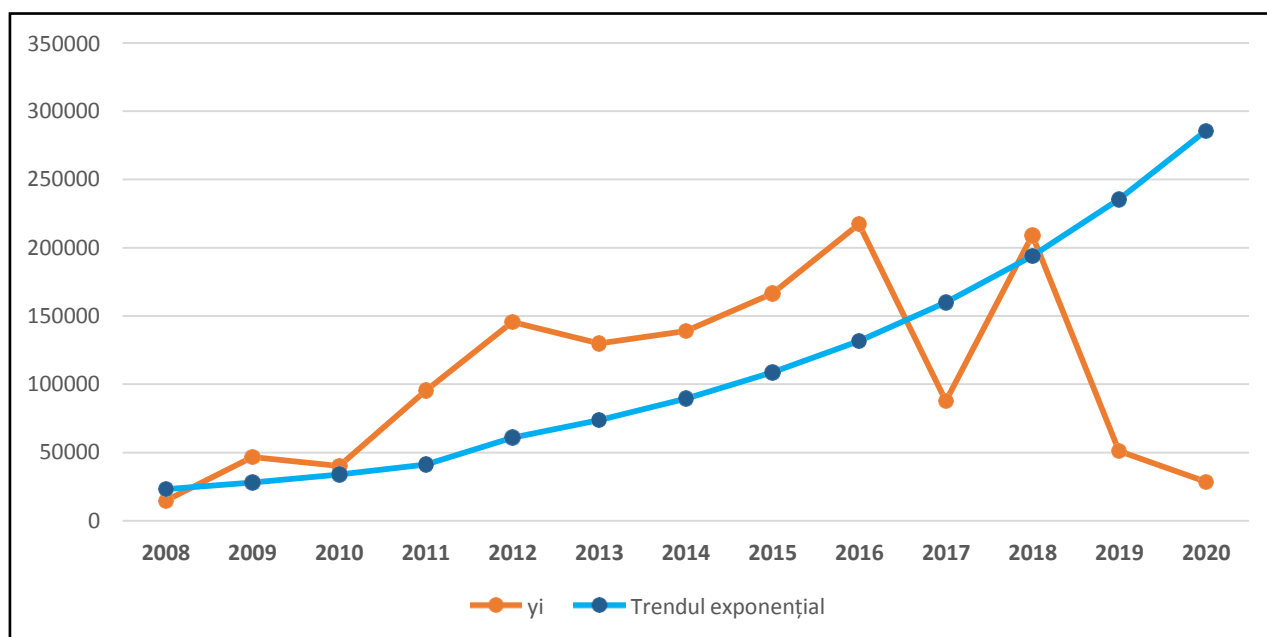


Figure 1.5 - The evolution of the number of Romanian tourists participating in external tourism actions with the destination of the EU organized by travel agencies with sales activity in Romania for the period 2008 – 2020 adjusted with the **exponential** trend

➤ Determine the t of the hyperbolic series:

The expression of the hyperbolic trend function is: $Y_{ti} = a + b \cdot \frac{1}{t_i}$.

The parameters of the function, a and b are determined using the system of normal

$$\text{equations: } \begin{cases} an + b \cdot \sum \frac{1}{t_i} = \sum y_{ti} \\ a \cdot \sum \frac{1}{t_i^2} + b \cdot \sum \frac{1}{t_i} = \sum \frac{y_{ti}}{t_i} \end{cases}$$

By substituting and performing the necessary calculations we get:

$$\begin{cases} 12a + 3,1b = 1343006 \\ 3,1a + 1,56b = 222912,02 \end{cases}$$

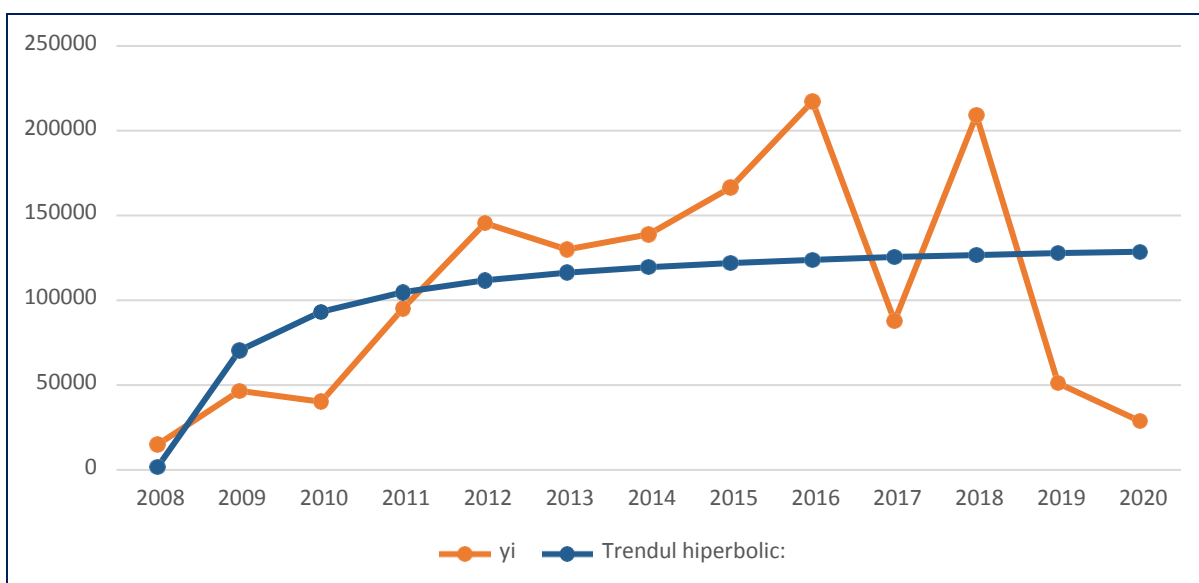
where from:

$$a = 139173.2 ; b = -137633.54$$

Therefore, the hyperbolic fitting function is:

$$Y_{ti} = 139173.2 - 137633.54 \cdot \frac{1}{t_i}$$

Table 6 Determination of the parameters and levels of the exponential trend analytical function



The	y _i	i ₋	$\frac{1}{t_i}$	$\frac{1}{t_i^2}$	y _i · $\frac{1}{t_i}$	Hyperbolic trend:	
						And _{you}	y _i - Y _{ti}
2008	14811	1	1.00	1.00	14811.00	1539,661	13271.339
2009	46605	2	0.50	0.25	23302.50	70356,433	23751.433
2010	40086	3	0.33	0.11	13362.00	93295.357	53209.357
2011	95297	4	0.25	0.06	23824.25	104764.819	9467.819
2012	145524	5	0.20	0.04	29104.80	111646.497	33877.503
2013	129951	6	0.17	0.03	21658.50	116234.281	13716.719
2014	138931	7	0.14	0.02	19847.29	119511.271	19419.729
2015	166473	8	0.13	0.02	20809.13	121969.012	44503.988
2016	217260	9	0.11	0.01	24140.00	123880.589	93379.411
2017	87757	10	0.10	0.01	8775.70	125409.851	37652.851

2018	209125	11	0.09	0.01	19011.36	126661.065	82463.935
2019	51186	12	0.08	0.01	4265.50	127703.743	76517.743
2020	28571	13	0.08	0.01	2197.77	128586.010	100015.010
Total	1371577	91	3.18	1.57	225109.79	1371558.59	601246.84

Figure 1.6 - The evolution of the number of Romanian tourists participating in external tourist actions with the destination of the European Union organized by travel agencies with sales activity in Romania for the period 2008 – 2020 you're right with the hyperbolic trend

Because, the graphic representations do not suggest without any doubt the most suitable adjustment, for establishing the most suitable trend for the evolution of the number of Romanian tourists participating in external tourist actions with the destination of the European Union organized by travel agencies with sales activity in accordance with the related retrospective data for the 2008-2020 period, the criterion of the smallest average linear deviation was chosen, as follows:

- For the linear trend it was calculated: $\bar{d} = \frac{\sum |y_i - y_{ti}|}{n} = \frac{698995,32}{13} = 53769$ tourists;

- For the parabolic trend it was calculated: $\bar{d} = \frac{\sum |y_i - y_{ti}|}{n} = \frac{423223,83}{13} = 32556$ tourists;

- For the exponential trend it was calculated: $\bar{d} = \frac{\sum |y_i - y_{ti}|}{n} = \frac{949170,30}{13} = 73013$ tourists;

- For the hyperbolic trend it was calculated: $\bar{d} = \frac{\sum |y_i - y_{ti}|}{n} = \frac{601246,84}{13} = 46250$ tourists.

Analyzing the obtained data, it is observed that among the adjustment methods used, the most appropriate is the parabolic trend method, in which case the level of the average linear deviation is the lowest.

Table 7 Adjustment methods used

Trend method used	$\bar{d} = \frac{\sum y_i - Y_d }{n}$
Linear trend	53769
Parabolic trend	32556
Exponential trend	73013
Hyperbolic trend	46250

It is found that the most suitable in accordance with the trend analyzed in the period

2008-2019 is the parabolic trend function for which the average linear deviation registers the lowest value, respectively: 32556 .

The forecast values (Y_{ti}^*) regarding the number of tourists for the year 2021 were determined based on the parabolic function. Therefore, the parabolic trend, of the form $Y_{ti} = 160952,5 + 3227,084 \cdot t_i - 814,47 \cdot t_i^2$ has been extended for the years 2021 and 2022.

The following table shows the extrapolated levels of the parabolic trend for the years 2021 and 2022.

Table 8 The extrapolated levels of the parabolic trend

The year	y_i	i_{-}	trend
			$Y_{ti} = 160952,5 + 3227,084 \cdot t_i - 814,47 \cdot t_i^2$
2008	14811	-13	-18643.93
2009	46605	-11	26904.63
2010	40086	-9	65937.43
2011	95297	-7	98454.47
2012	145524	-3	143941.27
2013	129951	-1	156911.03
2014	138931	1	163365.03
2015	166473	3	163303.27
2016	217260	5	156725.75
2017	87757	7	143632.47
2018	209125	9	124023.43
2019	51186	11	97898.63
2020	28571	13	65258.07
2021		15	26101.75
2022		17	-19570.33

The figure below shows the evolution of the annual levels of the extended number of tourists based on the parabolic trend .

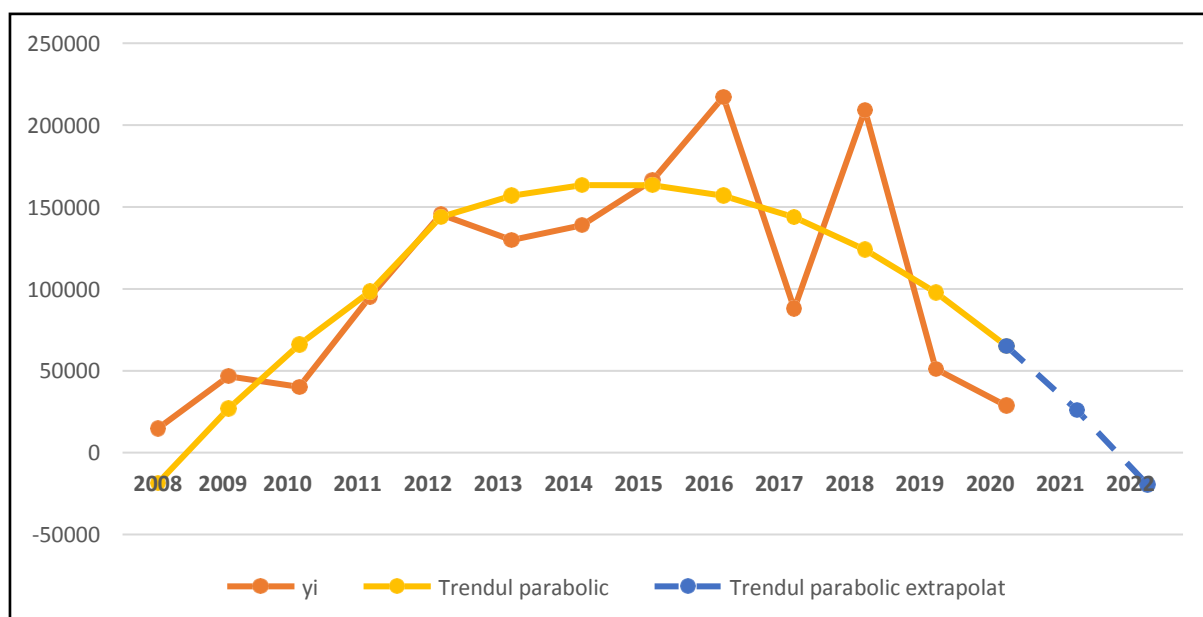


Figure 1.8 - The evolution of the annual levels of the number of Romanian tourists participating in **external** tourist actions with the European Union destination organized by travel agencies with sales activity from Romania for the period 2008 – 2020 and forecast based on the parabolic trend

The retail travel agencies, with sales activity in Romania, were marked anyway, before the pandemic, by an increasing trend. The specificity of their activity, to sell or offer for sale, on behalf of a tour operator travel agency, tourist service packages or their components contracted with partner tour operator travel agencies, is strongly affected by the development of digital tourism platforms and the fact that many of the consumers of tourist services have acquired the digital skills necessary to purchase these services online directly from the tour operator.

It is expected that the effects of the pandemic will be devastating for this category of intermediaries on the tourist market, not only in Romania.

The 'outgoing' activity in Romania far exceeds the 'incoming' activity at the present time, Romanians having a great appetite for foreign travel.

In 2020, due to the pandemic, which broke out strongly at the beginning of March 2020, radical transformations appeared in the field of tourism, which was the first branch of the economy to suffer. Most destinations were closed, so tourism started in 2020 around July 1. Romanian customers traveled a lot this year individually, with their own car, but they also opted for traveling by plane, which proved to offer a high degree of safety.

Considering the travel conditions announced for Romanian tourists going to Greece, some tour operators have entered into partnerships with specialized medical clinics, in order to carry out tests for Covid-19 at preferential rates and with priority at the appointment, along with the request for this test upon entering the the country. At the beginning of March 2020, the ANAT prediction was that tourists would travel at a level of 15% compared to the previous year, and the reality was close, but somewhat better - the share being around 20-25%. From [an analysis](#) of the online marketing agency MoLoSo for the month of March 2020, it emerges that the tourism businesses it manages have recorded decreases of 65% in the click rate on advertisements, the conversion rate decreasing by 74.42%.

Travel agencies, together with hotels, recorded a 70% decrease in revenue compared to the same month in 2019. Along with the decrease in Romanians' interest in tourism business advertisements, a 39.41% decrease in cost per click was recorded. Nevertheless, Romanians still buy their vacations, only in a more distant time horizon, the average basket being 1,000 euros.

Anyway, after the publication of the official data for the years 2021 and 2022, the forecast values estimated by extending the parabolic trend determined as the central tendency for the period 2008-2020, can be used to quantify the impact of the pandemic on them .

The conclusion of the study was that those several experts are reserved about the return of tourism to a level comparable to that before the pandemic earlier than 2023. ¹⁰Digitization is vital for everyday life, from paying bills to buying holidays, travel agencies have implemented integrated IT systems after the model of online stores, tourists having the opportunity to create a personal account, in which they can store their travel offers (wish list) and at the same time, all documents for the holiday sent by the agency.

Conclusions

Investments in digitization have become part of the business structure of current companies, technology being essential to bring the travel agency into the 21st century. From XMLs with all partners in the world, to the correct and dynamic display of travel product rates, travel agencies rely more and more on available software.

Technological innovations are not only applied to the "back office" of an agency, but play an important role in the B2C sales strategy, with requests for offers being made on all social networks, Facebook, Instagram. Travel agencies must be increasingly visible, more

¹⁰ https://www.economica.net/2020-a-fost-cel-mai-fast-an-din-istoria-turismului-unwto_196267.html

available and respond quickly to consumer demands, because as Darwin says, the one who best adapts to the changes around is the one who will survive.

It is recognized that tourism is continuously growing as well as in complexity, in economic terms synthesizing the results of a large number of activities, and in psycho-social terms, representing a superior way of organizing free time.

The social importance of tourism can be highlighted under the following aspects:

- contributes to maintaining the biological and physiological balance of contemporary man, offering solutions to all kinds of constraints to which he is subjected;
- it is a means of education, raising the level of culture, education and civilization of people as tourists, but also of the local population located in the areas that attract many tourists;
- contributes to maintaining the health of the contemporary man by offering him relaxation, recovery of work force through rest, movement, balneo-medical treatments.
- influences the quality of life both directly by determining the increase in its quality and indirectly by causing the growth of other economic branches that positively influence the level of the quality of life.
- imposes new interpersonal relations, facilitates the exchange of ideas and the consultation of opinions, which leads to the perfection of intellectual training, to the broadening of the cultural horizon, and on the other hand, to a better understanding between peoples, to the defense of peace in the world.
- it is a factor of intensification of the bond between nations, contributing to the promotion of a better understanding between the peoples of the world.

All of this represented the source of the growing evolution recorded in the last decade, before the Covid pandemic, as can be seen from the data that substantiated the case study. The positive evolution of the annual levels of the number of Romanian tourists participating in external tourism actions with the EU destination, organized by Romanian travel agencies (both tour operators and those with sales activity), was seriously affected by the current pandemic.

It should be emphasized that the study highlighted the potential danger regarding the activity of tourist agencies with sales activity that is strongly felt in recent years, most likely due to the increase in offers of direct, online purchase of tourist services by consumers of such services, so that this category of intermediary on the tourism market, the travel agency with sales, will have to reinvent itself in order to survive in the new digital economy.

Unfortunately, in the context of the current pandemic, *the World Tourism Organization (UNWTO) announced a 74% reduction in the number of international arrivals, following the*

introduction of travel restrictions and the drop in demand world tourism faced in 2020, which is the most unlucky year ever recorded.

In our country, 26 units of some agencies have been closed since April 2020, the market of travel agencies, estimated at 4 billion lei annually, being among the most affected by the Covid-19 pandemic. Two of the biggest players in tourism, Eximtur and Paralela 45, each closed 8 and 11 points of work in the country. Thus, Eximtur closed 8 work points in Sibiu, Târgu Mureș, Constanța, Baia Mare, Arad, Oradea, Bucharest and Suceava, according to data from the Ministry of Economy regarding the situation of travel agencies whose license or annex was canceled at the request of the economic operator until July 24, 2020. But, as the figures show, the real causes of their decline are not only related to the restrictions imposed by the health crisis.

Unfortunately, although at the time the study was carried out there were no official published data, the crisis caused by the COVID-19 pandemic starting from January-February 2019, also seriously affected Romanian tourism, especially the external one, due to the restrictions imposed by practically all member states EU, restrictions on non-essential travel, often accompanied by the obligation of cross-border travelers to remain in quarantine.

The EU's external borders have been closed to non-essential travel and many member states have temporarily reintroduced internal border controls. During this period, sacrifices were made by all parties involved, namely tourists, travel agencies, HORECA, related passenger transport services, etc.

European tourism depends on the possibility for Europeans to move freely within the EU. Through the Communication "COVID-19: EU Guide for the progressive resumption of tourism services and for sanitary protocols in tourist reception structures" ¹¹,

The guide proposes a minimum set of principles, which at the same time meet rigorous health and safety requirements and emphasize the importance of up-to-date and easily accessible information for tourists. Therefore, at least for the year 2020, the official data were significantly lower than those originally estimated, and the deviation produced is strictly the effect of the Covid-19 pandemic.

Regarding the future, travel agencies are looking for and experimenting with new and new solutions for survival and adaptation. Unfortunately, the unpredictability, the fear of traveling and the fear of paying money in advance will compromise - at least for a while - the concept of early booking, which offered so many advantages to both travelers and providers.

¹¹⁹ C(2020) 3251

However, travel agencies have a great advantage, which still few customers know about: all travel service packages offered are guaranteed against insolvency - that is, all money paid in advance is insured, which does not happen if, for example, a plane ticket was purchased from an online platform or directly from the company's website and a hotel reservation was made directly with the provider or through another platform. In case of any unwanted, unpredictable event, the agency offers (or is obliged to offer) consultancy and solutions.

Through therefore, the conclusions *of this study highlighted the fact that* tourism as a transversal economic activity with a major impact on Romania's economy as a whole, especially on economic growth, employment and the social and sustainable development of the regions was on a path in general favorable upward trend, of an exponential type for the number of Romanian tourists participating in the tourist actions organized by the tour operator tourism agencies with the EU destination, the results obtained as estimated values until 2021, the latest data can be used after the publication of official figures for these years, thus quantifying the impact of the COVID-19 pandemic as deviations from the levels predicted based on the extrapolation of central tendencies.

As a proposal for the future, I highlight the implementation of technology and digitization solutions for tourist agencies. Where the destination, as a whole, is the focus of the promotion associations, it must be digitized, bring closer to potential tourists the places of tourist importance, be they natural heritage or human heritage.

Digitization and virtualization includes aspects starting from the documentation of opportunities for tourism, to their transposition into virtual tours that can be easily completed on the phone or in front of the computer. We highlight here the virtualization examples for the Greek island of Thassos and the Faroe Islands . The latest virtual tour even allows for human interaction with the operator who captures the images tourists see.

It can go as far as where virtual tours are gamified , and tourists are put in the position of having to pay to unlock certain tours. This requires investments that make sense in this period, this approach being supported by what some mobile applications that have already innovated in this field, such as Questo , can do .

From the announcement of the state of national emergency until the end of March 2020, travel agency receipts have reached zero or close to zero, with the only increase being recorded in the number of refund requests.

In the same month, tourism businesses saw drops of up to 33% in online searches and up to 84% in traffic compared to the same reference period in 2019, according to an analysis by online marketing agency Moloso .

Now is the right time for travel agencies to review their sales channels (website, newsletter, marketplaces, online Google ads and social media channels), look beyond the numbers, beyond the leads and adjust or completely change the elements that require a call to action, to focus on the sales channel that seems most promising.

Having reached its 44th edition, the Romanian Tourism Fair has gone virtual and is waiting for its partners on the #TTRVirtual2021 platform. Travel agencies, tour operators, and promoters of tourist areas in Romania and the countryside can display their offers and present their tourist attractions in a virtual platform.

More than 100 exhibitors are expected on the #TTRVirtual2021 platform. Exhibitors can upload the information about the products and services from the portfolio in digital format to animate the virtual 2D or 3D and rented stands within the platform and can opt for interaction with the visitors who will register in the platform through chat or video conference.

They can also set up private meetings with partners in the *Business Meeting Point area* or participate in virtual conferences. Participation packages start from 400 euros and can reach up to 7200 euros.

For travel agencies, it is the right time to reevaluate the IT solutions they work with (CRMs, *booking engines* , management programs, etc.), so that, in the future, they can manage situations with an impact on the business (cancellation requests, refunds, rescheduling, issuing value vouchers for later use, etc.).

The current situation generated by the pandemic has brought the best *use cases* for most of the implemented IT solutions, and what is happening now is the ultimate test.

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**Examining the Economic Situation Based on Selected Variables: The Case of Erzurum
Province**

Hakan Eygü¹²

Abstract

In terms of its location, Erzurum is a city that has preserved its importance in every period of history. The city, which was established at a high altitude, negatively affects the climatic conditions in terms of living conditions and causes the annual average temperature to be low. Thanks to the investments made in recent years, businesses in the Manufacturing-Industry sector are progressing in the Erzurum economy, where trade, agriculture, and service sectors are the locomotive, and investments with moderate added value are made in this sector. In this context, the abundance of trade products contributes positively to the city's Economy. The primary purpose of this study is to determine the current state of the economic structure of Erzurum province between the years 2019-2022. In this context, it is to determine the sectoral structure with selected variables according to financing and credit conditions, foreign trade and export, and investment conditions and make suggestions. As a result, the socio-economic effects of this situation due to the climatic conditions of our region, the provision of social assistance in the form of natural gas support instead of coal, or the implementation of natural gas discounts on the agenda should reduce the cost of living. Regarding incentives given to the region, the bureaucracy dimension should be facilitated and businesses should benefit from these incentives. In addition, it is necessary to encourage small businesses to come together to receive joint services and make joint investments and to ensure the formation of organizations working in the field of information technology.

Keywords: Economy, Trade, Investment, Erzurum, Turkey.

JEL Code: E20, E61, Z12

1. Introduction

Undeveloped and developed countries improved the economic and socio-cultural context of development policies on behalf of the sophisticated. When the course of the economy is examined, many countries and regions in these countries are experiencing negativities. In order to reduce these negative effects and increase the welfare level of the provinces, investment mobilizations have been initiated. Thanks to these investments, not only our unemployed but also investors who want to expand their investments or investors who want to bring their unfinished investments into the economy can benefit from the support.

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Erzurum is located in a disadvantaged Turkey region with regional development differences. It was ranked 61st in the socio-economic development index of the Ministry of Development and was among the 5th stage developed provinces (Ministry of Industry and Technology, Sege, 2017). Agricultural population density and the availability of tourism in rural areas, rural tourism development policies to increase the applicability. One of the most important forces in rural development is rural tourism in terms of ensuring that the idea has joined widespread today (Cengiz and Akkuş, 2012). Because the difference between the regions in terms of development and development is widening. This imbalance in the economic field contradicts the understanding of the social state. It is important to use the great potential in the best way for the development of the country. Based on these, it is of great importance to expand the small and medium-sized industries in the country.

In this context, it is to determine the sectoral structure with selected variables according to financing and credit conditions, foreign trade and export, and investment conditions and make suggestions. As a result, the socio-economic effects of this situation due to the climatic conditions of our region, the provision of social assistance in the form of natural gas support instead of coal, or the implementation of natural gas discounts on the agenda should reduce the cost of living. In terms of incentives given to the region, the bureaucracy dimension should be facilitated and businesses should be able to benefit from these incentives. In addition, it is necessary to encourage small businesses to come together to receive joint services and make joint investments, and to ensure the formation of organizations working in the field of information technology.

2. Literature review

There was an important decrease in the economic situation in Erzurum. This situation also affected employment and investment opportunities. Developments and new formations in the economy, labor markets and social structure have led to the reshaping of the female workforce, the emergence of new problems and the development of new policies (Küçükali, 2014). If the service sector develops more than the industrial sector, more employment opportunities are provided. In the following period, together with the new locational (geographical) distribution of industrial activities, there has been a migration process against rural areas (Coşkun, 2008). In parallel with the economic and technological developments experienced in recent years, its effect on the developed workforce is observed (İlhan and Erpul, 2015). In terms of development level, most of the districts that stand out in the industry and services sectors of our country are located in the first stage developed districts. It is noteworthy that Erzurum-Yakutiye, from the Eastern Anatolia Region, where none of its districts are in the first development level in the district SEGE-2017 study, is in the first development level in this study. According to the SEGE 2017 report, Erzurum ranks 61st in the development level ranking. determined to be in line. In a similar study, causality analysis was made between economic growth and unemployment (Eygü, 2022). As a result of the study, it is seen that while it is stationary in the fixed model for the ADF test, it is stable for the PP test and the trend is stationary. In addition, it is seen that there is cointegration between the GDP and unemployment variable in the model and that the variables move together in the long run. In addition, it was concluded that unemployment negatively affects economic growth in the long run. Ayrıca işsizliğin uzun vadede ekonomik büyümeyi olumsuz etkilediği sonucuna varılmıştır. Demirdağ (2022), in this study revealed that Erzurum has a capacity well below the country average in terms of entrepreneurship and innovations, which are widely accepted as the main factors of economic growth, and therefore has a lower level of economic development. While economic growth depends on many factors such as saving tendency, education, climate, infrastructure investments, human capital, social capital and technological developments, entrepreneurship has been another prominent factor for economic growth (Nazir, 2012). Demirdağ (2022), bu

çalışmasında Erzurum'un ekonomik büyümenin ana faktörleri olarak kabul edilen girişimcilik ve yenilikçilik açısından ülke ortalamasının oldukça altında bir kapasiteye sahip olduğunu ve bu nedenle ekonomik gelişmişlik düzeyinin daha düşük olduğunu ortaya koymuştur.

There are many factors that contribute to the economy of the city. Rural tourism is important for people living in Erzurum. Sustainability of rural tourism is also important in terms of economic, socio-cultural and environmental indicators. In a study in this field (Akan 2022) the answers given by the participants to the multiple answer questions about the concept of rural tourism, the preferred rural tourism activities and the reasons for choosing rural tourism were examined and it was seen that there was not much difference in proportion between the statements. It is also important to evaluate the economic situation for the city in terms of finance and economic situation. When the studies in this field are examined, the relationship between the profitability of banks and the variables that are thought to affect profitability has been investigated. Participation banks perform their functions according to the principle of interest-free, which forms the basis of participation banking, while fulfilling the function of fund collection and use of funds (Yanık and Sumer, 2017).

3. Yöntem

3.1. Model and Dataset

The main purpose of this study is to determine the current state of the economic structure of Erzurum province between the years 2019-2022. In this context, it is to determine the sectoral structure with selected variables according to financing and credit conditions, foreign trade and export, and investment conditions and make suggestions. Within the scope of the analysis, the relationships between the variables were examined by using descriptive statistical methods.

3.2. Findings

Erzurum is among the least developed provinces of Turkey in terms of socio-economic development. According to SEGE reports, Erzurum was the 57th most developed city among 73 provinces in 1991. It was the 56th and 61st developed provinces among 76 provinces in 1996, and the 60th, 59th and 61st developed provinces among 81 provinces in 2011 and 2017, respectively. It was the 56th and 61st developed provinces among 76 provinces in 1996, and the 60th, 59th and 61st developed provinces among 81 provinces in 2011 and 2017, respectively. Similarly, Erzurum is also far behind in other studies examining the development ranking of provinces. Erzurum per capita GDP is given in Table 1.

Table 1. Erzurum Gross Domestic Product Per Capita by Provinces, 2018-2022)*

Years	2018	2019	2020	2021	2022
GDP (TL)	24,172	26,664	30,074	36,036	46,444

* Per capita GDP (TRY)

Table 2. TRA1 (Erzurum, Erincan, Bayburt) Province Basic Labor Force Indicators

Years	Labour force participation rate (%)	Employment rate (%)	Unemployment rate (%)
2019	47.8	42.8	11.2
2020	47.0	42.2	10.2
2021	47.9	43.1	10.0
2022	50.1	44.0	10.1

Source: TUIK

It is seen that unemployment increased in 2022. In this regard, necessary measures should be taken.

In order to evaluate the entrepreneurial capacity of Erzurum province, it is useful to first look at how the number of companies established and closed over the years has changed over time. As can be seen in Table 3, the number of companies established and closed in Erzurum followed a rather fluctuating course.

Table 3. Erzurum Entrepreneurship Capacity

Years	Established (A)	Closed (B)	Net(A-B)	Total number of attempts
2017	211	42	169	23.917
2018	219	48	171	24.398
2019	189	39	150	24.396
2020	332	38	294	25.640

Source: TUIK, TOBB

The rates of the city of Erzurum on the basis of credit are given in Table 4.

Table 4. Credits

Group	Total Cash Loans	Cash Loans	NPLs	Non-Cash Loans
Sector	27,023,311	26,389,774	633,537	3,991,025
Deposit	25,763,286	25,147,163	616,123	2,642,217
Development and Investment	389,784	387,507	2,277	992,819
Participation	870,241	855,104	15,137	355,989
Foreign	3,432,924	3,309,115	123,809	749,519
Public	19,755,252	19,415,934	339,318	2,634,926

Source: TUIK, TOBB

In November, exports increased by 2.1% and imports increased by 14.1% in Turkey. Foreign trade deficit, on the other hand, increased by 60.7% and was realized as 8.8 billion dollars.

Table 5. Export and import for Erzurum (1000 US\$)

Years	Export	Import
2018	22.18	31.70
2019	25.61	34.20
2020	31.62	165.7
2021	25.25	97.57
2022	23.41	54.43

Source: TUIK, Foreign Trade Statistics

In 2022, it is seen that exports are 23.41 and imports are 54.43.

Table 6. Descriptive Statistics

	GDP	ER	UR	EC	Export	Import
Average	32.678	43.025	10.375	24.587	25.614	76.720
Standart deviation	8.889	0.750	0.556	0.737	3.635	56.311
Skewness	1.065	0.561	1.872	1.414	1.435	1.247
Kurtosis	0.533	0.928	3.577	2.660	2.480	0.764
Max.	46.44	44.00	11.20	25.64	31.62	165.70
Min.	24.17	42.20	10.00	23.92	22.18	31.70

The correlation matrix between these variables was examined and given in Table 7.

Table 7. Correlation Matrix

Erzurum	GDP	ER	UR	EC	Export	Import
GDP	1	0.861	-0.690	0.958*	-0.139	0.085
ER	0.861	1	-0.270	0.795	0.098	0.506
UR	-0.690	-0.270	1	-0.600	-0.757	-0.650
EC	0.958*	0.795	-0.600	1	0.088	0.308
Export	0.139	0.098	-0.757	0.088	1	0.892*
Import	0.085	0.506	-0.650	0.308	0.892*	1

Note: *, ** and *** denote statistical significance at 1%, 5% and 10% level, respectively.

The relationship between the correlation matrix and the selected variables was examined. Accordingly, the Pearson correlation analysis results presented in Table 7 indicate that the relationship between the level of economic development and entrepreneurship capacity for Erzurum is positive and statistically significant ($p < 0.10$). Moreover, a similar relationship was found between exports and imports ($p < 0.10$).

Results

In this context, it is to determine the sectoral structure with selected variables according to financing and credit conditions, foreign trade and export, and investment conditions and make suggestions. Erzurum remained well behind the country average in terms of economic development. The important reasons for this are that entrepreneurship activities, which are an important source of employment, technological development and innovations, remained at a limited level in Erzurum. The findings clearly revealed that Erzurum has a very weak structure in terms of factors such as entrepreneurship and innovation, which are necessary for its economic development.

Regarding the development of the region, a number of legal regulations specific to the region should be made. Creating the conditions that will make the investment attractive is among the main expectations of the people of the region. Employment areas suitable for the region should be determined well. Efforts should be made to eliminate the negative conditions for the development of the region. In addition, it is important to determine suitable investment areas in the region. In order to determine suitable investment conditions for the region, necessary feasibility studies should be carried out. In addition, university graduates in Erzurum out-of-town migration should be prevented. It is of great importance to alleviate the bureaucratic obstacles that prevent individuals from receiving support. Finally, in order to increase regional competitiveness and level of development, support for innovative entrepreneurship activities should be increased.

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The Yield of the Climate Crisis Circular Economy and Turkey

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Abstract

The climate crisis, which became increasingly evident with the fluctuations in the world markets and Economy after the 2000s, caused countries to question the linear economy model they were applying. Therefore, the current process brings all resource-related problems to light as it suppresses expenditures in countries.

Therefore, developed countries, especially European countries, are in the transition phase from a linear economy model to a circular economy model. The long-term use of all resources is essential in the Circular Economy, rather than the buy-and-dispose model in the linear Economy. On the other hand, resources are scarce due to the climate crisis. For example, Access to water, food, energy and fossil fuels is becoming increasingly difficult. Similarly, biodiversity in the international system is declining and financial systems are crashing nearly all economies. However, in the Circular Economy, It is essential to strengthening inter-sectoral cooperation in order to reduce waste and increase the efficiency of resources. Thus, the waste of one company can be the raw material of another company. Keeping the resources in the loop, it will be possible to use them as long as possible to save energy and reduce waste.

While the importance of the circular Economy and its examples worldwide are included in the study, the circular economy practices in Turkey will be examined in light of the data obtained from the relevant institutions and organizations in the second part.

Keywords: Circular Economy, Turkey, Climate Crisis.

JEL Codes: Q53, Q54, O57.

Introduction

The yield of the climate crisis circular economy refers to the potential positive outcomes for the economy that result from taking actions to mitigate the impacts of climate change. This can include the creation of new jobs and industries, as well as increased energy efficiency and reduced greenhouse gas emissions.

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In Turkey, the adoption of a climate crisis circular economy approach would involve shifting the country's focus towards renewable energy sources, promoting sustainable agriculture, and investing in energy-efficient technologies. These efforts would help Turkey reduce its carbon footprint and address the effects of the changing climate, while also promoting economic growth and stability.

However, the transition to a climate crisis circular economy requires significant investment and changes to existing infrastructure and systems. It will also likely face resistance from some industries and groups who may be negatively impacted by the shift towards sustainable practices.

Overall, while the yield of a climate crisis circular economy in Turkey will require effort and investment, it offers the potential for significant long-term benefits for both the environment and the economy.

Climate Crisis and Economy Relations in The Globe

The Climate crisis is one of the most pressing issues facing the world today. The fluctuations in the world markets and economy after the 2000s have made it increasingly clear that the traditional linear economy model, which relies on the constant extraction and consumption of finite resources, is no longer sustainable. In response, developed countries, particularly in Europe, are moving towards a more circular economy model that prioritizes the long-term use of resources (World Economic Forum, 2022).

The linear economy model is characterized by a focus on short-term gains and the exploitation of resources for immediate consumption, with little regard for the future. This model has resulted in resource scarcity, declining biodiversity, and financial instability, all of which are contributing to the current climate crisis (Velenturf and Purnell, 2021: 1440-1442).

The circular economy model, on the other hand, emphasizes the efficient use of resources and the reduction of waste. In this model, inter-sectoral cooperation is essential, as waste from one company can become the raw material for another. By keeping resources in circulation, they can be used for as long as possible, reducing the need for additional extraction and conserving energy (Velenturf and Purnell, 2021: 1437-1447).

One example of a successful transition to a circular economy is the Netherlands, which has implemented a closed-loop system for the production and use of materials. This system emphasizes the reuse of resources, and has resulted in increased efficiency, reduced waste, and

a more sustainable economy (European Environmental Agency, 2016). Another example is the city of San Francisco, which has committed to becoming a zero-waste city by 2020 (Centre for Public Impact, 2016). This goal has been achieved through a combination of public and private sector initiatives, including the implementation of composting and recycling programs, and the promotion of sustainable products and practices.

In Turkey, the adoption of a circular economy approach will require significant investment and changes to existing infrastructure and systems. However, the long-term benefits for both the environment and the economy are substantial. The government and private sector can work together to promote the use of renewable energy sources, invest in energy-efficient technologies, and support sustainable agriculture.

In conclusion, the climate crisis is calling for a major shift in the way we think about and use resources. The transition from a linear to a circular economy is crucial for reducing waste, conserving energy, and promoting economic stability. While this transition will require effort and investment, the long-term benefits for the environment and the economy are substantial, and countries like Turkey have the potential to play a leading role in this important transition.

Circular Economy Examples in the Global World and Turkey

The circular economy aims to use all resources efficiently and sustainably. This economic model keeps waste to a minimum and ensures that energy and resources are used in a sustainable way without being affected. The circular economy can be achieved by redesigning and better planning the consumption and production processes (Hysa et al., 2020:1-3).

Circular economy practices can increase the well-being of society and businesses, as well as environmental and economic benefits. For example, waste management and recycling programs ensure that waste is reused and regenerated. This increases the efficient use of resources, resulting in energy savings and reduction of CO2 emissions (OECD, 2021).

There are many studies and projects on circular economy practices in Turkey. However, there is still a long way to go for these practices to be widely disseminated. In order for the country to achieve its environmental and economic goals, it is necessary to accelerate the transition to the circular economy model.

As a result, the circular economy model, which emerged as a result of the climate crisis, aims to use all resources efficiently and sustainably (Özuyar, 2021:20-21). This model can be implemented by redesigning and better planning the consumption and production processes.

There are studies on circular economy practices in Turkey, but there is still a way for wider applications to become widespread. In order for the country to achieve its environmental and economic goals, it is important to accelerate the transition to the circular economy model. On the other hand in Turkey there are several different types of such agglomerations serving as circular economy tools. These are (Özuyar, 2021: 23-25):

- 1- Organised Industrial zones (OIZ); are the earliest examples of aggregating a group of industries in order to provide them with improved access to basic services.
- 2- Industrial Zones: The purpose of the industrial zones is to provide investment areas suitable for large-scale and technology-intensive investments. 6 private industrial zones, as mixed or specialized, are planned in Bursa, İstanbul, Martin, Balinese and İzmir.
- 3- Free zones; are defined as special sites within the country that are deemed to be outside of the customs territory
- 4- International Association of Science Parks , it is an enterprise that is in either an official or activity-based relationship with one or more university or higher education institution and research centres.
- 5- Industrial Symbiosis; is the exchange of not-wanted material -many times referred to as waste- of one company with a second company, although such exchanges can be done with services or infrastructure

- Examples of circular economy practices around the world can be listed as follows:

1. Unilever: Unilever is a world-class food and personal care company working for a sustainable circular economy. Unilever aims to reduce its waste and recycle its products, thereby supporting the circular economy (Unilever, 2017).
2. Philips: Philips is a worldwide electronics company and aims to use recycled materials. Philips aims to recycle its products and reduce waste, thereby supporting the circular economy (Philips, 2022).
3. Patagonia: Patagonia is a worldwide wearables company and aims to reduce its waste. Patagonia ensures the recycling and reuse of its products, thus supporting the circular economy (Ram, 2022).
4. IKEA: IKEA is a worldwide furniture company and works for a sustainable circular economy. IKEA aims to recycle its products and reduce waste, thus supporting the circular economy (IKEA, 2022).

- More specific examples of circular economy practices in Turkey can be listed as follows:

1. Ege Seramik: Ege Seramik is a ceramic manufacturer based in Turkey and aims to recycle its wastes. Ege Seramik reuses its wastes in line with its zero waste target and attaches importance to energy efficiency in the production process (Ege Seramik, 2021).
2. Zeybek Energy: Zeybek Energy is an energy producer based in Turkey and focuses on energy efficiency. Zeybek Energy produces energy using renewable energy sources and thus supports the circular economy (Zeybek Proje, 2021).
3. Çamlıca Water: Çamlıca Water is a water treatment plant located in Turkey and aims to use water resources efficiently. Çamlıca Water ensures the treatment and reuse of wastewater and thus supports the circular economy.
4. Biofarm Tarım: Biofarm Tarım is an agricultural organization in Turkey and aims to increase soil fertility. Biofarm Tarım ensures the use of wastes for agricultural purposes and increases soil fertility, thus supporting the circular economy (Biofarm Tarım, 2021).

These examples show how circular economy practices in the world and in Turkey can be implemented specifically. However, municipalities in Turkey have also turned to recycling, which is a requirement of the circular economy.

Conclusion

There is a strong link between the climate crisis and the circular economy. The climate crisis is the result of the linear economy model, where resources are extracted, used, and then discarded as waste. This model is not sustainable and leads to depletion of resources, increased waste, and increased greenhouse gas emissions, which contribute to the climate crisis.

On the other hand, the circular economy model promotes the efficient use of resources, reduction of waste, and reduction of greenhouse gas emissions. By keeping resources in use for as long as possible and minimizing waste, the circular economy helps to address the climate crisis.

In addition, the circular economy also promotes the use of renewable energy sources, such as wind and solar power, which can reduce reliance on fossil fuels and decrease greenhouse gas emissions.

By promoting a more sustainable use of resources and reducing waste, the circular economy can help to address the climate crisis and create a more sustainable future.

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Problems regarding the resolution of contracts in commercial relations

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Abstract

Although the legislation in civil law aims to regulate social relations, which are established between legal subjects as private persons, based on the autonomy of will, consensual and the binding force of conventions, in today's reality, most legal relations of contractual nature are concluded with a merchant/professional or between them. Consequently, both at the national level and also at the European Union level, specific legislation was developed that regulates these legal relationships, considering their specificity. In this context, the common law in the resolution and termination of contracts is supplemented or even modified by special legal rules to correspond to the specific needs generated by these social relations. They will mainly concern consumer protection or the specifics of commercial relations. In our paper, we will identify and analyze these specific regulations in the context of common law and try to make some suggestions for improving the legislation.

Keywords: Commercial Relations, Contracts

I. OVERVIEW

The issue of concluding, executing, interpreting, and terminating contracts is not a new issue, the resolution or termination of the contract and in this case, the legal institution of the default clauses has its origin in Roman law. The term originates in the concept of "lex commissoria", which designated an agreement ancillary to a contract of sale under Roman law, an agreement by which the parties provided that the sale be terminated if the buyer did not fulfill its obligation to pay the price.¹⁵

The institution of the default clauses keeps its topicality given the fact that in modern society the social relations, the civil and the commercial circuit are based on the contract, the most frequently encountered legal act.

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¹⁵ Valeriu Stoica, V. Stoica, Resolution and termination of civil contracts, Ed. All Educational, 1997, p. 139

The 9th InTraders International Conference on Social Sciences and Education Proceeding Book

<https://www.intraders.org/icse> e-ISBN:978-605-72229-3-0

Moreover, in modern society, which tends towards digitalization with the consequence of a simplification of formalism, the issue of termination of the contract through the fault of a party becomes all the more current.

II. RESOLUTION AND TERMINATION, OF LEGAL INSTITUTIONS UNDER THE DEFAULT CLAUSES

The default clauses being practically a way of manifesting more energetically the termination/termination of the contract can be analyzed only through the prism of the legal framework institution.

In contractual matters, if, without justification, the debtor does not fulfill his obligation, the non-performance is significant and the creditor does not demand the forced execution of the contractual obligations, the latter may be released from his correlative obligation, obtaining the termination or termination of the contract. In the case of contracts with successive execution, the creditor also has the right to termination in the case of a small but repeated non-execution.

Administrative acts issued on the basis of a prior contract are also exempted from the principle of revocability. The legal-administrative regime, this time, is made available to the parties to a contract, its effects being grafted on those of the contract. The administrative act is thus presented to us as a strictly legal instrument necessary for the execution of the civil contract itself, the revocation of the administrative act would be equivalent to a termination of the contract, termination which, since the contract became, and only a moment earlier, completed by approval, no it can be obtained only through justice and in the cases allowed by law.¹⁶

If the non-performance is minor, the creditor is not entitled to the resolution, but is entitled to obtain a proportional reduction of his benefit if, under the circumstances, this is possible. If the reduction of benefits is not possible either, the creditor can only obtain damages, if they are due to him (see the commentary of art. 1551 NCC).¹⁷ Both legal institutions therefore represent a civil sanction consisting in the termination of the contract, in this respect, the two notions having similarities; instead, the effects of this abolition are different, as we are talking about resolution and termination, respectively.

¹⁶ Drăghici Cristian, Tutunaru Mircea, "Administrative Law and Public Administration" Volume I, Craiova, Romanian Writing Foundation - Publishing House, 2018, p. 194.

¹⁷ Flavius-Antoniou Baias, Eugen Chelaru, Rodica Constantinovici, Ioan Macovei, The New Civil Code - Commentary on articles, 2nd Edition, Ed. CH Beck, Bucharest 2014, p. 1231

Depending on its source, we can distinguish:

- legal resolution;
- the conventional resolution.

Depending on the mode of operation, as it results from art. 1550 C.civ., We can distinguish:

- the judicial resolution, which is ordered, upon request, by the court;
- the unilateral resolution, which operates through the resolution statement of the interested party;
- the full resolution, which intervenes either in the cases expressly provided by law, or when the parties have so agreed.

Even under the rule of the former art. 1020 C.civ. 1864, from which it results that the legal basis of the resolution would be in the realm of the modalities of the civil legal act (more precisely, of the termination condition), in the sense that the non-execution of the obligation assumed by a synallagmatic contract would constitute a tacit termination condition. would have the effect of terminating the synallagmatic contract, it was admitted that, in reality, this is not a modality of the legal act, but the execution of the assumed obligation is a normal effect of the contract; consequently, it was considered that the basis of the resolution is also the reciprocity and interdependence of the obligations arising from the synallagmatic contract.¹⁸ The culpable non-fulfillment of one of the obligations lacks legal support for the execution of the reciprocal and interdependent obligation assumed by the other party, so it is entitled to request the termination of the respective contract.¹⁹

The court ruling has a number of drawbacks, for example, the court, in principle, has the possibility to grant the debtor a grace period for him to fulfill his obligation; the court can assess, depending on the specific circumstances of the case, whether it is appropriate to rule or to force the contract to be enforced or to order a proportional reduction in the applicant's

¹⁸ In the opposite opinion, Flavius-Antoniu Baias, Eugen Chelaru, Rodica Constantinovici, Ioan Macovei, op. cit. pp. 1264 - 1265. Classically, the resolution is presented as one of the specific effects of synallagmatic contracts - its scope being limited to this category - respectively is based on the idea of reciprocity and interdependence of obligations arising from synallagmatic contracts. Article 1549 NCC does not make any distinction about the type of contracts or the nature of the obligations arising from the contract, with the consequence of an implicit extension of the scope of the resolution including unilateral contracts, as defined in art. 1171 NCC. Thus, the doctrinal view is confirmed that, even if the preferred field of application is synallagmatic contracts, it should be extended to unilateral contracts classified as imperfect synallagmatic, as well as for a fee, in which the resolution must allow one of the parties to terminate the contractual relationship, such as the deposit, loan or pledge, with the observation that, according to art. 1171 NCC, contracts traditionally called imperfect synallagmatic fall within the scope of unilateral contracts.

¹⁹ G. Boroi, L. Stănciulescu, Civil law institutions in the regulation of the New Civil Code, Hamangiu, Bucharest 2012, p. 181

performance; the debtor can avoid the resolution, executing his obligation until the finality of the court decision by which the request for termination of the contract was admitted. Therefore, the party entitled to request the judicial resolution is not certain that it will obtain the termination of the contract even if the conditions that allow the court to pronounce the judicial resolution are met.

Therefore, for the creditor of the guiltily unfulfilled obligation, more advantageous than the judicial resolution is the unilateral resolution, that resolution which no longer involves the referral to the court, but only the written notification that the creditor communicates to the debtor.

III. THE NOTION OF A PROFESSIONAL

The new Civil Code embraces the monist conception of regulating relations of private law - civil and commercial. Thus, in addition to the traditional matter of²⁰ civil law, the New Code also regulates the relations between the professionals and the relations between them and any other subjects of civil law (art. 3 para. 1). Those who operate an enterprise are also considered to be professionals (Art. 3 para. 2).

The definition of the notion of professional is made by reference to another concept, namely that of the enterprise; in turn, the concept of enterprise is not defined by the legislature either, as it defines the operation of an enterprise and not an undertaking as such. This regulatory deficiency, seen by most doctrinal opinions, leads to a series of difficulties in interpreting and understanding the concepts in question.

Essentially, according to the provisions of the Civil Code, the professional is therefore the one who operates an undertaking, that is to say, the owner of it.

The notion of a professional is referred to in art. 3 The Civil Code includes the categories of trader, enterprise, economic operator, as well as any other persons authorized to carry out economic or professional activities, as provided for by law (art. 8 paragraph 1 of [Law no. 71/2011](#)). According to art. 3 para. (3) of the [Civil Code](#), constitutes the exploitation of an enterprise the systematic exercise by one or more persons of an organized activity consisting in the production, administration of goods or in the provision of services, regardless of whether it has a profit-making purpose or not.

²⁰ See, Mircea Duțu, Academia Romanian, Traian Institute of Legal Research Ionașcu, Department of Private Law, New Civil Code. Studies chi comments, vol. I, Book I, Ed. Universul Juridic, București, 2012, p. 31-32.

The professional is not a person who exercises a profession or a trade, he is the one who operates an enterprise, therefore, the term professional acquires a special legal connotation, different from the usual one.

The term professional is intended to include the different categories of persons who systematically carry out economic or professional activities. According to Law nr. 71/2011 for the implementation of law no. 287/2009 on the Civil Code, the term professional includes the categories of trader, entrepreneur, or economic operator as well as any other persons authorized to carry out economic or professional activities, as these notions are provided by law, at the date of entry into force of the Civil Code.

Therefore, the legislator considers that the operation of an undertaking is essential to the notion of a professional, reveals the economic or professional nature of the professional's activity, lists these activities which are carried out on an authorized basis, distinguishes between the different categories of professionals and, those who have a profit-making activity and those who do not have a profit-making activity.

According to art. 2 of Law no. No 346/2004 on stimulating the establishment and development of small and medium-sized enterprises (M. Of. no. 681/2004), the enterprise understands "*any form of organization of an economic activity and authorized under the laws in force to carry out acts and deeds of trade, in order to obtain profit, under conditions of competition, namely: commercial companies, cooperative societies, natural persons who carry out economic activities independently and family associations authorized in accordance with the legal provisions in force*".'

The operation of the enterprise is the systematic exercise of any type of business or activity, with or without the aim of obtaining profit.²¹

Obviously, in understanding the notions of professional and operating the enterprise, the provisions of Art. 6 of Law No. 71/2011, according to which '*In the normative acts applicable at the date of entry into force of the Civil Code, the references to trade shall be deemed to be made to natural persons or, where appropriate, to legal persons subject to registration in the trade register* (...)

With regard to this text, the doctrine stated: 'As a rule of legislative technique, a legal term should have the same meaning in a legislative act; otherwise, the risk of confusion is enormous.'²²

²¹ Gh. Pipeerea, Who is afraid of the new Civil Code?, September 26, 2011, www.piperea.ro

²² See Gh. Pipeerea in Fl. A. Baias, E. Chelaru, R. Constatinovic, I. Macovei (coordinators), The New Civil Code. Commentary on articles, 2nd ed., p. 6.

IV. SPECIAL SITUATIONS OF APPLICATION OF OF RESOLUTION AND TERMINATION IN RELATIONS WITH PROFESSIONALS

1.4 EUROPEAN LEGISLATION

Romania has been a member of the European Union since January 1, 2007, the accession being the result of a long process of harmonization and synchronization of legislation, from the constitutional level to the general regulatory legislation or specific to a certain social or economic field. The accession process began on February 1, 1993, with the signing of the European Agreement²³ establishing an association between Romania, of the one part, and the European Communities and their Member States, of the other part, and ended with the signing of the Treaty of Accession of Romania to the European Union²⁴ on April 25, 2005.

During the accession process, Romania had to adapt the legislation in accordance with the European Union *acquis*. This is a common set of rights and obligations that constitutes all EU legislation and is incorporated into the legal systems of the EU Member States. The EU *acquis* evolves continuously over time and includes: the content, principles, and political objectives of the EU Treaties; any legislative acts adopted to implement these treaties and the case law of the Court of Justice of the European Union; statements and declarations and the judgments that are adopted by the EU; measures in the fields of common foreign and security policy and justice and home affairs; international agreements concluded by the EU and agreements concluded between Member States in relation to EU activities.²⁵

In this respect, European legislation is applied to the territory of Romania and Article 288 of the Treaty on the functioning of the European Union states that 'In order to exercise the competencies of the Union, the institutions shall adopt regulations, directives, decisions, recommendations, and opinions. The regulation is of general application. It shall be binding in its entirety and directly applicable in each Member State. The Directive is binding on each Member State of destination as to the result to be achieved, leaving to the national authorities the competencies regards to form and means. The decision shall be binding in its entirety. If the

²³ Published in M.Of. with no. 73 of 12 April 1993 the date on which it entered into force.

²⁴ Published in M.Of nr. 465 of 1 June 2005.

²⁵ <https://eur-lex.europa.eu/legal-content/RO/TXT/?uri=LEGISSUM:acquis> (consulted on 24.02.2023 at 14:21)

addressees are indicated, the decision is binding only on them. Recommendations and opinions are not binding"

Consequently, European legislation can be divided into two categories from the point of view of the application on the territory of the Member States, namely, rules of direct application, such as the regulation and the directive to which can be added the decisions of the Court of Justice of the European Union and the optional ones such as opinions and recommendations.

Regarding the object of our study, European legislation has several normative acts that concern the termination or termination of contracts, in principle in the field of consumer protection and distance contracts.

An example of this is Directive 2011/83/EU/25-Oct-2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council which establishes an obligation for the professional to inform the consumer in the context of contracts other than contracts negotiated outside the commercial premises and contracts at a distance, Article 5 of the Directive, as well as in the case of contracts at a distance and those negotiated outside the commercial spaces, Article 5 of the Directive, as well as in the case of contracts at the distance and those negotiated outside the commercial spaces Art. 6 of the Directive, on the conditions for termination of the contract.

The Directive also provides for two cases of termination of the contract, namely:

Where the consumer exercises his right of withdrawal under a distance or off-premises contract, in accordance with Article 15(1) of the Directive, any ancillary contract shall be automatically terminated at no cost to the consumer but, in any such legislative act, indicates to the Member States to lay down detailed rules for termination.

Also, if the professional does not comply with the delivery deadlines of the goods that were the subject of the contract, after having set an additional time limit with the consumer, he is entitled to terminate the contract.

The provisions of the Directive 2011/83/EU/25-Oct-2011 are transposed into national law by GEO no. 34 of 4 June 2014 on consumer rights in contracts concluded with professionals, as well as for the amendment and completion of certain normative acts by art. 5, art. 6 and art. 16 of the Ordinance. As a brief remark, art. 5 and Art. 6 which refer in the directive to the termination are transposed into the order as situations of termination of the contract.

Although it is possible that the national legislator through the prism of art. 1321 Of the Civil Code²⁶, to have considered the hypothesis of unilateral denunciation as the method of termination of the contract regarded as a potential right conferred on the consumer is not clear whether the European norm referred strictly to termination, a distinct legal institution fundamentally based on the idea of non-performance of contractual obligations.

2.4 NATIONAL LAW

National law contains many rules that establish special conditions for termination and termination in relations with professionals, the common law in the field being Art. 1549 et seq. of the Civil Code.

As a matter of principle, these provisions are intended to protect the consumer from abusive practices or in situations where the contract is not negotiated in the strict sense. The socio-economic reality has shown us that most of the contracts concluded with professionals are in fact adhesion contracts as defined by art. 1175 Of the Civil Code which states that " The contract is of adhesion when its essential clauses are imposed or are drafted by one of the parties, for this purpose or as a result of its instructions, the other party having only to accept them as such

The distinguishing criterion of adherence is formal. The prior drafting of the contract and its unilateral character is the only invariable element present in all adhesion contracts. The adhesion expresses both the de facto power of the editor and the standardized nature of the operation that involves the absence of discussions on the clauses of the contract. Being in the presence of a previously drafted contract, with some of the clauses appearing on a pre-printed document, it is appropriate to verify that the adherent is aware of all the clauses, and this is in order to conclude that the signatory parties wanted to integrate these clauses into the contract. The contractual adhesion is objectively recognized if it was achieved during the conclusion phase of the contract. The adhesion shall be manifested either to the clauses of the signed

²⁶ 'The contract shall be terminated, in accordance with the law, by performance, by agreement of the will of the parties, **unilateral denunciation**, the expiry of the time limit, the fulfilment or, as the case may be, the non-fulfilment of the condition, the fortuitous impossibility of enforcement, as well as for any other reasons provided for by law.'

document, or to the clauses that are included in a document other than the one signed, and a clause of the signed text refers to this document.²⁷

To reduce the contract to the freedom of will (the freedom to contract, not to contract, and the freedom to choose the contractual partner and the content of the contract) means, simply, to deny the contract the function of the main means of carrying out the activity of professionals, since, in contemporary times, most decisions to contract are irrational or obligatory, the economic reality imposing adhesion contracts, in which the will may be absent from the contract or may be limited or altered by the economic or psychological imperative of signing the contract, or even forced contracts, in which the will of the contracting party no longer has any role. In any case, the contractual will, alone, is no longer able to explain or justify these contracts in which the will of the parties is either missing or is limited or altered by the economic or psychological imperative to conclude the contract.²⁸

A good example of this is Law 193 of 6 November 2000 republished on unfair terms in contracts concluded between professionals and consumers²⁹

The law establishes that " A contract term will be considered not to be negotiated directly with the consumer if it has been established without allowing the consumer to influence its nature, such as pre-formulated standard contracts or general conditions of sale practiced by professionals*) on the market of that product or service. "Art. 4 para. 2 of the law.

The law requires the removal of unfair terms and if the contract can no longer produce the effects for which the consumer was concluded, he can request the termination of the contract with the possibility of asking for damages. It should be noted that in the present situation, we are not in the standard situation established by the ordinary law in the matter, in the sense that we are not dealing with a fault in the performance of the contract on the part of the debtor of the obligation but with a fault in the very fundamental structure of the agreement containing terms which the law presumes to be unfair, the professional being held a fault in relation to the imperative rules of the law and not improper conduct in the performance of the contract.

In this respect are also the provisions of art. 84 of Law 296/2004 on the Consumption Code – the publication stating that 'The consumer's right to terminate or terminate the contract

²⁷ Ioan Turcu, the new Civil Code, Book V, Comments chi explanations, ed. a 2-a, Ed. C.H. Beck, Bucharest, 2011, p. 125.

²⁸ Gheorghe Piperea, Contracts and commercial obligations, CH Beck Publishing House, Bucharest, 2019, p. 235.

²⁹ Published in M. Of. No. 543 of 3 August 2012.

may not be annulled or restricted by any contractual term or agreement between the parties, in the cases provided by law, this being considered null and void by law. The parties' rights in relation to fair compensation will not be affected in the event of unilateral denunciation. " Clearly the text refers to unilateral termination as regulated by art. 1552 Of the Civil Code and cannot concern situations that are the subject of a case of legal termination, these having the character of *ope legis* which cannot be limited by contract.

V. CONCLUSIONS

As is obvious, for practical reasons we did not intend to make an exhaustive analysis of the situations in which the law provides for a special regulation of the legal regime of resolution and termination, but only to outline some defining elements for this issue.

It can be said that in the matter of legal relations between professionals and consumers, the character of the substitute device that dominates the civil legislation, by tradition and in view of the eminently private character of the legal relations, is strongly attenuated.

Both European legislation and national law emphasize the protection of the consumer as a party to the legal relationship with a professional, starting from the presumption of contractual imbalance between the parties to an agreement concluded with a professional, and there is indeed a tendency in commercial relations for him to try to unduly maximize his profit and to reduce his responsibility.

It could also be argued that a hyper-regulation of transactions with economic content has often led to the stagnation of the business environment and indirect negative consequences for the consumer in the end, who in turn has a tendency to abuse the advantages that, for example, the right of unilateral denunciation offers him.

Finally, we consider that the solution is a regulation that balances the economic interests of professionals with the general desideratum of consumer protection against abusive practices which allows the parties sufficient freedom in negotiating and concluding contracts but does not allow the creation of a position of contractual dominance *vis-à-vis* any party because this circumstance has always led to negative economic and legal consequences

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The Effect Of Store Atmosphere On Purchasing Behaviour

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Abstract

The importance of the concept of atmosphere in the retail context has long been recognized by practitioners and researchers alike. This study provides a systematic overview of store atmosphere, its dimensions, and related studies on the concept of atmosphere in the retail context. The purpose of this study is to review the relevant literature on the effects of store atmosphere on purchasing behaviour. In this context, empirical studies in this field focusing on various studies on atmospheric stimuli and consumer responses are discussed. Within the scope of this study, suggestions are made for research on store atmosphere.

Keywords: store atmospheric, purchasing behaviour, the consumer.

JEL Code: M31

1. Introduction

The atmosphere is an ambiguous yet widely used term in everyday life and business contexts. In the retail context, the concept of "atmosphere" refers to the aesthetics and ambiance of the store. Ideally, retail stores are perceived as pleasant to moderately stimulating. Stores with a pleasant to the moderately stimulating atmosphere are expected to contribute to the overall flavor of the store and positively influence shopping behavior (Chebat et al., 2010).

Many studies in the marketing literature have examined the atmospheric effect on buying behavior (Kotler, 1974; Areni & Kim, 1994; Herrington & Capella, 1996; Turley & Milliman, 2000). In a competitive market, according to marketing researchers, creating an effective atmosphere when physical stimuli influence consumers at the point of purchase should be an important marketing strategy for most stores (Turley & Milliman, 2000). The physical shopping environments designed by retail stores affect all aspects of the retail business, including customers' decisions about where to store, store image, quality of goods and services, and shoppers' behavior in terms of time and money spent (Kotler, 1974; Eroğlu and Machleit, 1990).

This study provides a systematic review of store atmosphere, its dimensions, and related studies on the concept of atmosphere in the retail context. The purpose of this study is to review the literature on the effects of store atmosphere on shopping behavior.

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1. The Concept of Store Atmosphere

Several research directions have examined the characteristics of the concept of atmosphere. Kotler (1974) coined the term atmosphere. However, before the concept of 'atmosphere' gained acceptance, he used terms such as 'spatial esthetics,' while Hutton and Richardson (1995) combined atmosphere and service areas to create health spaces. Kotler (1974) defined the term "atmospheric" as "the deliberate design of spaces to produce certain effects on shoppers, the effort to design buying environments to evoke certain emotional effects in shoppers that increase the likelihood of purchase" (p.50).

Some researchers have addressed the issue of atmospheric influences on attitudes and behavior. For example, Markin et al. (1976), who studied the social psychology of the store environment, wrote, "The retail customer's immediate environment is never neutral. The retail store is a series of cues, messages, and suggestions that communicate with customers. Retail store designers, planners, and salespeople shape the space, but that space, in turn, influences and shapes customer behavior. The retail store is not exactly comparable to a Skinner box. However, it creates moods, activates intentions, and often influences customer responses" (p. 460). Greenland and McGoldrick (1994) defined the store atmosphere as an "adaptation of the environment designed to increase the likelihood of desired effects or outcomes."

Foxall (1997) defines store atmosphere as "... how a consumer environment evokes emotional responses in customers, encouraging them to linger, browse, evaluate, and purchase. The atmosphere is the facets of environmental design that influence consumer behavior by generating attention, communicating a store image and level of service to potential buyers, and stimulating emotional responses" (p. 506). According to Cox and Brittain (2004), store atmosphere is the most important component of store image. It can be defined as "the predominant sensory impact created by the store's design, physical features, and commercial activities" (p. 203).

2. Dimensions of Atmosphere Variables

Store atmosphere, a widely used retail strategy, is a topic of increasing interest among researchers and practitioners. Many researchers have focused on identifying components of store atmosphere and, in particular, their effects on customer behavior (Kotler, 1974; Bitner, 1992; Turley & Milliman, 2000).

Studies focusing on the impact of store atmosphere demonstrate its significant effects on customers' emotional, cognitive, and behavioral responses. A store's environment consists of many individual elements (e.g., music, color, lighting, displays) that are highly interrelated and work synergistically to influence consumers (Babin et al., 2003). The atmosphere can be viewed as a spatial design focused on emotions that can influence both customers and employees.

Thus, the crucial dimensions of the atmosphere in a store range from tactile, sensory, taste, olfactory, and visual to social factors. Kotler (1974) describes the atmosphere of a particular environment in terms of the sensory channels through which the atmosphere is perceived. The sensory response generated by the atmosphere and perceived by the person in the context of the store can be evaluated in terms of sight, touch, smell, and sound.

3. Studies on the Influence of Store Atmosphere on Buying Behavior

More than fifty years of academic research clearly show the influence of store atmosphere on consumer behavior and perception. Accordingly, store managers and companies can change in-store behavior by creating an atmosphere through dependent and independent variables (Turley & Chebat, 2002).

3.1. Independent Variables

The 9th InTraders International Conference on Social Sciences and Education Proceeding Book
<https://www.intraders.org/icse> e-ISBN:978-605-72229-3-0

In reviewing the studies, the framework proposed by Turley and Milliman (2000) was used to examine the atmospheric stimuli used by the authors in their experimental studies. In this context, studies on external variables, general internal variables, layout and design variables, point-of-purchase, decoration variables, and human variables were reviewed, as well as some studies examining the interaction between these atmospheric variables and their effects on buying behavior.

3.1.1. External Variables

Studies have shown that store atmosphere significantly changes consumers' shopping and purchasing behavior through conscious and unconscious perceptions. Although external variables are the first cues in consumers' eyes, studies on store exterior are the least represented atmospheric elements in marketing literature, according to recent reviews on store atmosphere.

The dimensions of store atmosphere proposed by Turley and Milliman (2000) were identified in the context of 14 external stimuli such as store front, awning, display window, building architecture, environment, and parking lot. According to the authors, if these external stimuli are poorly managed, the rest of the atmosphere may not matter. After all, if consumers are not interested in a store accessible to them through exteriors such as store windows, they are unlikely to enter the store to store. However, few studies have examined external variables (Edwards & Shackley, 1992; Cornelius et al., 2010).

Looking at the studies examining the impact of store appearance on consumer behavior, we find that Grossbart et al. (1975) were the first to examine a different aspect of external variables. These authors examined the relationship between trends and atmosphere, the influence of external characteristics of the macro-environment, in this case, on shopping behavior in a shopping district. Ward et al. (1992) presented a method for measuring the prototypicality of store design. They examined the relationship between the relative influence of the external and internal physical environment on the fully perceived prototypicality of the store and the relationship between prototypicality and market share.

Edwards and Shackley (1992) found that the most important external variable for retail stores is external presentation, and they were the first authors to examine its impact on buying behavior. The authors found sales increased, especially when display cases were used for new products. Cornelius et al. (2010) found a relationship between retail store image and window display, an important tool for differentiation in the highly competitive retail market. In addition, this study highlights that the storefront is an important precursor to storing the image. External elements, such as window decoration and layout, entrances, building design, and lighting, can similarly affect store image.

The question of how the visual presentation of products in store windows affects customer traffic has received little attention in previous studies. The study by Oh and Petrie (2012) helps fill a gap in the store atmosphere literature by examining how consumers' perceptions of store windows influence store entry in different situations. The study results show that visual perception of the store window influences the decision to enter a store. However, this effect depends on the interaction between store window type, motivation, and the effect of cognitive load.

3.1.2. General Internal Variables

Atmospheric stimuli such as flooring/carpeting, lighting, scents, sounds, temperature, openness, wall texture, and use of colors are examined as general internal variables.

3.1.2.1. Color

Many authors have studied color as a general element of interior design (Crowley, 1993; Babin et al., 2003). Rossotti also discusses the effects of color on stores (1983), "Different color schemes can be used to emphasize the uniqueness of departments within the store, but the change of color between departments should not be too abrupt. Otherwise, customers may feel that they are being 'pushed' in the store" (p. 461).

Bellizzi et al. (1983) conducted a laboratory-based experiment that showed the effects of color on display interest and store image. It was found that subjects were attracted to warm colors (yellow and red). However, paradoxically, they generally found red environments unpleasant, negative, tense, and less attractive than cool colors (green and blue). In addition, Bellizzi et al. (1983) suggested that a red environment may harm purchase negotiations and decisions because it overstimulates shoppers physiologically and psychologically.

Another study of the effects of color on the store was conducted by Bellizzi and Hite (1992), and they found that purchase intentions were higher when the background color of the store display was blue rather than red in a simulated shopping environment. Previous color research has shown that red is perceived as negative, tense, and physically arousing. Blue is described as calm, cool, and positive. According to Crowley (1993), the study's results show that color can affect the perception of products in the store environment. While perceptions of product quality were not significantly affected by store color, other aspects of product perception were partially affected by the color of the store environment.

3.1.2.2. Lighting

Many previous studies have examined the effects of lighting on consumer behavior and sales performance (Areni & Kim, 1994; Baker et al., 1992). These studies show that lighting factors affect store environment and merchandise inspection. Rook (1987) recommended bright lighting to facilitate impulsive purchases. At the same time, softer lighting may encourage customers to examine products longer (Markin et al., 1976).

Areni and Kim (1994) studied the effects of store lighting on various aspects of shopping behavior, such as consumer behavior, amount of time spent, and total sales. Accordingly, lighting affected the number of products examined and handled. Boyce et al. (1996) discussed the effects of new and approved lighting on the sales performance of a supermarket.

Reddy et al. (2011) conducted a study better to understand the impact of lighting on store satisfaction. The results showed that store lighting that improves store image contributes more to store satisfaction than store lighting that improves store attractiveness. Lighting quality was successfully associated with store satisfaction. Among the other factors influencing store satisfaction, lighting features complementing store image development was very effective. Image-oriented lighting was also found to influence customers' perceptions of enjoyment and their decision to visit the store.

3.1.2.3. Music

Smith and Curnow (1966) found that in-store dwell time and sales were associated with "loud music." However, results indicate that less time is spent in grocery stores when a loud noise is present, although there was no significant difference in sales or customer-reported satisfaction. According to Milliman's (1982) study, customers were likely to spend more time in the store during periods of slow music than during periods of fast music.

Yalch and Spangenberg's (1988) study of a clothing store found that younger customers shopped longer when they heard background music, while older customers shopped longer when they heard foreground music. Kellaris and Altsech (1992) discussed the relationship

between time perception and music. They found that subjects perceived music in the atonal mode as more dissonant and not in a particular key compared to minor or atonal music.

Yalch and Spangenberg (2000) found that people shopped shorter when confronted with unfamiliar music but felt they shopped longer when the music was familiar. Caldwell and Hibbert (2002) reported on a study of the effect of music tempo and music preference on customer behavior in a restaurant. The study examined how these two variables affect actual and perceived eating time, the amount of money spent, and outcomes related to the enjoyment of the experience and future behavioral intentions.

3.1.2.4. Scent

Another general indoor variable of interest in some research is the scent. Studies of the effects of scent on store atmosphere have focused on three elements: The first element is the compatibility of the scent with the products sold in the store, that is, the scent emanating from the products in a flower store, bakery, or tobacco store (Ellen & Bone, 1999; Mattila & Wirtz, 2001). The second element is the presence of the scent, which can lead to emotional or behavioral responses (Ellen & Bone, 1999; Morrin & Ratneshwar, 2000). The third element is the pleasantness of the scent-that is, a pleasant scent may elicit positive emotional or behavioral responses, whereas an unpleasant scent may elicit negative emotional or behavioral responses (Ellen & Bone, 1999; Morrin & Ratneshwar, 2000).

Other research to date has focused primarily on responses to non-ambient odors, i.e., localized scents such as those found on a map, product, or advertisement. Results show that ratings of products increase when they are scented, and that compatible scents improve ratings more than incompatible scents (Bone & Jantrania, 1992).

According to Davies et al. (2003), the ability of scents to convey a sense of place and be a differentiator in a crowded market follows a similar line. Studies show that consumers exposed to pleasant scents spend more time in the store (Spangenberg et al., 1996) and that pleasant scents impact total consumer spending and the number of brands purchased in the store (Ellen & Bone, 1999).

Morrison et al. (2011) examined shoppers' emotions and satisfaction levels. Further analysis shows that arousal by music and smells increases pleasure levels, positively affecting shopping behavior, including time and money spent, approach behavior, and satisfaction with the shopping experience.

3.1.3. Layout and Design Variables

There is a distinct lack of studies analyzing how variables such as traffic flow, aisle location, and aisle merchandise distribution affect customers' emotional state and behavior. Most research in this area has focused on store design to provide customers with a comfortable shopping space (which is more related to the concept of crowding) or to manage traffic flow on the floor (Levy & Weitz, 2008; Hasty and Reardon, 1996). For example, the prominent display of a product on the floor significantly increases sales, regardless of the type or size of the store (Gagnon & Osterhaus, 1985).

Another article reports that the arrangement of products in the power corridor affects perceived price levels (Smith & Burns, 1996). A separate line of research describing the impact on online store design and product positioning claims that estimates based on the classic retail literature are not always valid (Vrechopoulos et al., 2000).

3.1.4. Point-of-Purchase and Decoration Variables

This category includes product advertising, point-of-sale displays, billboards, signage, videotext messages, and wall decorations. Cox (1964) tested the hypothesis that food sales are sensitive to changes in shelf space and that "impulsive" products are relatively more sensitive than essential products. In his experiment with four product families, Cox (1970) examined the effects of shelf space on sales of branded products in a randomly blocked field experiment. Kotzan and Evanson (1969) found a significant relationship between the number of shelf spaces and sales. Frank and Massey (1970) conducted a cross-sectional analysis to examine the effects of shelf space and area on sales of a frequently purchased branded grocery product.

In examining the effects of changes in shelf space on sales, Curhan (1972) hypothesized that shelf space flexibility depends on several product-specific variables, including physical, commercial, and usage characteristics. According to Curhan (1973), "it can be concluded that there is a small, positive relationship between shelf space and sales. However, this relationship is not the same between products, between stores, or between store locations" (p.56). In addition, some studies in the literature address how product presentation can significantly affect sales (Curhan, 1974; Wilkinson et al., 1982; Gagnon & Osterhaus, 1985).

Curhan (1974) analyzed the display effect for four product categories. It was found that the effect of merchandising and temporary promotion activities depended on the product category. Chevalier (1975) studied the effect of store displays on sales for various product attributes. Displays are most effective for mature products and when product differentiation is low. Wilkinson et al. (1982) found in their study of four products that displays and price changes had a greater impact on sales than advertising. Gagnon and Osterhaus (1985) presented the results of a study evaluating the effectiveness of display stands on sales.

3.1.5. Human Variables

Turley and Milliman (2000) added human variables to Berman and Evans' (2004) model as atmospheric variables. Atmospheric stimuli in this category are Customer crowd or density, privacy, customer characteristics, personal/employee characteristics, and employee uniforms. In addition, human variables can be divided into two areas: the influence of other customers and the influence of store employees on shopping behavior.

Bateson and Hui (1987) developed a model to perceive crowding as an unpleasant shopping and banking experience. The results of the Harrell et al. (1980) study provide evidence that crowding in stores can predict shopping behavior.

Crowding has negative effects on satisfaction (Eroğlu & Machleit, 1990), browsing and comparison, the number of purchases, postponing purchases, going to another store (Grossbart et al., 1990), shopping frenzy, and quality perceptions (Wakefield & Blodgett, 1994). Bitner (1990) found that an untidy environment with an unprofessionally dressed employee can affect customer satisfaction when a service failure occurs. Baker et al. (1992) examined the effects of the number of social cues or the friendliness of employees and found that the more social cues present in the store environment, the higher the subjects' arousal.

3.2. Dependent Variables

Previous research on the effects of the atmosphere on shopping behavior has measured many different dependent variables. The largest dependent variables analyzed in the experimental studies mentioned above are sales, time spent in the store, and approach/avoidance behavior.

The major dependent variables that have been used in studies of the effects of exogenous variables on shopper behavior are physical design (Grossbart et al., 1975), attribute similarity (Ward et al., 1992) in previous studies, and recall for sale and recall (for sale) in empirical studies that analyzed the effects of window or store content. Edwards and Shackley, 1992) and

purchase decisions (Oh and Petrie, 2012). These studies showed that external atmospheric stimuli have important effects on consumers' decision to enter the store, attract consumers' attention, and make the purchase decision.

Among the dependent variables used in studies investigating the effects of general interior design variables on shopping behavior, researchers paid sufficient attention to in-store dwell time, sales, and approach-avoidance behavior. The results showed a significant correlation between the effect of color on physical attraction and approach-avoidance behavior (Bellizzi et al., 1983), shopping time and purchase intention (Bellizzi & Hite, 1992), purchase intention and emotional evaluation (Babin et al., 2003). Areni and Kim (1994) found that a brighter store did not affect sales and time spent in the store. However, a significant interaction was found between lighting and shelf height.

Many studies have examined the effects of music on shopping behavior. Many studies have examined the effects of music on actual time spent in the store rather than perceived time. The results appear to differ when these studies are analyzed as a group. For example, Smith and Curnow (1966) found that the sound of music affected time spent in the store, while Herrington and Capella (1996) found a significant positive relationship between the tempo of music and time spent. Yalch and Spangenberg (1988, 1990, 1993) found that age mediated the effect of music style on time spent in the store.

At the same time, Areni and Kim (1993) and Gulas and Schewe (1994) argued that music style does not affect time. It is important to note that the variables in these studies are operationalized differently, and the results lead to different findings. Another dependent variable used in these studies is sales. In most cases, the results show that in-store music directly impacts sales volume (Milliman, 1982; Caldwell & Hibbert, 2002). Another dependent variable used in many studies is approach/avoidance behavior. Mehrabian and Russell (1974) found that PAD (Pleasure, Arousal, Dominance) mediates emotional states with approach-avoidance behavior. Donovan and Rossiter (1982) found that dominance did not strongly influence store behavior.

4. Conclusion

In the past, consumers focused primarily on product features or functions when choosing a place to shop. Consumers demand additional useful elements to select a store for their purchases. The pleasant atmosphere in the store is one of these desirable elements. Accordingly, the role of store atmosphere in consumer buying behavior cannot be ignored. This is because when a consumer is satisfied with the store environment, he or she spends more time in a particular store and buys more because of the pleasant environmental stimuli. The environment has a great impact on consumers' emotions and satisfaction. Studies show that an impressive in-store atmosphere increases customer satisfaction and the buying experience.

Based on this study, managers and owners of retail stores are advised to design their stores' cleanliness, scent, lighting, and colors to match customers' attitudes and perceptions. The fragrance used in stores should be pleasant and attractive to both men and women. The display of products should be designed so that customers can discover and use them. Managers should consider the cleanliness of the environment to encourage and motivate customers to revisit. Adequate lighting is recommended so that customers can see products. As many colors as possible can be used to illuminate the stores without compromising visibility and to blend in with the environment. It is recommended to play music to create a relaxing environment.

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The 9th InTraders International Conference On Social Sciences and Education, 6-10 February
2023, Casablanca, Morocco

Yalch, Richard, F. Spangenberg, Eric, R. (2000) “The Effects of Music in a Retail Setting on Real and Perceived Shopping Times”, Journal of Business Research, Vol 49, p. 139–147.

**An Econometric Analysis Of The Relationship Between Domestic Violence And the
Education Level Of Women In Turkey**

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Abstract

Applying force and pressure on a person and forcing them to do or do something against their will are included in the definition of violence. Although what behaviour is seen as violence varies according to the value structures of the societies, exceeding the standards, breaking the rules and interfering with private life is a type of violence accepted worldwide. One of the most common forms of violence worldwide is violence against women and children, usually by men. In Turkey, it is seen that women are most affected by the negative consequences of violence. When the literature is examined, it has been determined that one of the most determining factors of violence against women by their partners is the education level of women.

Our study aimed to determine women's violence status in Turkey according to their education level. With the help of 2008 and 2014 Domestic Violence Against Women data from the Turkish Statistical Institute, the relationship between violence against women and women's education levels was determined by regression analysis. In our study, types of violence; in the form of physical and psychological violence and the education level of women; primary school graduate, high school graduate, university graduate and postgraduate education. The determined variables were analyzed by regression analysis. The analysis results show that there will be differences between women's exposure to violence according to their education level.

Keywords: Violence Against Women, Education of Women, Regression Analysis

JEL Code: C1, I, I2

1. Introduction

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Violence has become one of the most important and unsolvable problems of societies throughout history. Violence; murder, torture, coup (hit) and effective action, war, oppression, guilt, terrorism, etc. means (Michaud, no. 5). Applying force and pressure on a person and forcing them to do or do something against their will are included in the definition of violence. In the first sense, violence is anti-peace (Michaud, no. 5). Although what behavior is seen as violence varies according to the value structures of the societies, exceeding the standards, breaking the rules and interfering with private life is a type of violence accepted around the world. One of the most common forms of violence worldwide is violence against women and children, usually by men. This type of violence, defined as domestic violence; It can be stated as the violence that spouses apply to each other, children to each other, parents to their children and children to their parents. Although millions of women are exposed to domestic violence every year, many of them avoid talking about it as confidential. Polat stated that in domestic violence against women, which is reflected in the statistics, two to four million women in the United States are exposed to violence by their close partners every year. When we look at the most common type of violence in the world, it is violence that results in death due to the increase in individual armament. According to the report published by the World Health Organization (WHO), 475,000 people died as a result of interpersonal violence in 2019, 1 million children between the ages of 2-17 were exposed to psychological, sexual and emotional violence, and 1 out of every 3 women had experienced physical and sexual violence since the age of 15. reported (WHO). Harcar et al., in their studies, stated that according to the United Nations Development Program report, women are not given equal rights as men anywhere in the world. In Turkey, it is seen that women are most affected by the negative consequences of violence physically, psychologically and sexually. Violence against women is seen as the most basic violation of human rights and discrimination in our country as in the rest of the world (Çalışkan and Çevik, 2018; 217). Although there are many international conventions to reduce and prevent violence against women in Turkey, it is seen that there is no significant decrease in violence rates. In their study published in 2017, Ediz and Altan state that 36% of women who have been exposed to violence for any reason are in Turkey, 35% of this rate is in urban areas and 37.5% in rural areas. They stated that 36% of the violence types are physical, 12% is sexual and 38% is both physical and sexual violence. Although the increase in domestic violence against women in the world and in Turkey has increased awareness, it has not been possible to take tangible measures yet. When the determining factors of violence against women are examined, it is seen that the biggest determinant is the education level of women.

Women's education or barriers to education have always been the subject of discussion. The most important basis of this situation is the perception of gender. Knowing and exercising the rights of every individual who takes an active role in society constitutes the most important building block in the harmony between individuals in that society. The most important of these rights is the right to education. The individual, who uses his right to education equally and effectively with other members of the society, also plays an active role in the development of the society (Özaydınlık, 2014; 95). When we look at the equality of opportunity in education, it is seen that this kind of equality cannot be achieved and there are many obstacles in front of it. These obstacles briefly; economic, geographical, social, political and individual factors. As can be seen in the Turkish Statistical Institute and many other studies, there are big differences between the education rate of men and the education rate of women in Turkey. Gender inequality also affects social behavior in many areas. The biggest indicator of this is its decisiveness in domestic violence. In our study, it is desired to analyze the relationship between women's education status and levels and physical violence against women. In this context, 2008 and 2014 Domestic Violence Against Women data obtained from the Turkish Statistical Institute were used.

2. Literature review

There are many studies in the literature on violence against women. These studies vary in terms of both qualitative and quantitative research. There are many studies on the role of education as an important determinant on violence against women. These studies are given in Table 1 in chronological order.

Table 1. Literature Table

Author	Time	Country/Region	Methods	Result
Harcar, Çakır, Sürgevil, Budak	2008	Turkey	Qualitative Research	Attention was drawn to the causes of violence against women, its preventability in terms of society and its consequences for society. The phenomenon of violence is discussed and its consequences are emphasized.
Semahegn, Belachew, Abdulahi	2013	North West Ethiopia	Binary Logistic Regression and Multivariate Logistic Regression	According to the results of the analysis, the prevalence of domestic violence in North West Ethiopia was given as 78%. The order of types of violence is; psychological, physical and sexual violence. The biggest triggers of domestic violence were given as alcohol consumption, pregnancy status, decision-making power and annual income.
Bouhours & Broadhurst	2015	People's Republic of China	Qualitative Research	The study was conducted as a survey study in Hong Kong. 1300 women participated in the survey and one out of every five respondents stated that they have been subjected to violence since the age of 16. According to the results of the study, women are more likely to be abused by someone they know than foreign men. Compared to other countries, it has been determined as one of the countries with the least violence.
Semaheng & Mengistie	2015	Ethiopia	Qualitative Research	In this study, the magnitude of violence against women in Ethiopia and the factors associated with it were investigated. As a result of the research, alcohol use, chat chewing, family history of violence, occupation, religion, education level, residence and decision-making power were significantly related to violence against women.
Büyükyılmaz & Demir	2016	Turkey	Multinomial Logit Model	It is aimed to reveal the determining factors of violence against women in Turkey. According to the results of the model, it was revealed that the age of the woman, her education, the employment of the spouse, the education of the spouse, the alcohol use of the spouse, the place of residence and the geographical region have a significant effect on physical, physical and sexual violence.
Ercan	2017	Turkey	Multinomial Logit Model	By using the 2008 and 2014 data on violence against women in Turkey, it has been revealed whether there is a significant difference in terms of the mentioned years. According to the results of the analysis, it was stated that the economic status of the woman, the alcohol use of the spouse, the geographical regions and the age difference between the spouses had serious effects on violence, and it was argued that there

				was a difference according to the years in question. Attention has been drawn to the point at which violence against women has reached in Turkey for 6 years.
Çalışkan	2018	Turkey	Logistic Regression Analysis	The determining factors of domestic violence against women in Turkey were analyzed. TUIK 2008 data were used in the study. According to the results of the analysis, the woman's age, place of residence, education of the woman and her husband, health status, family effects, consanguineous marriages, and suicidal thoughts gave a significant result.
Yazar	2018	Turkey	Binary Logistic Regression Analysis	It is aimed to determine the perception of violence against women in Altınordu and Fatsa Districts of Ordu province. 20 different factors affecting domestic violence against women were determined between the two districts.
Çağlıcı	2019	Turkey	Log-Linear Models	Using the data on violence against women in Turkey, log-linear models and 3-dimensional tables were created and the most appropriate model was tried to be obtained. As a result of the analysis, although more than one 3-dimensional table was created, the best model could not be obtained by using log-linear models and it did not make any comments or suggestions on domestic violence against women.
Sultana, Hossian & Mahmud	2019	Bangladesh	Logistic Regression Analysis	Models were created to examine the factors of violence against women, taking into account the factors such as neglecting children, arguing with the husband, burning food, going out, which consists of the data of the 2014 Bangladesh Demographic Health Survey. For each model, women's education, age, age difference, religion, welfare index, employment status, region, exposure to the media, type of living space, having a son, and NGO participation were considered as covariates. However, due to education and economic conditions, the main factors affecting opinions could not be reached.
Yohannes, Abebe, Kisi, Demeke, Yimer, Feyiso & Ayona	2019	Ethiopia	Binary and Multivariate Logistic Regression	The magnitude of domestic violence in southeast Ethiopia was analyzed. Analysis data consists of 299 pregnant women. According to the results of the analysis, the most observed type of violence is physical violence, followed by psychological violence and sexual violence. It was stated that literacy rate and spouse's alcohol use, literacy status, history of arrest and alcohol consumption had a significant effect on domestic violence against pregnant women.
Alkan, Yılmaz & Abar	2020	Turkey	Sequential Probit Regression Model	The factors underlying the exposure of women between the ages of 15-59 to physical violence in Turkey were determined. According to the results of the analysis, the factors affecting the women's experience of domestic physical violence are age of the woman, cohabitation status, welfare level, suicidal ideation, suicide attempt, residential area, number of rooms in the household where the woman resides, drinking, drug use, gambling, physical violence by the spouse/partner. They determined the factors of

				physical violence against women in the form of being involved in a fight, education level, and the sector in which they work.
Yüksel	2020	Turkey	Logistics and Probit Regression Models	The socio-economic determinants behind partner violence against women in Turkey were analyzed. In conclusion; It has been emphasized that the education level of women is an important factor affecting violence. In addition, it has been suggested that the education level of men is an important factor in violence. At the same time, it was stated that women's work was an important factor on sexual and psychological violence.
Alkan & Tekmanlı	2021	Turkey	Logistic Regression Analysis	It was aimed to determine the factors affecting sexual violence against women in Turkey. Binary logistic and probit regression analyzes were performed on the cross-sectional data set obtained from the survey titled National Research Survey based on domestic violence against women conducted by Hacettepe University Population Institute. According to the results of the analysis, it was stated that the exposure of women to sexual violence depends on many factors such as region, age, education level, employment and health status.
Zharovska, Yuschyk, Husar, Prodan & Stratiy	2021	Ukraine	Qualitative Research	It is aimed to develop methods of combating domestic violence against pregnant women. Statistics on domestic violence against women in Ukraine are used. In analysis; selection and sampling methods, systematic and pragmatic approach method and complementary statistical methods were used. According to the results of the study, it was concluded that the basic way of individual struggle against domestic violence against pregnant women should not be kept silent in such situations.
Alkan, Serçemeli & Özmen	2022	Turkey	Binary logistic and Binary Probit Regression Analysis	It is aimed to determine the factors affecting verbal and psychological violence against women in Turkey. The results of the analysis indicated that women who cheat on their spouse or partner and drink alcohol are more exposed to verbal and psychological violence. At the same time, they stated that women who were exposed to physical, economic and sexual violence were exposed to verbal and psychological violence more than others. They argued that first-degree violence would increase verbal and psychological violence.

Source: Created by the authors.

3. Methodology

3.1. Model and Dataset

In the study, Variance Analysis and Correlation Analysis were carried out to understand whether there is a relationship between the education of women and their exposure to violence. Our dataset consists of the Turkish Statistical Institute's Domestic Violence Against Women micro dataset for the years 2008-2014.

3.2. Variance Analysis

It is an analysis method that aims whether the mean of two or more samples with normal distribution has the same mean. The method used to understand whether there is a statistical significance between three or more groups is called "one-way analysis of variance". Comparison of group means shows how much of the variability in the dependent variable at the end of the experiment is due to factor(s), how much is due to error, etc. It is done with the help of determining the origin, in other words, separating the total variance into its components (Karatepe, 2018; 20). One-way analysis of variance (ANOVA) is defined as a special case of analysis of variance. It is used in case of homogeneity of variables. Hypotheses of one-way analysis of variance;

$$H_0: \mu_1 = \mu_2 = \dots = \mu_k$$

$$H_1: \mu_1 \neq \mu_2 \neq \dots \neq \mu_k$$

is in the form. One-way linear model;

Observation = overall average + group effect + experimental error

$$X_{ij} = \mu + \alpha_i + \varepsilon_{ij}$$

$$X_{ij} = \bar{X}_j + \alpha_i + \varepsilon_{ij}$$

$$(X_{ij} - \bar{X})^2 = (X_{ij} - \bar{X}_j)^2 + (X_{i.} - \bar{X}_j)^2$$

is expressed as.

3.3. Correlation Analysis

Shows the direction and degree of relationship between two random variables such as X and Y. However, this analysis does not establish a cause-effect relationship between the variables. It takes values in a certain range ($-1 \leq \rho \leq 1$). If the correlation value is negative, there is an inverse relationship. If the correlation value is positive, there is a same-way relationship (Eygü, 2020, pp.144). The correlation value

$$\rho = \frac{E(XY) - E(X).E(Y)}{\sqrt{Var(X).Var(Y)}} = \frac{Cov(X,Y)}{\sqrt{Var(X).Var(Y)}}$$

calculated with the formula.

4. Analysis And Findings

The findings obtained as a result of the analysis are given below.

Table 2. Test of Homogeneity of Variances

		Levene Statistic	df1	df2	Sig.
Is There Physical Violence?	Based on Mean	787.439	5	20251	0.000
	Based on Median	202.467	5	20251	0.000
	Based on Median and with adjusted df	202.467	5	19624.402	0.000
	Based on trimmed mean	840.989	5	20251	0.000

When the homogeneity of variances is examined in Table 2, sig. values are small in α , so there is no homogeneity between the variances.

Table 3. One Way ANOVA

	Sum of Squares	df	Means Square	F	Sig.
Between Groups	229.076	5	45.815	202.467	0.000
Within Groups	4582.483	20251	0.226		
Total	4811.558	20256			

Since $\text{sig} < \alpha$ in Table 3, it is said that there is a significant difference between the groups. In other words, there is a significant difference between the education level of women and their exposure to physical violence. When we examine the results of the Post-Hoc test to understand from which education level this difference originates, it shows that the difference arises from primary and secondary school graduate women.

Table 4. Correlations Analysis

		Physical Violence	Educational Status of Women
Spearman's rho	Physical Violence	Correlation	1,000
		Sig. (2.tailed)	-0.054**
		N	0.000
		20257	20257

When the correlation relationship between the variables is examined in Table 4, it shows that there is a negative relationship between physical violence and the education level of women. Well; It is said that as the education of women increases, the incidence of violence decreases.

Discussion And Conclusion

When the education level of women is considered, it is seen that they are far behind men both in the world and in Turkey. Since Turkey is a geography where patriarchy prevails, women's participation in the workforce is mostly in the direction of housework or working in family businesses without being subjected to any wages in order to contribute to the family. This situation can be considered as one of the biggest obstacles to women's education. In Özaydınlık (2015), while discussing gender-based education in Turkey, she clearly stated that the education levels of women and girls lag behind men. In particular, he stated that the number of illiterate women was 2,617,566, while it was only 553,704 for men. Although this gap has narrowed between primary school/primary school graduate women and men, it widens again in high school, undergraduate and graduate graduations. In short, gender-based inequality continues in education in our country.

Violence against women, just like in education, is one of the unsolved problems of both the world and our country for years. When we look at the violence against women, it is seen that the violence applied by men to their spouses is more common. While it is observed that women who are exposed to violence experience physical and psychological problems, it is seen

that the violence tendency of the perpetrator partner is also related to psychological reasons. When the studies on violence against women in the literature are examined, it is seen that the factors of violence include alcohol use by the man, education of the man and education of the woman.

In our study, it was aimed to examine whether women's education, which is the determining factor of violence against women, is related to violence, as well as whether it creates a significant difference according to women's education levels. In this context, in the analyzes we have made, it has been examined whether our variables meet our assumptions and analysis has been made. When the results were examined, it was obtained by ANOVA analysis that there was a significant relationship between violence against women and women's education, and it was also given in our ANOVA table. Post-Hoc analysis was performed in order to understand between which groups the difference occurred. In the results of the analysis, it can be said that the exposure of primary and secondary school graduate women to physical violence varies significantly according to the violence status of high school, undergraduate and graduate women. Well; Primary and secondary school graduate women are exposed to violence more than high school, undergraduate and graduate women.

Again, correlation relationships were examined in order to understand women's education in violence against women. While performing the correlation analysis, our variables were evaluated according to Spearman's rho coefficient, since they did not provide the assumption of normal distribution. Our correlation coefficient was also obtained to confirm our hypotheses. In other words, it shows that there is a negative relationship between physical violence against women and education levels. In line with this result, we can clearly say that as the level of education increases, the incidence of physical violence will decrease.

As a result, gender inequality is one of the leading social factors in terms of inequality in education and barriers to the implementation of education. Equality between women and men also provides great benefits for social development. Ensuring equality in education and education, which is one of the most important indicators of the development of society, plays a vital role in this regard. It can be said that women's being in the right place in terms of their social role and status is extremely important for the development of the country, and this can only be achieved through a conscious and qualified education process (Özaydınlık, 2015;108). As in our analyzes and many studies in the literature; Achieving gender equality, especially eliminating inequalities in education, will also make a great contribution to women's exposure to violence. It is necessary not to ignore the individual and social fold of a healthy woman. Therefore; Ensuring equality in education, preventing violence, will provide individual development as well as making an important contribution to the realization of social development.

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The conflicting norm in the field of civil status. Comparative study

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Abstract

In private international law, the conflict rule regarding marriage determines the jurisdiction and law that applies to a marriage when the parties involved are from different countries or when the marriage takes place in a country that is not the couple's habitual residence. This rule is used to resolve any legal disputes arising from the marriage, such as property rights, child custody, and divorce.

One of the most commonly used conflict rules for marriage is the "lex loci celebrationis" rule, which states that the law of the country where the marriage took place should govern the marriage. This rule is based on the principle that the validity of marriage should be determined by the law of the place where it was contracted.

Another commonly used rule is the "lex domicilii" rule, which states that the law of the country of the parties' habitual residence should govern the marriage. This rule is based on the principle that the legal effects of marriage should be determined by the law of the parties' home country.

Both of these rules have their advantages and disadvantages. The "lex loci celebrationis" rule may favour couples who wish to marry in a country with more lenient laws. In contrast, the "lex domicilii" rule may be more favourable for couples who wish to have their marriage governed by the laws of their home country.

Keywords: marriage, the conflicting norm, element of foreignness.

Introduction considerations

The private international law conflict rule regarding marriage is not consistent across the world and varies by jurisdiction. When the conflict rule regarding marriage is not clear, the courts will look to other factors such as the parties' intentions, the location of assets, the country of residence of the children, and the parties' nationality to determine the applicable law.

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Brief history about the conflictual rule regarding marriage in private international law

The conflict rule regarding marriage in private international law, also known as the “matrimonial law”, has a long history of evolution and development. “The earliest recorded laws governing marriage were those of the Roman Empire”³⁶, which recognized only marriages contracted in accordance with Roman law. However, as the empire expanded, and with the rise of Christianity, the laws governing marriage became more diverse and complex.

“During the Middle Ages, the Catholic Church became the dominant institution governing marriage”³⁷. The Church's canon law established the principle of “lex loci celebrationis”, which held that the law of the place where the marriage was contracted was the law that governed the marriage. This principle was widely accepted throughout Europe and was later adopted by civil law as well.

With the growth of nationalism in the 18th and 19th centuries, and the rise of nation-states, the laws governing marriage began to diverge. Each country developed its own laws regarding marriage, and the principle of “lex loci celebrationis” was no longer sufficient to govern marriages involving parties from different countries.

“In the late 19th century, private international law scholars began to develop new conflict rules for marriage”³⁸. The “lex domicilii” rule, which held that the law of the parties' habitual residence should govern the marriage, was proposed as an alternative to the “lex loci celebrationis” rule. This rule was based on the principle that the legal effects of a marriage should be determined by the law of the parties' home country.

The Hague Conference on Private International Law was established in 1893, and it has developed several conventions on marriage and divorce, which aimed to harmonize the conflict rules regarding marriage in different countries³⁹. The most notable of these conventions is the Convention on Celebration and Recognition of the Validity of Marriages, which was adopted

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³⁷ Audrey D. Kline, Robert B. Ekelund – article “The medieval church and rents from marriage market regulations”, February 1997 - Journal of Economic Behavior & Organization. https://www.researchgate.net/publication/222176547_The_medieval_church_and_rents_from_marriage_market_regulations

³⁸ Charles W. Taintor, Marriage in the Conflict of Laws <https://scholarship.law.vanderbilt.edu/cgi/viewcontent.cgi?article=4304&context=vlr>

³⁹ <https://www.hcch.net/en/home/>

in 1978. The convention adopted the principle of “lex loci celebrationis” as the primary rule, but also recognized the “lex domicilii” rule as a secondary rule.

In recent years, the conflict rule regarding marriage has become increasingly complex due to the growing number of cross-border marriages and the increasing diversity of marriage laws around the world. Today, many countries have adopted a combination of the “lex loci celebrationis” and “lex domicilii” rules, and take into consideration other factors such as the parties' intentions, the location of assets, the country of residence of the children, and the parties' nationality to determine the applicable law.

Overall, the history of the conflict rule regarding marriage in private international law is a reflection of the changing social and political landscape of the world. From the early days of the Roman Empire to the present, the laws governing marriage have evolved to reflect the changing attitudes towards marriage and the increasing diversity of society.

Conceptual delimitations regarding the marriage conflict rules

The status of the natural person

One of the main conceptual delimitations regarding the conflict rule of marriage in private international law is the status of the natural person. The laws governing marriage can vary depending on the individual's citizenship, residency, and domicile. For example, a person's citizenship may determine which country's laws apply to their marriage, while their residency or domicile may determine which country has jurisdiction to hear any legal disputes arising from marriage.

Family reports

Another conceptual delimitation is the concept of family reports. Family reports refer to the legal documents and certificates that are used to prove the existence and validity of a marriage. These documents can include marriage certificates, divorce decrees, and other legal reports. The laws governing the issuance and recognition of these documents can vary depending on the country and can affect the determination of the applicable law and jurisdiction in a legal dispute involving marriage.

Family relations with a foreign element

A third conceptual delimitation is the concept of family relations with a foreign element. This refers to situations where a family relationship, such as a marriage, has some connection to a foreign country. This can include cases where one or both parties of the marriage are from different countries, where the marriage takes place in a country other than the parties' country

of habitual residence, or where the parties have assets or children in multiple countries. The laws governing these situations can be complex and may require an analysis of multiple countries' laws to determine the applicable law and jurisdiction.

It is important to note that these conceptual delimitations are not exhaustive, and there may be other considerations that can affect the determination of the applicable law and jurisdiction in a legal dispute involving marriage.

Marriage in international private law

In international private law, the concept of marriage can be complex, as it may involve different countries and different legal systems.

The hearth of the matter and legal requirements

One of the key considerations in determining the law that applies to a marriage is the seat of the matter. The hearth of the matter refers to the country or jurisdiction where the legal dispute arising from the marriage will be heard.

The law of the seat of the matter will generally govern the proceedings, including issues related to property rights, child custody, and divorce. In addition to the seat of the matter, the legal requirements for marriage can also vary depending on the jurisdiction. For example, some countries may have specific age or consanguinity requirements, while others may recognize common law or same-sex marriages. Furthermore, some countries may have specific requirements, such as a period of residence, or a minimum period of engagement before marriage.

Basic conditions of marriage

In order for a marriage to be considered valid in international private law, it must meet certain basic conditions. These conditions are typically the same across most legal systems, and include the requirement that the parties of the marriage must be legally capable of entering into the marriage, that they must freely and voluntarily consent to the marriage, and that they must not be related to each other within certain prohibited degrees of consanguinity.

The formal conditions of marriage

In addition to the basic conditions of marriage, there are also formal conditions that must be met. These conditions can vary depending on the jurisdiction, but may include the requirement for a marriage ceremony, the need for certain documents such as a marriage

certificate, and the need for certain formalities to be observed. For example, in some countries, marriages must be registered with the local authorities, while in others, a religious ceremony must be performed. Some countries may require the presence of witnesses or the need of an official translator.

The effects of marriage in private international law

The law applicable to the effects of marriage

The law applicable to the effects of marriage in private international law refers to the law that governs the legal consequences of the marriage. This can include issues related to property rights, child custody, and divorce. The law applicable to the effects of marriage is typically determined by the conflict rule that is applied. For example, if the “lex loci celebrationis” rule is applied, the law of the country where the marriage took place would govern the effects of the marriage. If the “lex domicilii” rule is applied, the law of the parties' habitual residence would govern the effects of the marriage.

The law applicable to the matrimonial agreement

The law applicable to the matrimonial agreement refers to the law that governs any prenuptial or postnuptial agreements that the parties have entered into. These agreements can include provisions related to property rights, spousal support, and inheritance. The law applicable to the matrimonial agreement is typically determined by the conflict rule that is applied, as well as by the location of the parties and the location of the assets that are subject to the agreement.

Mobile conflicts of laws regarding the patrimonial effects of marriage

Mobile conflicts of laws refer to situations where the parties involved in a marriage have connections to multiple countries, and the law of each country may be applicable to different aspects of marriage. For example, one party may be a resident of one country and own property in another country. In these cases, the court will have to determine which law should govern the patrimonial effects of marriage, such as property rights and inheritance. This can be a complex process and may require an analysis of multiple countries' laws to determine the most appropriate law to apply.

The law applicable to the effects of marriage, the matrimonial agreement and the moving conflicts of laws regarding the patrimonial effects of marriage must be properly determined to consider any legal issues that may arise as a result of marriage.

In Romania, the law applicable to marriage is determined by the “lex loci celebrationis” rule, meaning that the law of the country where the marriage took place governs the marriage. This means that if a marriage is contracted in Romania, Romanian law will govern the marriage, regardless of the parties' nationalities or habitual residences.

However, if one of the parties is a non-resident of Romania, the Romanian courts will also take into consideration the law of the country of the non-resident's habitual residence in certain aspects. For example, in matters of property rights, the law of the country where the assets are located will be applied.

It's important to note that Romania is a member of the European Union and it is subject to the EU regulations and conventions regarding private international law, such as the Rome III Regulation. Therefore, in case of conflicts, the EU law will prevail over the national law.

The Rome III Regulation⁴⁰ is a European Union regulation that governs the law applicable to divorce and legal separation. It was adopted in 2007 and entered into force in 2010. It applies to divorce and legal separation proceedings within the European Union, and it is intended to provide a uniform and predictable framework for determining the law that applies to these proceedings.

The regulation establishes the “lex fori” rule as the primary rule for determining the law applicable to divorce and legal separation proceedings. This means that the law of the country where the proceedings are taking place will govern the divorce or legal separation. However, the regulation also provides for a number of exceptions to this rule, including the “lex domicilii” rule, which allows parties to choose the law of their habitual residence to govern the proceedings, and the “lex causae” rule, which allows the law of the country where the parties were last habitually resident to govern the proceedings.

The Rome III Regulation also provides for a number of other important provisions, such as the requirement that the court of the country where the proceedings are taking place must recognize and enforce judgments in divorce and legal separation proceedings from other EU countries, and the requirement that the court must take into account the best interests of any children affected by the proceedings.

It is worth noting that the Rome III Regulation applies to divorce and legal separation proceedings only and it doesn't cover the marriage and its effects. However, it's important to

⁴⁰ <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32010R1259>

consider the potential impact of the Rome III Regulation on any cross-border divorce or legal separation proceedings, and to consult with a lawyer knowledgeable in private international law and EU law to ensure that the proper law is applied and the best interests of any children are protected.

Here are a few examples of how the conflict rule regarding marriage is applied in different European countries:

- In Germany, the “lex loci celebrationis” rule is applied, meaning that the law of the country where the marriage takes place governs the marriage. However, in cases where one of the parties is a non-resident of Germany, the German courts will also take into consideration the law of the country of the non-resident's habitual residence.
- In France, the “lex domicilii” rule is applied, meaning that the law of the parties' habitual residence governs the marriage. However, if one of the parties is a non-resident of France, the French courts will also take into consideration the law of the country of the non-resident's nationality.
- In Italy, the “lex loci celebrationis” rule is applied, meaning that the law of the country where the marriage took place governs the marriage. However, if one of the parties is a non-resident of Italy, the Italian courts will also take into consideration the law of the country of the non-resident's habitual residence.
- In the United Kingdom, the law of the country where the marriage took place governs the marriage, which is in line with the “lex loci celebrationis” rule. However, if one of the parties is a non-resident of the UK, the UK courts will also take into consideration the law of the country of the non-resident's habitual residence.
- In Spain, the “lex domicilii” rule is applied, meaning that the law of the parties' habitual residence governs the marriage.

These are just a few examples, and it's important to note that the laws and regulations regarding marriage in private international law may change over time and may vary depending on the jurisdiction.

The laws governing marriage in private international law can vary widely depending on the country and the region. In general, however, countries outside of Europe tend to have less developed private international law systems and may not have specific laws or regulations governing cross-border marriages.

In Asia, for example, many countries follow the “lex loci celebrationis” rule, meaning that the law of the country where the marriage takes place governs the marriage. However, there are also countries in Asia that follow the “lex domicilii” rule, or a combination of both.

In Turkey, the law applicable to marriage is determined by the “lex loci celebrationis” rule, meaning that the law of the country where the marriage took place governs the marriage. This means that if a marriage is contracted in Turkey, Turkish law will govern the marriage, regardless of the parties' nationalities or habitual residences.

According to the Turkish laws, the parties who want to get married in Turkey must meet the following requirements:

- Both parties should be over 18 years old
- Both parties should not be already married
- Both parties should be in good mental health
- Both parties should have the legal capacity to enter into marriage

Additionally, Turkish laws also provide for certain formal conditions that must be met before a marriage can be contracted. These conditions include:

- The parties must register their marriage with the local authorities
- The parties must provide certain documents such as a birth certificate, ID card and passport
- The parties must provide an official translation for the documents that are not in Turkish

It's important to note that Turkey is a member of the Convention of the Hague on Celebration and Recognition of the Validity of Marriages⁴¹, which is an international agreement that regulates the formal requirements for the marriage, its effects and the recognition of marriage. Therefore, in case of conflicts, the Convention will prevail over the national.

Other examples for countries from Asia are following:

- In Japan, the “lex loci celebrationis” rule is applied, meaning that the law of the country where the marriage took place governs the marriage.

⁴¹ Convention of 14 March 1978 on Celebration and Recognition of the Validity of Marriages
<https://www.hcch.net/en/instruments/conventions/full-text/?cid=88>

- In China, the “lex domicilii” rule is applied, meaning that the law of the parties' habitual residence governs the marriage.
- In Singapore, the “lex loci celebrationis” rule is applied, meaning that the law of the country where the marriage took place governs the marriage.
- In India, the “lex domicilii” rule is applied, meaning that the law of the parties' habitual residence governs the marriage. However, India also recognizes religious laws and customary laws that may apply to marriages contracted in India.

In Africa, the situation is quite diverse as well, with some countries following the “lex loci celebrationis” rule, while others follow the “lex domicilii” rule, or a combination of both. Additionally, some countries in Africa also have religious or customary laws that govern marriage, which can further complicate matters.

For example, in Morocco, the law applicable to marriage is determined by the “lex domicilii” rule, meaning that the law of the parties' habitual residence governs the marriage.

According to Moroccan laws, the parties who want to get married in Morocco must meet the following requirements:

- Both parties should be over 18 years old
- Both parties should not be already married
- Both parties should be in good mental health
- Both parties should have the legal capacity to enter into marriage
- Both parties should have a valid residence permit if they are foreigners.

Additionally, Moroccan laws also provide for certain formal conditions that must be met before a marriage can be contracted. These conditions include:

- The parties must register their marriage with the local authorities
- The parties must provide certain documents such as a birth certificate, ID card and passport
- The parties must provide an official translation for the documents that are not in Arabic.
- A Moroccan citizen must also provide a certificate of residence.
- A Moroccan citizen must also provide a certificate of celibacy.

- The parties should also have a religious ceremony, which is recognized by the Moroccan authorities.

It's important to note that Morocco is a member of the Organisation of Islamic Cooperation (OIC)⁴² and it recognizes the Islamic laws and customs which may apply to certain aspects of the marriage. Therefore, in case of conflicts, the Moroccan law, the OIC and the law of the parties' habitual residence may apply.

In America, the situation is similar to Europe, as some countries follow the “lex loci celebrationis” rule, while others follow the “lex domicilii” rule, or a combination of both. Additionally, some countries in America also have religious or customary laws that govern marriage, which can further complicate matters.

In the United States, the law of the state where the marriage took place generally governs the marriage, which is in line with the “lex loci celebrationis” rule. However, some states have adopted the “lex domicilii” rule, which means that the law of the parties' habitual residence governs the marriage.

In Canada, the law of the province or territory where the marriage took place generally governs the marriage, which is in line with the “lex loci celebrationis” rule.

Nullity of the marriage

In private international law, the law applicable to nullity of marriage is determined by the rules of conflict of laws in the jurisdiction where the marriage is being challenged. These rules vary between jurisdictions, but generally, the law of the jurisdiction where the marriage was celebrated will govern the validity of the marriage.

A putative marriage is a marriage that is entered into in good faith by at least one of the parties, but is later found to be void or voidable. In some jurisdictions, parties to a putative marriage may have certain legal rights and obligations as if the marriage were valid, despite its eventual nullity. For example, they may be entitled to spousal support or have rights to property acquired during the marriage.

⁴² <https://www.oic-oci.org/home/?lan=en>

The law applicable to nullity of marriage

In the European Union (EU), the law applicable to the nullity of marriage is determined by the Regulation (EC) No 2201/2003 of 27 November 2003⁴³, also known as the “Brussels IIA Regulation”. This regulation establishes the law that applies to divorce and legal separation and the property consequences thereof in cross-border cases within the EU.

According to the Brussels IIA Regulation, the law applicable to the nullity of marriage is the law of the country where the marriage was celebrated. This means that the validity of the marriage will be determined by the laws of the country where the marriage ceremony took place.

In Romania, the law regarding nullity of marriage is governed by the Civil Code⁴⁴. According to the Civil Code, a marriage may be annulled if it is found to be void or voidable. The grounds for annulment include: one of the parties being under the legal age of marriage, one of the parties being already married, one of the parties being unable to consummate the marriage, and the marriage being entered into under duress or fraud.

In Turkey, the law regarding nullity of marriage is governed by the Civil Code⁴⁵ and the Family Law. According to the Civil Code and Family Law, a marriage may be annulled if it is found to be void or voidable. The grounds for annulment include: one of the parties being under the legal age of marriage, one of the parties being already married, one of the parties being unable to consummate the marriage, and the marriage being entered into under duress or fraud.

In Morocco, the law regarding nullity of marriage is governed by the Mudawana⁴⁶ (the Moroccan Family Code). According to the Mudawana, a marriage may be annulled if it is found to be void or voidable. The grounds for annulment include: one of the parties being under the legal age of marriage, one of the parties being already married, one of the parties being unable to consummate the marriage, and the marriage being entered into under duress or fraud.

The putative marriage

In case of a putative marriage, the regulation provides that parties who have entered into a marriage in good faith, shall have the same rights and obligations as if the marriage were valid,

⁴³ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32003R2201&qid=1675198689852>

⁴⁴ Law 287/2009 Romanian Civil Code, updated

⁴⁵ Turkish Civil Code - Law N.4721 (2002)

⁴⁶ Mudawana (‘Personal Status Code’) Reform of 2004, enshrined in the 2011 Moroccan Constitution
<https://www.centreforpublicimpact.org/case-study/moroccan-moudawana-reform>

unless otherwise provided by the law chosen by the parties or by the law of the country where the marriage was celebrated.

However, it's important to note that the Brussels IIa Regulation applies only to matters of jurisdiction, recognition, and enforcement of judgments. It does not harmonize the substantive law of the EU Member States regarding the nullity of marriage and putative marriages. This means that the law of the country where the marriage was celebrated will apply, and this law may vary from one EU country to another.

In North America, the laws regarding nullity of marriage and putative marriages vary between the United States and Canada. In the United States, each state has its own laws and the grounds for nullity of marriage may vary. Generally, a marriage may be considered void if it was entered into under duress, fraud, or if one of the parties was already married. Putative marriages are not generally recognized in the United States and any rights or obligations that may have arisen during the putative marriage will be determined by the laws of the state where the marriage was entered into.

In Canada, the law of the province or territory where the marriage took place governs the validity of the marriage. The grounds for nullity of marriage are also determined by the laws of the province or territory where the marriage took place. Putative marriages may be recognized in Canada and parties to a putative marriage may have certain rights and obligations as if the marriage were valid.

In Asia, the laws regarding nullity of marriage and putative marriages vary between countries and can be influenced by the country's legal system and cultural practices. For example, in some countries like India and Philippines, the laws are heavily influenced by religious laws and customs.

In Africa, the laws regarding nullity of marriage and putative marriages vary between countries and can be influenced by the country's legal system and cultural practices. Some countries, like Egypt, have laws that are heavily influenced by religious laws and customs, while others, like South Africa, have laws that are based on the Roman-Dutch legal system.

Dissolution of marriage through divorce

The law applicable to divorce

The law applicable to divorce in private international law refers to the law that governs the process of dissolving a marriage. This can include issues related to the grounds for divorce, the procedures for obtaining a divorce, and the legal consequences of the divorce such as property division and child custody. The law applicable to divorce is typically determined by the conflict rule that is applied. For example, if the “lex loci celebrationis” rule is applied, the law of the country where the marriage took place would govern the divorce. If the “lex domicilii” rule is applied, the law of the parties' habitual residence would govern the divorce.

In Romania, the law applicable to divorce is determined by the “lex fori” rule, which means that the law of the country where the divorce proceedings take place governs the divorce. However, Romania is a member of the European Union and it is subject to the EU regulations and conventions regarding private international law, such as the Rome III Regulation. Therefore, in case of conflicts, the EU law will prevail over the national law.

In Turkey, the law applicable to divorce is determined by the “lex fori” rule, which means that the law of the country where the divorce proceedings take place governs the divorce. Turkey is also a member of the Convention of the Hague on Celebration and Recognition of the Validity of Marriages, which is an international agreement that regulates the formal requirements for the divorce, its effects and the recognition of the divorce. Therefore, in case of conflicts, the Convention will prevail over the national law.

In Morocco, the law applicable to divorce is determined by the “lex domicilii” rule, which means that the law of the parties' habitual residence governs the divorce. Morocco is also a member of the Organisation of Islamic Cooperation (OIC) and it recognizes the Islamic laws and customs which may apply to certain aspects of the divorce. Therefore, in case of conflicts, the Moroccan law, the OIC and the law of the parties' habitual residence may apply.

The law applicable to separation from the body

Separation from the body, also known as judicial separation, is a legal process that allows a couple to live apart while remaining legally married. The law applicable to separation from the body is typically determined by the same conflict rule that is applied for divorce, for example, if the “lex loci celebrationis” rule is applied, the law of the country where the marriage took place would govern the separation from the body. If the “lex domicilii” rule is applied, the law of the parties' habitual residence would govern the separation from the body.

Comparison between laws applicable to marriage and divorce in different countries

In Romania, Turkey and Morocco, the law applicable to marriage and divorce is determined by the “lex loci celebrationis” rule, “lex fori” rule and “lex domicilii” rule respectively. However, Romania is a member of the EU and Turkey and Morocco are members of international agreements and organizations that affect the application of their laws.

In Romania, the laws governing marriage and divorce are primarily regulated by the Civil Code and the Family Code.

The Civil Code governs the formal requirements for marriage, such as the age of the parties, the consent of the parties, and the capacity of the parties to enter into marriage. It also provides for certain formal conditions that must be met before a marriage can be contracted, such as the registration of the marriage with the local authorities and the provision of certain documents, such as birth certificates and ID cards.

The Family Code governs the legal consequences of marriage, such as property rights, maintenance obligations, and child custody. It also governs the grounds for divorce, the procedures for obtaining a divorce, and the legal consequences of the divorce, such as property division and child custody.

Romania is a member of the European Union and it is subject to the EU regulations and conventions regarding private international law, such as the Rome III Regulation. Therefore, in case of conflicts, the EU law will prevail over the national law.

In addition, Romania also recognizes religious laws and customs that may apply to certain aspects of the marriage and divorce, such as the Orthodox Church laws. However, these laws are mainly applied to the religious ceremony of the marriage and don't have legal effects on the marriage.

In Turkey, the laws governing marriage and divorce are primarily regulated by the Turkish Civil Code and the Turkish Family Code.

The Turkish Civil Code governs the formal requirements for marriage, such as the age of the parties, the consent of the parties, and the capacity of the parties to enter into marriage. It also provides for certain formal conditions that must be met before a marriage can be contracted, such as the registration of the marriage with the local authorities and the provision of certain documents, such as birth certificates and ID cards.

The Turkish Family Code governs the legal consequences of marriage, such as property rights, maintenance obligations, and child custody. It also governs the grounds for divorce, the procedures for obtaining a divorce, and the legal consequences of the divorce, such as property division and child custody.

Turkey is a member of the Convention of the Hague on Celebration and Recognition of the Validity of Marriages, which is an international agreement that regulates the formal requirements for the marriage, its effects and the recognition of the marriage. Therefore, in case of conflicts, the Convention will prevail over the national law.

In addition, Turkey also recognizes religious laws and customs that may apply to certain aspects of the marriage and divorce, such as the Islamic law. However, these laws are mainly applied to the religious ceremony of the marriage and don't have legal effects on the marriage.

In Morocco, the laws governing marriage and divorce are primarily regulated by the Moroccan Family Code (Mudawana) and the Moroccan Personal Status Code.

The Moroccan Family Code governs the formal requirements for marriage, such as the age of the parties, the consent of the parties, and the capacity of the parties to enter into marriage. It also provides for certain formal conditions that must be met before a marriage can be contracted, such as the registration of the marriage with the local authorities and the provision of certain documents, such as birth certificates and ID cards.

The Moroccan Personal Status Code governs the legal consequences of marriage, such as property rights, maintenance obligations, and child custody. It also governs the grounds for divorce, the procedures for obtaining a divorce, and the legal consequences of the divorce, such as property division and child custody.

Morocco is a member of the Organisation of Islamic Cooperation (OIC) and it recognizes the Islamic laws and customs which may apply to certain aspects of the marriage and divorce. Therefore, in case of conflicts, the Moroccan law, the OIC and the law of the parties' habitual residence may apply.

In Germany, the laws governing marriage and divorce are primarily regulated by the German Civil Code (Bürgerliches Gesetzbuch, BGB⁴⁷) and the Family Court Act (FamFG⁴⁸).

⁴⁷ <https://www.buergerliches-gesetzbuch.info/>

⁴⁸ <https://www.gesetze-im-internet.de/famfg/>

The German Civil Code governs the formal requirements for marriage, such as the age of the parties, the consent of the parties, and the capacity of the parties to enter into marriage. It also provides for certain formal conditions that must be met before a marriage can be contracted, such as the registration of the marriage with the local authorities and the provision of certain documents, such as birth certificates and ID cards.

The German Family Court Act governs the legal consequences of marriage, such as property rights, maintenance obligations, and child custody. It also governs the grounds for divorce, the procedures for obtaining a divorce, and the legal consequences of the divorce, such as property division and child custody.

In France, the laws governing marriage and divorce are primarily regulated by the French Civil Code (Code Civil⁴⁹) and the Code of Civil Procedure (Code de procédure civile⁵⁰).

The French Civil Code governs the formal requirements for marriage, such as the age of the parties, the consent of the parties, and the capacity of the parties to enter into marriage. It also provides for certain formal conditions that must be met before a marriage can be contracted, such as the registration of the marriage with the local authorities and the provision of certain documents, such as birth certificates and ID cards.

The French Code of Civil Procedure governs the procedures for obtaining a divorce, including the grounds for divorce and the legal consequences of the divorce, such as property division and child custody.

In Italy, the laws governing marriage and divorce are primarily regulated by the Italian Civil Code (Codice Civile⁵¹) and the Code of Civil Procedure (Codice di procedura civile⁵²).

The Italian Civil Code governs the formal requirements for marriage, such as the age of the parties, the consent of the parties, and the capacity of the parties to enter into marriage. It also provides for certain formal conditions that must be met before a marriage can be contracted, such as the registration of the marriage with the local authorities and the provision of certain documents, such as birth certificates and ID cards.

⁴⁹ <https://www.legifrance.gouv.fr/codes/id/LEGITEXT000006070721/>

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[https://www.legifrance.gouv.fr/codes/texte_lc/LEGITEXT000025024948?etatTexte=VIGUEUR&etatTexte=VI
GUEUR_DIFF](https://www.legifrance.gouv.fr/codes/texte_lc/LEGITEXT000025024948?etatTexte=VIGUEUR&etatTexte=VI
GUEUR_DIFF)

⁵¹ <https://www.altalex.com/documents/codici-altalex/2015/01/02/codice-civile>

⁵² <https://www.altalex.com/documents/codici-altalex/2015/01/02/codice-di-procedura-civile>

The Italian Code of Civil Procedure governs the procedures for obtaining a divorce, including the grounds for divorce and the legal consequences of the divorce, such as property division and child custody.

In Spain, the laws governing marriage and divorce are primarily regulated by the Spanish Civil Code (Código Civil⁵³) and the Spanish Code of Civil Procedure (Código de Procedimiento Civil⁵⁴).

The Spanish Civil Code governs the formal requirements for marriage, such as the age of the parties, the consent of the parties, and the capacity of the parties to enter into marriage. It also provides for certain formal conditions that must be met before a marriage can be contracted, such as the registration of the marriage with the local authorities and the provision of certain documents, such as birth certificates and ID cards.

The Spanish Code of Civil Procedure governs the procedures for obtaining a divorce, including the grounds for divorce and the legal consequences of the divorce, such as property division and child custody.

Romania, Germany, France, Italy, Spain are members of the European Union and are subject to the EU regulations and conventions regarding private international law, such as the Regulation (EU) No. 1259/2010 of the European Parliament and of the Council of 20 December 2010 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters related to maintenance obligations (Rome III Regulation) and the Brussels II bis Regulation. Therefore, in case of conflicts, the EU law will prevail over the national law.

In the United Kingdom, the laws governing marriage and divorce are primarily regulated by the Matrimonial Causes Act 1973⁵⁵ and the Family Law Act 1996⁵⁶.

The Matrimonial Causes Act 1973 provides the legal framework for divorce proceedings in England and Wales. It sets out the grounds for divorce, the procedures for obtaining a divorce, and the legal consequences of the divorce, such as property division and child custody.

The Family Law Act 1996 also provides for certain legal consequences of marriage, such as property rights and maintenance obligations.

⁵³ [https://www.boe.es/eli/es/rd/1889/07/24/\(1\)/con](https://www.boe.es/eli/es/rd/1889/07/24/(1)/con)

⁵⁴ https://www.boe.es/biblioteca_juridica/codigos/codigo.php?id=333&modo=2¬a=0&tab=2

⁵⁵ <https://www.legislation.gov.uk/ukpga/1973/18>

⁵⁶ <https://www.legislation.gov.uk/ukpga/1996/27/contents>

In terms of jurisdiction for divorce, England and Wales have different laws than Scotland and Northern Ireland, as they have their own legal system.

The jurisdiction for divorce in England and Wales is determined by the EU Regulation No. 2201/2003 (Brussels II bis Regulation), which applies in all EU member states. This regulation sets out the criteria for determining jurisdiction in divorce proceedings, such as the habitual residence of the parties, the place where the marriage was celebrated, or the place where the parties have last lived together.

But the United Kingdom is currently in the process of leaving the European Union, and the jurisdiction of divorce will be subject to the new agreements between the EU and the UK.

Conclusions

The laws governing marriage and dissolution of marriage through divorce in private international law can vary widely depending on the country and the region. European countries, for example, tend to have more developed private international law systems and have specific laws and regulations governing cross-border marriages and divorce. However, countries outside of Europe may have less developed private international law systems and may not have specific laws or regulations governing these matters.

In terms of conflict rules, different countries may apply different rules, such as the “lex loci celebrationis” rule, the “lex domicilii” rule, or a combination of both. Additionally, some countries may also have religious or customary laws that govern marriage and divorce, which can further complicate matters.

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**The 9th InTraders International Conference on Social Sciences and Education Proceeding Book
Casablanca, Morocco, 6-10 February 2023**

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e-ISBN: 978-605-72229-3-0