An Open Access International Journal

INTERNATIONAL JOURNAL OF SOCIAL SCIENCE AND HUMAN RESEARCH

Explore your Research to the world......

"International Journal of Social Science and Human Research is a leading international journal for publication of new ideas."

VOLUME 05 ISSUE 03
MARCH 2022

Editorial Team Member

Emmanuel Kofi Bondah

Master OfpublicHealth, MPH

Researcher AndleadershipCorps Coordinator Ensign College OfPublic Health, Ghana

Ilyasu, Yakubu Ahmed

Department OfHistory AndinternationalStudies Ibrahim BadamasibabangidaUniversity, Lapainigeria

Dr.Kamal Chandra Pathak

Ph.D.(Peasant Studies)

Department OfhistorySonapur College Kamrup Metro Assam, PIN 782402, India

Dr. G.V.P. Samaranayake

Lecturer (Probationary), Department OfayurvedaBasic Principles, GampahawickramarachchiAyurveda Institute, University Of Kelaniya, Sri Lanka

Dr. Le Quang Dung

Ph.D. (English Language Teaching Methodology)

Lecturer Ofenglish- International School- Thai Nguyen University, Vietnam

Dr. Salu Dsouza

Ph.D.

Assistant Professor School Of Law Christ (Deemed To Be University) Lavasa Campus – Pune India

Dr. Sumith De Silva

Ph.D.(Business Management)

Member Of Academy For Global Business Advancement (AGBA) USA &Member Of Chartered Institute Of Logistics And Transport, Sri Lanka, Member Of Asia Pacific Institute For Events Management (HUTECH)Sri Lanka

Dr. Ibrahim Ofosu-Boateng

Ph.D.

DepartmentOf Marketing Amanfro, Kasoa School OfBusiness West End University College, Amafro Ghana

Dr. Vincenzo NunzioScalcione

Ph.D.(Pedagogy)

Department Of Humanities-State University Di Basilicata Italy

Rev.Fr.Dr Ignatius NnaemekaOnwuatuegwu

Ph.D.

NnamdiAzikiwe University Awka,Anambra StateAnaocha

Dr. Ragab Ibrahim Ahmed Awad

Ph.D.

Literature, Literary Criticism And Rhetoric Sultan Abdul Halim Mu'adzam Shah International Islamic University Malaysia

Dr. Mat RahimiYusof

Ph.D.

Lecturer, Senior Lecturer Center For Education And Modern Language Studies Universiti Utara Malaysia 06010 UumSintok Kedah Terengganu Malaysia

Dr.Vanessa Joy. Z. Judith

Ph.D.

Associate Professor Carlos Hilado Memorial State College Negros Occidental, Philippines

Dr.Samuel Olanrewaju OLADAPO

Ph.D.

Department Of Social Science Education AdekunleAjasin University. Akungba-Akoko, Ondo State Nigeria

Dr. MihiretuWakwoyaTolosa
Ph.D.
Assistant Professor In Teaching English As A Foreign Language, DambiDollo University, Oromiya, Ethiopia
Oromiya, Ethiopia

Valmiki Rama Krishna
Assistant Professor, Department Of Studies AndResearch In Political Science, Tumkur University, Tumakuru-572103**,** India

DR. Muh'd K. SAHABI
Ph.D.
Kaduna State University (KASU), Kaduna Nigeria. Kaduna Nigeria

Dr. Drs. Achmad Noor Fatirul
Lecturer Postgraduate / Educational Technology,PGRI AdiBuana University Surabaya
Indonesia

Dr.AdewuyiKolawoleAdekunle
Ph.D. (Agric. Economics)
LECTURER Federal Polytechnic, Mubi, Adamawa State NIGERIA NIGERIA

Dr.KaramGomaa Mohamed ZAKI
Ph.D.(Hotel Management)
Associate Professor AtHotel Studies Dep., Faculty Of Tourism And Hotels, Fayoum University Egypt

Dr.Joel Laffita
Ph.D.
Lecturer And Coordinator And Examiner Of Spanish Language Subjects - Faculty Of Applied Communication, Multimedia University Malaysia

Professor Dr.Salih M. Hameed
Ph.D.(English Literature))
Professor OfEnglish Literature College Of Arts, Ahlul Bait University, Iraq

Andrew Sija
Ph.D.(Business Administration)
Academician, University College Of Technology S'wakMalaysia

Alphonse Dorien MAKOSSO
Ph.D.
Lecturer Department Of Languages And Literatures At MarienNgouabi University (Mfilou,Brazzaville)

DR NUSRATULLA RAKHMONKULOVICH ALIMKULOV

Geographical Sciences
Associate Professor, Head of the Department of Geography and Teaching Methods, Tashkent State Pedagogical University named after Nizami Tashkent, Uzbekistan

DR. SHERZODJON CHORIEV

Ph.D.
Associate Professor, National University of Uzbekistan, Tashkent, Uzbekistan

PROFESSOR ZOKHID SHAROFOVICH MADRAKHIMOV

Candidate of Historical Sciences
Associate Professor of History, Namangan State University Namangan region, Namangan city,Uzbekistan

DR. OKSANA CHAIKA

PhD (linguistics)
Associate Professor National University of Life and Environmental Sciences of Ukraine

DR AKBAR TURGINOVICH ZAMONOV

Doctor of Philosophy in History (PhD)

Associate Professor of "History of Uzbekistan", Faculty of History, National University of Uzbekistan named after Mirzo Ulugbek Tashkent city, Sergeli district,Uzbekistan

DR IZZATILLA MAKHMUTALIEVICH KHAYDAROV

Ph.D.
Associate Professor of "History and Ethnology of the Peoples of Central Asia" Tashkent State University of Oriental Studies Uzbekistan

Dr Farrukh Shavkatovich Aqchaev

Doctor of Philosophy in History

Senior teacher of the department "Methods of teaching history" of Jizzakh State Pedagogical Institute Jizzakh city, Obod mahalla, I.Karimov street

Dr Rakhbar E. Khalikova

Doctor of Historical Sciences

Tashkent city, Almazar district,

Associate Professor of "Organization and Management of Culture and Arts" at the Uzbek State Institute of Arts and Culture

Dr Dilafruz K. Yusupalieva

Doctor of Philosophy in History

Tashkent city, Mirzo-Ulugbek district,

Head of the Department of Social and Economic Sciences, Regional Center for Retraining and Advanced Training of Public Education Workers under the Kashkadarya Region

Dr Parda P. Norbutaev

Doctor of Historical Sciences

Kashkadarya region, Guzar district,

Head of the Department of Theory and Practice of Primary Education of Jizzakh State Pedagogical Institute

Dr Guljakhon U. Jumanazarova

Doctor of Philological Sciences

Jizzakh city, "Navruz" mahalla,

Professor, Department of Management Studies, Vivekanandha Institute of Information and Management Studies.

Dr.V.Mohana Sundaram

Ph.D.(Management),

,INDIA

Senior Lecturer, Department of Methods of Teaching History, Navoi State Pedagogical Institute, Doctor of Philosophy (PhD) in History

Dr Shakhnoza B. Kholikulova

Doctor of Philosophy in History

Navoi city, Tolstoy street,

Tashkent State University of Uzbek Language and Literature

Dr. Parveen Kumar Ph.d

INDIA

Working as Teaching Assistant from Institute of Agricultural & Resource Economics, University of Agriculture, Faisalabad"

Tayyab Zeeshan Shahid Ph.D

INDIA

Department of Financial Management, Faculty of Management Studies & Commerce, University of Jaffna, Thirunelvely, Jaffna.

PROF. RATHIRANEE YOGENDRARAJAH Ph.D

Sri Lanka

Asst. Professor in Commerce

Dr. M. Madhuri Devi Ph.D

INDIA

Department of Educational Psychology, Faculty of Education, University of Buea

IJANG BIH NGYAH-ETCHUTAMBE Ph.D

Buea

Department of Management Faculty of Management Sciences University of Port Harcourt Port Harcourt, Rivers State, Nigeria

DR. ADEKEMI DRUSILIA ALAGAH Ph.D

Nigeria

Senior High School Faculty Member, High School Department, Espiritu Santo Parochial School of Manila, Inc., Manila, Philippines

Almighty C. Tabuena Ph.D

Philippines

THE UNIVERSITY OF BURDWAN ACADEMIC ACHIEVEMENTS:

DR. DIPANWITA PAL Awarded Ph. D.

INDIA

Secretary for Academic Affairs, Sudan Academy for Banking and Financial Sciences - Khartoum, Sudan

Dr. Omer Allagabo Omer Mustafa PhD. in Economics

North Africa

NNAMDI AZIKIWE UNIVERSITY, AWKA. ANAMBRA

DR. ANEKWE RITA IFEOMA (Ph. D) in Management

Nigeria

ASSOCIATE PROFESSOR OF GEOGRAPHY

DR. DADAPIR MOULASAB. JAKATI Ph.D (Science and technology)

INDIA

Lecturer – Ho Chi Minh City University of Food Industry.

Mai Quốc Dũng Ph.D (HISTORY)

Asia

Associate Professor Department of Agricultural Economics, Science and Research Branch ,Islamic Azad University

Prof.Reza Moghaddasi Ph.D. (Agricultural Economics)

Iran

Asst. Professor, Department of Political Science in Government Degree College Hyderabad

Dr. Kandi. Kamala Ph.D

INDIA

Department of Education, Schools Division of Bulacan, Philippines

Dr. Rico Paulo G. Tolentino (Philosophy) Ph.D

Philippines

ASSISTANT PROFESSOR | JIMS Engineering Management Technical Campus (GURU GOBIND SINGH-INDRAPRASTHA UNIVERSITY)

Dr. Shalini Singh Ph. D (Philosophy)

INDIA

Pure and Applied Sciences Department of General Studies/English

OLAGUNJU, Caroline Sade Ph.D (English Language)

Nigerian

Department of Entrepreneurial Studies, Nnamdi Azikiwe University Awka, Anambra State

OKOLI, IFEANYI EMMANUEL (Ph.d)Business Administration

Nigeria

College Library,Michael Otedola College of PrimaryEducation, PMB 1028, Epe Lagos State, Nigeria.

Adesanya, OlusegunOyeleye (Ph.D) Library and Educational Media Resource Management

Nigeria.

Faculty of Human Development

Dr.Azizah Binti Zain Ph.D

Malaysia

Associate Professor Department of Management Faculty of Management Sciences University of Port HarcourtPort Harcourt, Rivers State, Nigeria

DR. ADEKEMI DRUSILIA ALAGAH Ph.D. - (ORGANIZATIONAL BEHAVIOUR)

Nigeria

Acting Professor of the Department of History of Uzbekistan, Faculty of History, National University of Uzbekistan

Dr Avaz A. Ermetov Doctor of Historical Sciences

Tashkent city, Almazar district Department of Business Administration (Marketing Unit)

SAJUYIGBEAdemola Samuel (Ph.D)Management Science

Nigeria

Service: 25 Years in Higher Education / Univ. of Thi-

Prof. Dr. Mohammed Jasim Betti Ph.D (Teaching English Drama)

Iraq

Researcher and English Education Lecturer at Batanghari University – Indonesia

Dr. (Cand) Erisa Kurniati Ph.D

Indonesia

48 Kpakani Street off Obi Wali Road, Rumuigbo, Port Harcourt

Ojima, Davis Ph.D., Doctor of Philosophy (Economics)

Nigeria

Professional Address City Hall of Estancia Turística de Tupã, Municipal Secretary of Tourism

Aracelis Gois Morales Rigoldi (Ph.d) in Administration

Brazil

Head of the Kashkadarya regional department of the scientific and practical research center "Family" under the Cabinet of Ministers of the Republic of Uzbekistan

Dr Ramiz T. Zokhirov Doctor of Philosophy in Philosophy

Karshi city, Xontepa mahalla

TEACHING PHILOSOPHY: To enrich the students' knowledge with social relevant applications of the subject

Dr P.KARTHIKEYAN

Ph.D (Improving Virtual Machine Instances Allocation Algorithms in Cloud Environment)

india

Department of Islamic Studies, Faculty of Arts and Culture,Eastern University, Sri Lanka

MOHAMED BUHARY FOWZUL Ph.D(Muslim Family Law)

Sri Lanka

University Lecturer, Associate Professor, PhD, Faculty of Economics, SWU "Neofit Rilski"-Blagoevgrad

Elena Ph.D. (Economics)

Europe

Dept. of Political Science Osmania University Hyderabad Telangana India. 500007

Dr.Gedam. Kamalakar Researcher Ph.D

INDIA

Faculty of Politics and Law - Ho Chi Minh City University of Food Industry

Dung Mai Quoc Ph.D (History)

VIETNAM

Associate Professor of Extension Education and Communication

Dr. HITAISHI SINGH Ph. D. (Home Science)

INDIA

Senior Lecturer in English Linguistics and Education Studies Faculty of Education

Dr. HUYNH THANH TIEN

Ph.D

VIETNAM

Head of the "Audit" department of the Tashkent Financial Institute

Dr Islomjon N. Kuziev

Doctor of Economics

Tashkent city, Yunusabad district

Senior Lecturer, Department of Museum Studies, National Institute of Art and Design named after Kamoliddin Behzod

---

Dr Dilafruz A. Kurbonova

Doctor of Historical Sciences

Tashkent city, Chilanzar district

Professor of the Department of "Information and Communication Technologies in Management" of the Academy of Public Administration under the President of the Republic of Uzbekistan

---

Dr Anvar E. Yuldashev

Candidate of Political Science, Doctor of Historical Sciences

Tashkent city, Mirzo Ulugbek district

Working as Professor and Director in Institute of Media Studies, Shri Ramswaroop Memorial University, Lucknow

---

Dr. Neeraj Khattri

Ph.D (Journalism)

INDIA

Department of Psychology, Dev Sanskriti Vishwavidyalaya, Haridwar, Uttarakhand

---

Dr. Manoranjan Tripathy

(Ph.D) Psychology

INDIA

Senior Lecturer, Department of Pedagogy and Psychology, Uzbek State University of World Languages

---

Dr Djavdat A. Pulatov

Doctor of Philosophy in Pedagogical Sciences (PhD)

Tashkent city, Yashnaabad district,

Professor Department of Law,University of Rajshahi,

Dr. MD. ABDUL ALIM

Ph.D.(Gender Law and Development)

Bangladesh

Designation: Assistant Professor

Dr. Chitturu.Saigita

Doctoral Degree in Social Work from RTM Nagpur University, Nagpur

INDIA

Acting Associate Professor of the Department of Methods of Teaching the Uzbek Language at Jizzakh State Pedagogical Institute

Dr Feruza U. Jumaeva

Doctor of Philosophy in Philology

Jizzakh city, "Zargarlik" mahalla

University professor

Husam Mohammed Kareem Al-Khazaali

Ph.D

Iraq Assistant Professor

Dr.S. Mohankumar

Ph.D

INDIA

Assistant Professor in Economics

Sufian Eltayeb Mohamed Abdel- Gadir

Ph.D (Economics)

Oman

Associate Professor of the Department of "Spirituality and Enlightenment" of the ASU under the President of the Republic of Uzbekistan

Dr Ulugbek A. Saidov

Candidate of Philological Sciences

Tashkent city, Chilanzar district

Department of Translation, University of Mosul, Mosul, Iraq

MUHAMMED IBRAHIM HAMOOD ASHIQ

Ph.D. in translation from Faculty of Modern Languages, UPM, Malaysia

Iraq

Associate Professor of "Pedagogy and Physical Culture" Tashkent Institute of Textile and Light Industry

Dr Vakhob N. Sattorov

Candidate of Pedagogical Sciences

Yakkasaray District

Acting Associate Professor of the Department of Teaching Methods of Uzbek Literature, Jizzakh State Pedagogical Institute

Dr Dilnavoz A. Salimova

Doctor of Philosophy in Philology

Jizzakh city, Zilol mahalla

Dr. Ananias C. Sabijon, Jr.

Doctor of Philosophy (Ph.D.)

Philippine

Center for Teaching and Learning Excellence (CTLE)

ELIAS C. OLAPANE

Doctor of Philosophy in Social Science (2017-2020

Philippine

West Visayas State University – College of Arts and Sciences

Stamatios Papadakis

Ph.D

Greece

Department of Preschool Education, University Campus, Gallos

Dr. Ilkhom Kh. Abdullaev

Associate Professor Doctor of Philosophy in Geography (PhD.)

Uzbekistan

Tashkent State Pedagogical University named after Nizami Tashkent, Uzbekistan

Dr. Ural Kh. Safarov

Doctor of Philosophy in Pedagogics (PhD)

Uzbekistan

Associate Professor Tashkent State Pedagogical University named after Nizami Tashkent,

Dr. Komiljon A. Karimov

Associate Professor, Doctor of Philosophy (PhD) in Pedagogical Sciences,

Uzbekistan

Lecturer, Universitas Nahdlatul Ulama NTB

DR. LALU MOH YUDHA ISNAINI,

Ph.D.(Physical Education) That States

Dody Tri Iwandana, S.Pd.,M.Or.,AIFO

Lecturer of Sports Science, Mercu Buana University, Yogyakarta
Indonesia

Nguyen Thi Thanh Hoa

Hanoi Financial and Banking University, Vietnam

Vietnam

Hassen KHAMMARI

Associate professor of Apllied Linguistics at University of Manouba, Tunisia

Tunisia

CHUKWU, Chikodinaka James

History and International Studies

Nigeria

Dr. Ayed Mohammad Ayed Taran

Department of Applied Geography, Faculty of Arts and Humanities Al al-Bayt University, Jordan

Jordan

DR. AMBREEN SAFDER KHARBE

College of Languages and Translation, Najran University, Najran, KSA

India

Assoc. Prof. Dr.Agus Sulaeman,M

Muhammadiyah Tangerang University

Indonesia

International Journal of Social Science and Human Research
ISSN[Online] : 2644-0695 ISSN[Print] : 2644-0679

Psychological Research on Drug-related Crimes in Vietnam from the Criminological Perspective

Nguyen The Sang[1], Ha Van Thai[2]

[1] Institute of Police Science, People's Police Academy, Vietnam

[2] Faculty of Law, University of Pécs, Hungary

ABSTRACT: In recent times, despite the situation of the Covid-19 epidemic has had serious developments on a global scale, drug crimes in the world, in the region and in the country have continued to be very complicated. Southeast Asia is considered one of the world's major illicit drug production centers. Vietnam is not in the group of large illegal drug producing countries, however, with its unique geographical position, border, road and sea routes stretching from the north to the south, causing difficulties in fighting drug crime.

Research on drug offenders from the perspective of criminology shows that the psychological formation of drug crimes comes from reasons such as economy, society, culture, law, and people's intellectual level. On that basis, the article proposes some solutions to improve the effectiveness of the prevention of drug-related crimes.

KEYWORDS: Drug-Related Crime; Psychological Perspective; Crime Prevention; Vietnam

I. INTRODUCTION

In recent times, despite the situation of the Covid-19 epidemic has had serious developments on a global scale, the situation of drug crimes has witnessed the complicated changes worldwide and nationwide. In 2021, The United Nations Office on Drugs and Crime (UNODC) released a report with an estimation around 275 million people used drugs all over the world in 2000, with more than 36 million people suffered from drug use disorders. In addition, the report also showed that cannabis potency had reached four times higher in the last 24 years with a wide range of negative effect for long-term users.[1]

Proactive crime prevention is an urgent requirement of Vietnam Communist Party and State in order to minimize the damage caused by crimes, and prevent, reduce and eventually eliminate this crime.[2] The complicated fluctuation of the political security situation in the world and the region have stronger and faster impacts on Vietnam security and social order, potentially causing political instability. The appearance of other factors, new negative impact on internal political security making the ability to control and prevent drug-related crimes more difficult.

II. THE DRUG-RELATED CRIMES SITUATION

According to the report by UNODC, by the end of 2020, there are about 275 million drug users in the world, accounting for about 3.5% of the world's population, and more than 36 million people suffer from drug use disorder. In recent years, an average of about 500,000 people have died from drugs, and illegal income from drug trafficking brings criminals a profit between 500 and 600 billion US dollar per year. Drug-related crimes are now identified as particularly serious crimes that have negative impacts on social life. Many drug-related criminal networks and organizations operate widely and cross-border, and the main trend is still the production, sale, and illegal transportation of narcotics.[3]

Southeast Asia is considered one of the world's major illicit drug production centers. In the report on the world drug situation, the United Nations assessed Southeast Asia as the second largest drug production center in the world with an output of 760 tons and about 20 tons of synthetic drugs worth about 2 million US dollar is produced from this area.[4] Vietnam is not in the group of large

---

[1] UNODC (2021): World Drug Report: pandemic effects ramp up drug risks, as youth underestimate cannabis dangers. Available at https://www.unodc.org/unodc/en/data-and-analysis/wdr2021.html

[2] Vietnamese Politburo (2019): Directive No. 36-CT/TW dated August 16, 2019 of the Politburo on strengthening and improving the effectiveness of drug prevention, combat and control

[3] Zhang, G. (2019). The effects of a school policing program on crime, discipline, and disorder: A quasi-experimental evaluation. *American journal of criminal justice*, *44*(1), 45-62.

[4] Raffle, E. (2021). The war on drugs in Southeast Asia as 'state vigilantism'. *International Journal of Drug Policy*, *92*, 103114.

illegal drug producing countries, however, with its unique geographical position, border, road and sea routes stretching from the north to the south, the terrain is rugged, making it difficult to control, so it has been facing challenges in preventing drugs from being smuggled from abroad and consumed domestically and continuing to be transported to other countries. As a result, it causes many difficulties for law enforcement to prevent drug trafficking, creating a complicated situation of drug crime in the country.[5] Statistics of the Drug Crime Investigation Department - Vietnam Ministry of Public Security on the number of drug cases arrested on the border lines show a significant increase in both the number of cases and the number of drugs. seized drugs.

Vietnam shares the border with Laos and Cambodia more than 3,000 km long, stretching from north to south via 19 provinces, and many air and sea routes back and forth between other countries in the region. According to statistics of authorities on drug prevention and control, this is always a complicated and hot route for cross-border drug trafficking and transportation. Because this area is located in the center of drug production, known as the "Golden Triangle", and at the same time, the unique geographical position of the three countries Cambodia, Laos and Vietnam is one of the "gateways" to communicate to the world, making this area becoming a favorable area for organized crime groups to take advantage of illegal drug trafficking and transportation.[6] The skyrocketing price of opium in Laos, Thailand and Myanmar has stimulated farmers to grow this crop. Accompanying the production of opium, the amount of heroin produced also increased. On average, Southeast Asia area produces more than 80 tons of heroin each year. In addition, Myanmar is the world's largest drug production center, which creates favorable conditions for drug dealers and transporters to other countries in the region.[7] Drugs in many countries are cheap, while in Vietnam the price is higher, the conditions for prevention are still limited, the number of addicts is high, and the demand for use is high. Meanwhile, prices in Vietnam are high, affecting the crime of transporting and trading drugs in countries in the region into our country. The cost of drugs in some countries is higher than that of Vietnam (China, Canada...), Vietnam's geographical position is a favorable condition for transporting, forming lines and transshipping drugs from other countries in the area.

Facing with that situation, Vietnam cannot avoid direct impacts from the development of crime and drug abuse in the region. Although the situation of crime and drug abuse in our country has been basically controlled, there are still many complicated and unpredictable factors. On the Northwest and Northern Central area, authorities often detect drug trafficking lines within the country in large quantities.

The fight against crime, especially drug-related crimes, has always been directed by the Communist Party and State, and drastically implemented by ministries, branches and localities, many cases have been discovered, dismantled and combated seriously. According to statistics in the first 11 months of 2021, the National Drug Crime Investigation Police force detected 25175 cases, arrested 37046 offenders, seized 596 kg of heroin, 2,6 tons and 2,4 million synthetic drug tablets, around 1 ton of marijuana, 67 military guns, 07 grenades, hundreds of bullets and many related vehicles and properties. Particularly, the Drug Crime Investigation Police Department chaired and coordinated with related forces to arrest 74 cases, 213 subjects, seized 223 kg of heroin, 1,03 tons + 1,9 million tablets of synthetic drugs, 01 kg of opium, 13 military guns. Meanwhile, in the period 2017-2018, the whole country detected 19172 cases with 28579 offenders. Thereby, it shows that drug crimes always tend to increase in number of cases and also in number of offenders, especially the increasingly serious nature, the offenders still carry out drug-related criminal activities with regulations of law. The scale is getting bigger and bigger, more agile, sophisticated, defying the law and risking life to commit crimes. If in the past, huge drug lines, often originated from abroad, were brought to Vietnam for consumption, but recently, there have been drug lines whose bosses are directly Vietnamese, organizing the production of drugs, exporting and consuming in Vietnam directly.

Typically, a drug organization led by Van Kinh Duong (38 years old, born in Hanoi, Vietnam) was dismantled by Ho Chi Minh City Police on April 16, 2017. In this case, Duong has operated discreetly and sophisticatedly, each person has a stage and no one knows about other people's role. Chemicals are taken from many different sources, from Hanoi to Ho Chi Minh City, production workshops are changed continuously and located in dangerous places, difficult to penetrate, changing through many locations such as: Nha Trang, Dong Nai, Ho Chi Minh City (District 7, Binh Chanh district...). In order to avoid detection, Duong often rents villas with strict security guards, cameras, and especially not dealing with strangers. As for the chemical bottles, after using, Duong had to transport them to the western provinces to dispose of them, rather than destroy them on the spot. From this production and sale line, the Ho Chi Minh City police seized 2,6 billion VND, 10000 USD and many supercars and other valuable assets. Duong has successfully produced 120 kg of meth, between June 2016 and April 2017 successfully consumed 18 kg of ecstasy.[8]

[5] Huyen, T. Q. (2019). International cooperation to prevent and combat transnational drug trafficking at border locations: A case study of Vietnam. *JL Pol'y & Globalization*, *85*, 206.

[6] Luong, H. T. (2020). The organisational structure of transnational narcotics trafficking groups in Southeast Asia: a case study of Vietnam's border with Laos. *Trends in Organized Crime*, *23*(4), 385-411.

[7] Raffle, E. (2021). The war on drugs in Southeast Asia as 'state vigilantism'. *International Journal of Drug Policy*, *92*, 103114.

[8] https://vnexpress.net/van-kinh-duong-khong-thoat-an-tu-hinh-4269893.html

III. PSYCHOLOGICAL FORMATION OF DRUG-RELATED CRIMES

In the coming time, with the trend of integration and development in general, drug-related crimes are forecasted to continue to operate with more sophisticated and daring new tricks to conceal criminal activities as well as to deal with the authorities. Therefore, the fight against drug-related crimes will continue to be difficult and complicated.

Researching on drug crimes and drug crimes psychology has shown that there is a close and interconnected relationship, specifically: any drug crimes that occurs has the participation of criminal psychology.[9] It demonstrates the relationship between drug subjects' perceptions and drug-related offenses. From a psychological perspective, we see that psychology has a dialectical relationship with behavior, all external activities are an expression of that person's inner psychology. A person with a positive mentality will also have positive external actions, a person with a negative mentality will tend to act negatively, in which criminal behavior. Human psychology originates from the outside, is formed and developed through individual activities in the environment. Therefore, it is necessary to change the external influences of the environment on the individual to form psychological adjustment, that is, to make the social environment healthy to form a positive psychology for the individual.

According to criminological perspective, the process of forming negative personal qualities is the cause and condition of the criminal situation. That is the impact and influence of factors in the social environment in which they live, study and work. It is the negative factors outside the environment that affect people to make them form their own negative personal characteristics, people with negative personal manners when faced with favorable conditions will form crimes. Drug-related crimes are the same, their criminal psychology is also formed from the effects and influences formed from certain social factors.

Researching on drug-related offenders has shown that the psychological formation of drug-related crimes comes from the following causes and conditions:

Firstly, the impact of the negative side of the market economy and the uncontrolled introduction of harmful cultural products has resulted in a number of young people who embracing and leading a pragmatic lifestyle, forming a mentality of enjoyment, easily getting involved in drug usage, gradually becoming a drug addict and drug dealer. Most of the retail transactions, the person who commits the crime is also an addict.[10]

In addition, the subjects who use drugs are usually between the ages of 15 and 30, this is the age when they are basically mature enough and aware of their jobs. However, the psychology of this age is to want to express yourself, to be curious, to take risks, to experience addictions to yourself, including the experience of using drugs. Therefore, many bad actors have led them into drug crimes to accomplish many different purposes, including drug-related criminal activities.

Secondly, difficulties and obstacles in dealing with drug addicts. Procedures for sending drug addicts to compulsory detoxification are difficult, while community-based detoxification is not yet effective, leading to addicts continuing to use drugs during community-based detoxification. This has created a huge demand for drug consumers, especially the diversity of drugs and forms of use has made it easy for drug users to access drugs.

Thirdly, the negative side of the process of international economic integration, the other side of it is the growing social division, imbalance in economic development between urban and rural areas. Misperception about the issue of freedom and democracy, forgetting the sense of law observance in a part of the people, forming the mentality of freedom to enjoy, lazy to work, want to get rich quickly along with super power. Drug profits make some people defy the law to carry out drug-related criminal activities.

Unemployment tends to increase, especially because of the difficult economic life in the part of people in the highland areas (Northwest) in the need to make a living, it is easy to be seduced, manipulated and even ready to make a living, willing to participate in the road of drug transportation, trading, gradually becoming professional and colluding to form transnational drug gangs and groups.

Fourthly, the majority of drug-related criminal activities on a large scale stem from the needs of drug offenders, which is a material gain that is too great, beyond the legal capacity and conditions of the drug offenders. themselves, seek to satisfy their financial and material needs with a tendency to deviate from social standards, and are willing and defiant when infringing upon the legitimate interests of others. Engaging in "out-of-the-ordinary" playstyles and expressions. Therefore, there is no sense of respect for the law and social moral standards.

Fifthly, the work of propaganda and education on the sense of obeying the law on drugs is still limited. A number of people were initially attracted to drug usage with a very simple perception that "drug only causes hallucinations, not heroin, so it is not addictive" therefore false perception causes many people have lost their lives by trying drugs, gradually become addicted and commit drug-related crimes. In particular, in remote and isolated areas, drug propaganda is still weak, the propaganda is not diversified, mainly on the mass media and in batches, has not gone deep into the key subjects and their role in people's daily lives. Drug prevention and propaganda work mainly belongs to the police force and the government, and has not yet mobilized the whole society to participate in this work.

---

[9] Montalto, M. (2021). A Criminological and Psychological Approach to Criminal Offender Personality Traits.
[10] http://cksndtc.gov.vn/tin-chi-tiet-3231

IV. SUGGESTION TO THE EFFECTIVENESS OF THE PREVENTION OF DRUG-RELATED CRIMES

Researching on the negative psychological formation of drug offenders shows that, in order to improve the effectiveness of the prevention of drug-related crimes, it is necessary to synchronously implement the following solutions:

Firstly, the propaganda on drug prevention and control needs to make it clear to the people that the responsibility for drug prevention is the task of the whole society. The work requires the coordination of departments and agencies, between schools, police forces and local authorities, focusing on propagating the awareness of drug harms among students, students and the elderly, paying special attention to densely populated areas, remote and border areas.[11]

Secondly, families need to take care of their children in a comprehensive way. The basic problem of families in taking care of their children today is to pamper and create all favorable conditions for their children to study, creating psychologically dependent on the school in their children's education, willing to give money but do not check and monitor what it is used for, leading to dependent children, want to be served, enjoyed, selfish, lazy and irresponsible. Thus, for families, parents need to regularly care for, educate their children, correct and criticize their children's mistake, careless, and demanding attitudes... They also should allocate time for their children which is suitable for family activities.[12]

Thirdly, there is a very close relationship between drug and drug-related crimes. Most drug-related crimes operating in small numbers are drug addicts. The management of addicts and addiction treatment needs to have more appropriate and strict regulations. There is the need to amend a number of laws on documents and procedures for sending addicts to compulsory detoxification centers, because many regulations are not suitable with reality in Vietnam. Many localities are not qualified to prepare documents for sending drug addicts to a compulsory detoxification center. Currently, community-based detoxification has almost failed to achieve the desired results, while sending people to compulsory detoxification has many difficulties and shortcomings. There are many drug addicts in society has not been managed, so it is necessary to have regulations on sanctions for addicts who run away or fail to comply with the detoxification process in the community.

Fourthly, closely strengthen the relationship between schools, families and authorities in education and prevention of drug-related crimes. Departments and branches need to connect with families in educating young people about the harmful effects of drugs, especially at school age. At the same time, strengthen supervision measures by people in the residential community. Encourage people to denounce crimes, launch a movement for the whole people to detect and denounce drug-related crimes, and improve the effectiveness of self-management activities.[13]

Fifthly, strengthening policies on hunger eradication, poverty reduction and social security for ethnic minority and remote areas, especially border areas so that the people can rise up and not be bribed by drug offenders.[14] In addition, paying attention to creating jobs, overcoming underemployment among youth is other solution. Investing funds and material foundations for drug prevention and control, addiction treatment and fight against drug-related crimes. Actively organizing training for functional forces to be qualified to take on assigned tasks.

Sixthly, the Police force investigating drug-related crimes should actively coordinate with professional forces inside and outside the force, especially forces such as: Border Guard, Customs in exchanging and providing information, grasping the situation as well as taking the initiative in fighting and dismantling drug gangs and criminal groups in the country and transnational lines.

REFERENCES
1) Arisukwu, O., Igbolekwu, C., Oye, J., Oyeyipo, E., Asamu, F., Rasak, B., & Oyekola, I. (2020). Community participation in crime prevention and control in rural Nigeria. *Heliyon*, *6*(9).
2) Braga, A. A., Turchan, B., Papachristos, A. V., & Hureau, D. M. (2019). Hot spots policing of small geographic areas effects on crime. *Campbell Systematic Reviews*, *15*(3)
3) Braga, A. A., Turchan, B., Papachristos, A. V., & Hureau, D. M. (2019). Hot spots policing of small geographic areas effects on crime. *Campbell Systematic Reviews*, *15*(3), e1046.
4) Houtepen, L. C., Heron, J., Suderman, M. J., Fraser, A., Chittleborough, C. R., & Howe, L. D. (2020). Associations of adverse childhood experiences with educational attainment and adolescent health and the role of family and socioeconomic factors: a prospective cohort study in the UK. *PLoS medicine*, *17*(3), http://cksndtc.gov.vn/tin-chi-tiet-3231
5) https://vnexpress.net/van-kinh-duong-khong-thoat-an-tu-hinh-4269893.html

---

[11] Braga, A. A., Turchan, B., Papachristos, A. V., & Hureau, D. M. (2019). Hot spots policing of small geographic areas effects on crime. *Campbell Systematic Reviews*, *15*(3), e1046.
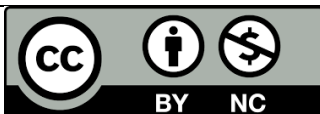
[12] Houtepen, L. C., Heron, J., Suderman, M. J., Fraser, A., Chittleborough, C. R., & Howe, L. D. (2020). Associations of adverse childhood experiences with educational attainment and adolescent health and the role of family and socioeconomic factors: a prospective cohort study in the UK. *PLoS medicine*, *17*(3),

[13] Braga, A. A., Turchan, B., Papachristos, A. V., & Hureau, D. M. (2019). Hot spots policing of small geographic areas effects on crime. *Campbell Systematic Reviews*, *15*(3), e1046.

[14] Arisukwu, O., Igbolekwu, C., Oye, J., Oyeyipo, E., Asamu, F., Rasak, B., & Oyekola, I. (2020). Community participation in crime prevention and control in rural Nigeria. *Heliyon*, *6*(9), e05015.

6) Huyen, T. Q. (2019). International cooperation to prevent and combat transnational drug trafficking at border locations: A case study of Vietnam. *JL Pol'y & Globalization*, *85*, 206.

7) Luong, H. T. (2020). The organizational structure of transnational narcotics trafficking groups in Southeast Asia: a case study of Vietnam's border with Laos. *Trends in Organized Crime*, *23*(4), 385-411.

8) Montalto, M. (2021). A Criminological and Psychological Approach to Criminal Offender Personality Traits.

9) Raffle, E. (2021). The war on drugs in Southeast Asia as 'state vigilantism'. *International Journal of Drug Policy*

10) Raffle, E. (2021). The war on drugs in Southeast Asia as 'state vigilantism'. *International Journal of Drug Policy*, *92*, 103114.

11) UNODC (2021): World Drug Report: pandemic effects ramp up drug risks, as youth underestimate cannabis dangers. Available at https://www.unodc.org/unodc/en/data-and-analysis/wdr2021.html

12) Vietnamese Politburo (2019): Directive No. 36-CT/TW dated August 16, 2019 of the Politburo on strengthening and improving the effectiveness of drug prevention, combat and control

13) Zhang, G. (2019). The effects of a school policing program on crime, discipline, and disorder: A quasi-experimental evaluation. *American journal of criminal justice*, *44*(1), 45-62.

Teaching Interventions for the Development of Friendship in Students with ASD

Petros Orfanos[1], Despoina Orfanou[2]

[1]Education Advisor, Collaborative Scientific Staff, University of Athens, Greece
[2]Psychologist, BSc, MA

ABSTRACT: Children with ASD are called from an early age to meet social demands and to interact with peers. This fact leads them from a very early age to face difficulties, which specifically concern the creation of social relations, the full awareness of these relations and difficulties in their social integration. Stress levels increase with age and mood disorders and secondary difficulties are often observed. They therefore end up experiencing more loneliness, compared to their normal developing classmates. The present research paper aims to investigate the levels of friendships that develop in three case studies, of a girl and two boys with ASD, after the implementation of targeted teaching interventions. In addition, a comparison of these levels is made according to the gender of the students. The interventions are compatible with the abilities and interests of the three students, so that they are functional and efficient. Development of friendships was observed in all three cases, with higher levels of conversation flow for older children, and with a stronger desire for the girl and more demands from friendships, compared to boys.

KEY WORDS: friendship, autism spectrum disorder, didactic interventions

INTRODUCTION

Autism spectrum disorder is a neuro-behavioral syndrome which seems to be appearing in a soaring rate. It is imperative for the special educator, the educator in an inclusive school as well as the society in general, to follow this rate, with respect, awareness, timely and valid information, responsibility and scientific support.

According to Heward (2011), autism is a neuro-developmental disorder which creates a series of deficiencies and difficulties in various sectors of an individual's life. It is considered a developmental disability and according to DSM-4 (American Psychiatric Association, 2000), it falls under the umbrella of Pervasive Developmental Disorders (PDD), but after the changes in DSM-5 (American Psychiatric Association, 2013), they are replaced with the term autism spectrum disorders (ASD) used by Volkmar and Pauls (2003). The subtypes which fall under the ASD (Heward, 2011), are autistic disorder, childhood disintegrative disorder, pervasive developmental disorder and Asperger's and Rett's syndromes. There are now three ASD categories based on the level of support needed for the children with ASD (Galanis, 2017).

Children with ASD find it difficult to start and maintain friendly relations and they appear to be indifferent and self-centered (Frith, 2009). Their participation in structured and informal entertaining activities is significantly less than their peers often resulting in social isolation. It is common for them to engage only in entertaining activities in which the parent is actively involved (Simpson, Keen, Adams, Alston-Knox & Roberts, 2018).

The present study examines the attempt to manage the arising difficulties during the beginning and the course of friendly relations of students with ASD. There are three study cases which are investigated, of a girl and two boys with ASD. The difficulties on a socio-emotional level are recorded along with communication, and research references of literature review are also studied in order to comprehend friendship and the level of interactions. The profiles of the students are presented with a focus on their skills and interests, as well as the suggested targeted teaching interventions. Through the semi-structured interviews (two for each case – before and after the intervention), it appears that there is a development of friendly relations in all three cases, with the girl expressing stronger desire and more demands from friendship compared to the boys, and also higher levels in the flow of conversation for older children.

Difficulties in Autism Spectrum Disorder

Individuals with ASD face significant difficulties in their communication and social interactions. Deficiencies in non-verbal behaviors, little eye contact and minimum gestures and facial expressions limit communication and deter the creation of complete frameworks of social approaches. There appears to be an inability to show emotional reciprocation and empathy as well as

Teaching Interventions for the Development of Friendship in Students with ASD

expression of feelings. Very few will be the times when people with ASD will seek peers to share thoughts, interests and skills (Volkmar, 2013). Verbal communication is characterized by special intonation which involves echolalia and oftentimes incoherent speech, which in combination with the inability of these people to perceive the figurative use of language, may create further difficulties in communication (Heward, 2011). They prefer inner isolation and engagement with specific objects. They even seem indifferent towards their own family. The comprehension of the others' emotional state becomes incomprehensible and indifferent. They are not able to express how they feel while they seem not to be interested in creating friendly approaches. They rarely use social gestures in order to greet a person or show an object (Heward, 2011). Through studies which were conducted targeting the increase of social interaction of children with ASD, it was discovered that they were finding it difficult to essentially proceed in greeting with a "hi" their normal developing peers (Gaylord-Ross, Haring, Breen, Pitts-Conway, 1984). Affection and tenderness are usually non-existent feelings while there are times when they feel distress with others' hugging. Self-stimulating behaviors, deceleration of "social smile", lack of proper feeling as well as spontaneous reactions are some of the things that deteriorate the social deficiencies of children with ASD (Charlop & Walsh, 1986).

According to the approach of the Theory of Mind, individuals with ASD do not perceive the autonomy of another person's thought and cannot interpret his psycho-emotional conditions. It is impossible for them to be led to logical explanations and decode actions and behaviors thus, it is very hard for them to comprehend the other individual's intentions, special characteristics and personal demeanor (Shamsi, Hosseini, Tahamtan & Bayat, 2017). Their psychic world is overwhelmed with feelings of anxiety and loneliness. Introversion and social indifference lead to loneliness (Papageorgiou, 2005), and very often they manifest problematic emotional moods and behaviors (Benvenuto, Battan, Porfirio & Curatolo, 2013). The existence of hallucinations is perceivable, they communicate and talk to themselves and they get very annoyed when someone invades their routine (Heward, 2011).

Children with ASD perceive fragments of what they receive through their senses and find it difficult to construct connections in order to create a picture of their wholeness. They see each tree as separate from others and are not able to perceive the concept of a forest (Wicks-Nelson & Israel, 2003). Therefore, they seem to have a peculiar sense of their environment, they detect any subtle change and manifest inexplicable tensions for some stimuli.

Baron-Cohen and Howlin (1993), focusing on the lack of social interaction and communication of these individuals, refer to five significant deficiencies. A deficiency in comprehension the interests of the other party, a deficiency in perception of misunderstandings, a deficiency in perception of being tricked by others, a deficiency in the ability of tricking others as well as a deficiency in comprehension of other people's intentions, incentives and thoughts. Furthermore, there is often a sign of deficiency in the process of thinking the thought therefore a lack of metacognitive skills and inability to correlate an individual's feelings with his behavior (Graziano, 2002). These difficulties emerge from the cognitive approach of interpretation of ASD with the theory of the mind, according to which, daily intellectuality (Wooley & Wellman, 1993) which permeates communication and social relations rendering them functional, does not exist in individuals with autism.

The aforementioned difficulties cause problems in communication, education, social life, friendly relations and adaptability of the individuals with ASD. These individuals experience social anxiety, under the pressure of the difficulties, and often choose social withdrawal. Loneliness, for certain, intensifies anxiety and leads to depression (McVey, et al., 2018). Half of the population within the spectrum faces anxiety disorders, and more often specific phobia, obsessive-compulsive disorder, social anxiety and agoraphobia (Postorino, et. al., 2017).

Friendly Relations between Students with ASD

There is a variety and number of difficulties which in combination with one another become more tense resulting in the creation of further difficulties in the social, family and school life of children with ASD. It is a frequent phenomenon, students with ASD to face difficult situations due to uncooperative and unaccepting classmates, as well as unpredictable behaviors from their normal developing peers which shows an underlying attitude of the school communities and the society in general, about individuals with disability. In inclusive school environments of students with ASD, there are a lot of deficiencies in development, preservation and comprehension of relationships, and severe difficulties are found during a game or a collaborative activity in the learning process or during the creation of friendly relations (American Psychiatric Association, 2013).

Children with ASD are called to respond from a very early age to social demands, interact with peers and create social and friendly relations. This fact, leads them to the realization of the difficulties which are confronted with, from a very early stage in life, which specifically concern the creation of social relations, the full awareness of these relations, and the difficulties during their social and school integration (Attwood, 2000). Stress levels increase along with age, while they appear to manifest mood disorders and secondary difficulties (Myles, 2003). Therefore, due to the difficulties, they end up experiencing more loneliness and social isolation, compared to their normal developing peers (Bauminger & Kasari, 2000; White & Roberson-Nay, 2009).

Teaching Interventions for the Development of Friendship in Students with ASD

Studying further the theory of mind, it is evident that there should be well-documented scientific explanations for the deficiencies of students with ASD. It is claimed that there are difficulties in the comprehension of diversity, of others' thinking, their feelings and desires, and there are also difficulties in the comprehension of mutuality and empathy (Tager-Flusberg, 2001). According to the same theory, the aforementioned deficiencies, may hinder the development and comprehension of mutuality and mutual relations and lead to a superficial perception of friendship and interpersonal relations from the individuals with ASD (Bauminger & Kasari, 2000). It is evident that friendship is a difficult matter and a challenge for students with ASD (Orsmond, Krauss & Seltzer, 2004).

However, after a more careful literature review, it seems that there is research which has concluded and established confirming or not, in part, what has been previously mentioned. High functioning children with ASD, from the first years of their life, show and mention that they wish to create relations and interact with their peers (White & Roberson-Nay, 2009). Some of them are successful in developing ways of recognition and expression of interpersonal and emotional experiences. Friendship follows a developmental course in autism and contributes to the reinforcement of their skills and social interaction (Bauminger, Solomon, Aviezer, Heung, Gazit, Brown & Rogers, 2008). The relationships, however, differ in quality and number from the ones normal developing children create (Bauminger & Kasari, 2000; Bauminger & Shulman, 2003).

The role friendship plays in the prosperity and wellbeing of school children is decisive. Its consequences affect long-term self-esteem and total self-perception of students (Mendelson, Gates & Lerner, 2016). Research has shown that the same goes for children with ASD at prepubescent years. More specifically, children at prepubescent age of 8-12 with autism spectrum disorder (ASD), perceive the concept of friendship in a similar way with the normal developing children at the same age and are aware of the process of interpersonal communication (Bauminger et al., 2008). Forming friendly relations reinforces their skills for social interaction, while children at prepubescent age may form friendly and meaningful relations and consistent in time (Bauminger et al., 2008). Not only the formation of friendly relations, but also their preservation requires certain skills, such as recognition of emotions, communication skills and self-regulation (Calder, Hill & Pellicano, 2012).

Children's Profiles and Friendship before Intervention
1st Study Case
Student G. is nine years old and goes to Fourth Grade of Elementary School. The consult, at the age of five from a developmentalist and the Hellenic Scientific Network for ASD, mentioned that the student presents autism spectrum disorder with significant symptoms level II, using the criteria of DSM 5 (American Psychiatric Association, 2013). From the first grade he has been supported by a parallel support special educator. Student G. is cooperative and high functioning, he presents a few of the symptoms which characterize his disorder (Gena, 2002), his intellectual level is satisfactory and his family supports him in every difficulty.

His stereotypies are intense with repetitive behaviors and attention deficit disorder in most subjects, except for activities involving mathematical process and calculus, with IT and use of video. He has great ease with Maths while in IT he enjoys using computers. He gets excited and participates in video analyses whose conclusions are recorded in the form of social stories which he studies carefully. He is quite independent as far as nutrition and use of bathroom are concerned, but he faces difficulty in changing his books and notebooks during the school process.

Interview elements before intervention: Student G. mentions that he finds it difficult to begin and preserve a conversation, he cannot perceive others' intentions and feelings and he rarely attempts to share his own. He achieves little eye contact with the other party and understands simple sentences with low factual content (Norbury, Gemmell, & Paul, 2014). He does not pay attention to his classmates and he feels unmotivated for social interactions. He does not form close friendly relations and does not pursue his participation in games. Even when the parallel support special educator creates the proper conditions for his participation in them, G. joins in for a few minutes of group playing and then he withdraws.

2nd Study Case
Student K. goes to the Fifth Grade of Elementary School, he presents autistic spectrum disorder according to DSM-5 (American Psychiatric Association, 2013). The development of his vocabulary is average. He finds it difficult to focus on objects which do not interest him. He often repeats phrases and words (Heward, 2011) and a lot of times he does not comprehend his classmates' figurative speech. In the school subject of the Greek language, he has difficulty in the spelling of homonymic words (Stasinos, 2013). He enjoys calligraphy and is willing to learn things showing great interest for things that attract his attention. As long as his attention is focused, he is calmly provided with analytical instructions (Stasinos, 2013) which he almost always follows to a great extent. He responds to the teacher's questions; he copies his classmates' phrases and movements and he would like to play more with them. Furthermore, he has visual memory which helps him to classify pre-existing knowledge in a very specific way. He presents high functioning in places where the objects around him are arranged in neat rows (Stasinos, 2013). He likes bright colors very much, puzzles and cartoons, whose dialogues he knows in detail.

Teaching Interventions for the Development of Friendship in Students with ASD

Interview elements before intervention: Student K. mentions that he finds it difficult to make friends and he often spends his school break alone (Heward, 2011; Stasinos, 2013). Sometimes when he participates in games, activities or conversations, the atmosphere with others is getting tense and he becomes aggressive (Heward, 2011); Stasinos, 2013), because he does not have the patience to wait for his turn (Heward, 2011). He mainly focuses on his inability to understand what others think, their expressions, the tone of their voice, and the jokes that are being made (Heward, 2011). As a result of all these, his classmates often avoid him and he feels bad about it.

3rd Study Case

Student M. is in Fourth Grade of Elementary School and she has been supported by a parallel support special educator since kindergarten. She was diagnosed with ASD Level I – Need for Support (American Psychiatric Association, 2013) at the age of four. It was deemed necessary to repeat kindergarten for one more year so that her transition to elementary school would take place with fewer problems. She is a polite child, a conventional student and quite likeable to all the educators at her school.

She has a satisfactory level of speaking and reading, however, she faces difficulty in writing, using only simple sentences. She loves watercolor painting and looks forward to the Art class. Her paintings are abstract but the combination of colors is beautiful and special. She shows great enthusiasm for Maths and responds enthusiastically to solving arithmetic operations of multiplication (Gena, 2002). She has great interest for computers which she operates with ease, spending a lot of time in front of a screen. She is familiar with all areas of the school and is independent with no particular problems.

Interview elements before intervention: Student M. mentions that she has friends at school. She seeks their company and insists on speaking with them about things she is interested in, such as comics which she reads on websites online. If anyone invites her to play a game, she usually withdraws and sits somewhere in the schoolyard that is not crowded (Gena, 2002). She says that in these particular circumstances she likes loneliness because loud voices and crowds disorganize her (Katsougri, 2021). Finally, she has lost friends from her exaggerating love for her personal belongings. She wants them arranged in a particular place, with a particular way (Lennard-Brown, 2004), and unfortunately, she throws a tantrum when a classmate of hers takes something that belongs to her without her permission.

Interventions for the Development of Friendships of Students with ASD

Friendship is an interpersonal accomplishment, with children practicing and developing fundamental social behaviors, such as mutual care, companionship and empathy (Bauminger et al., 2008). On the contrary, lack of social and friendly contacts has shown that leads to the development of feelings of social rejection and is related to subsequent adjustment problems (Burgess, Wojslawowicz, Rubin, Rose-Krasnor & Booth-LaForce, 2006).

Based on the research findings of White & Roberson-Nay (2009) for the high functioning students, concerning their first years of life when they show and mention that they wish to form relations and interact with peers, as well as the findings of Bauminger, Solomon, Aviezer, Heung, Gazit, Brown & Rogers (2008) that a friendship with a child of the same age constitutes a safe social experience for a student at prepubescent age with ASD, while at the same time it helps him practicing in cooperation and exchange, this present research comes to intervene in all three aforementioned study cases.

Through targeted teaching interventions, the aim is the development of friendly relations by leading these specific students to reduced levels of social rejection feelings and subsequent adjustment problems. It is worth mentioning that the interventions are designed and materialized based on common elements of focus on skills and interests which result from the qualitative analysis of the interviews and the observation of corresponding school environments. The suggested interventions targeting the development of friendly relations are based on the Applied Behavior Analysis (ABA), according to which teaching is designed, conducted and evaluated based on the observation of the student's relation with his environment, the stimuli and how he reacts to them learning (Heward, 2011). With ABA the students' skills are utilized to the fullest in relation to the way they learn and manage situations and therefore, there is an increased possibility to develop the level of their friendly relations. At the same time, students' special interests are utilized with quite a few positive effects on basic sectors of difficulties and mainly psychological reinforcement (Heward, 2011).

There are two interventions which are implemented identically in all three cases. Through (ABA) the type of intervention followed is 'natural environment training'. With this specific method interventions are carried out in real conditions in the children's environment, aiming at their direct implementation on everyday activities as well as in general. More specifically, the 1st intervention involves the use of video and social story, while the 2nd involves cartoon video and role play. The reason why the video, the social story and the role play are chosen is because they appertain to the special interests of the three students with ASD (Heward, 2011) and therefore, they will be able to focus on these. Furthermore, all children like cartoons and these particular ones are short and comprehensible, appropriate for the age of the children. Before every intervention, the simplification and order in the area is checked and secured by the class educator and the parallel support special educator so that the attention of students is not distracted (Polychronopoulou, 2012).

Teaching Interventions for the Development of Friendship in Students with ASD

1st Intervention: Participation in a Group Game

The intervention has four goals: Students with ASD, a) to state with no previous recommendation their interest in the game and to claim their participation, b) to abide by the rules, and carry on until the end, and c) to accept their defeats and reward the winners. For their classmates, d) to acknowledge the different students the right to participate in the game, and manage correctly their behavior so that there can be a feasible result. In this case, it is all about the integration of the inclusive school in disability.

In the classroom a short video (1.23 minutes long) is played showing a student with physical disability being invited by his classmates during the school break to play with them. Afterwards a discussion follows about his right to participate, despite his difference, in the group activities. The discussion focuses on the development of empathy for all students and on the suggestions for the unhindered participation of different students in the game. (https://www.youtube.com/watch?v=3SzazN2OrsQ&list=PLYbkMbRxc976EwWsfMEWdQ7CMneSRcx21&index=1) The video analysis is combined with the following social story which is also in written form at the disposal of the three students, before and during the game. The game takes place at the schoolyard of the school units during school break. The phrases accompanying the pictures in the social story are: 1. When the bell rings I go out to the schoolyard, 2. I approach my classmates, 3. If they decide to play a game, I let them know that I want to play, 4. My classmates are happy to see me play with them, 5. We reward the winning team, 6. I am polite with everyone, 7. The game makes friendships and fills us with joy! The teacher orally supports whenever necessary.

2nd Intervention: Make New Friends

The intervention has six goals: the students with ASD, a) on a level of knowledge to discern rudeness from politeness, b) on a level of capabilities to implement a polite greeting when they meet a new friend, and c) on a level of attitudes to realize their similarities with the boy John in the video. For their classmates, d) on a level of knowledge to recognize the characteristics of ASD, e) on a level of attitudes to develop positive dispositions for friendly relations with the students in question, and f) on a level of capabilities to interact with them effectively.

In the classroom a short cartoon video (3.30 minutes long) is played which shows the meeting of two girls and a boy with ASD. Before the video is played a question is asked: What do we do and say when we meet a new friend? All students express their experiences or expectations. After the projection of the video, a video analysis follows with the following questions: Who are the protagonists? – Where are they? – What are they doing? – How do you characterize John's behavior? – Is his behavior acceptable? – What are the reasons for John's behavior? – Can we detect the characteristics of autism spectrum disorder? – How do we treat children with ASD? – How do we manage the company and the friendly relations? – Which actions characterize us as polite? (https://www.youtube.com/watch?v=rKqBUM9w6EY) The video analysis is combined with a role play. Students are asked to pretend that they do not know each other, and are provided with instructions – opportunities to get to know one another and form friendly relations. In order for the game to be more fun, the students wear masks and use funny nicknames. Educators and students work in a diversified and inclusive manner developing social skills with everyone's special awareness for ASD matters, forming friendly relations and promoting an original integrational culture, that is, the integration of a common school in disability, in a flexible and fun way.

DISCUSSION

The basic goal of this research study is the examination and management of the arising difficulties during the beginning and the course of friendly relations of students with ASD. Three study cases are investigated, recording the difficulties, abilities and interests, as well as research references of literature review, in order to comprehend friendship and the level of interactions. The results of the present research study after the qualitative analysis of data from the interviews and the observation, before and after the targeted teaching interventions, present particular interest.

Before the interventions, friendly behaviors, interactions and attitudes of the students with ASD at prepubescent age, differ in many sectors compared to their normal developing classmates. Quality of friendship and friendly relations are on low levels, behaviors regarding friendship are fewer, as well as the flow of their conversations. They perceive their friendships in total as less useful, close and familiar (Bauminger et al., 2008), and they also face difficulty in their executive functions (Liss, Fein, Allen, Dunn, Feinstein, Morris, Waterhouse & Rapin, 2001).

Student G., student K., and student M. mention that they find it difficult to form friendly relations, they are not able to perceive others' intentions, they do not pursue their participation in games while they often withdraw or throw a tantrum when they are bothered and become aggressive. The outbursts and the inability to perceive others' intentions result in their classmates' distancing, their own anxiety, and loneliness while they consider that there is a deficiency in their social skills.

These research data of the three study cases confirm the hypotheses of the researchers White & Roberson-Nay (2009) who showed that in the sample that participated in their research of high functioning students with ASD, 7 to 14 years old, anxiety levels were

high and they were experiencing social loneliness to a great extent. Similar were the findings of the research of Bauminger and Kasari (2000) in a sample of children with ASD at the same age. Children mentioned that they felt lonely while their friendships were characterized with low rates of companionship, security and help. The feeling of loneliness may arise from the unfulfilled desire to create friendly relations and the lack of emotional bonds (Bauminger & Kasari, 2000). Therefore, the conclusion that can be drawn is that anxiety constitutes a frequent concern for students with ASD, who tend to cover their need for the creation of relationships and emotional and social bonding by having close to them familiar (to them) individuals (White & Roberson-Nay, 2009).

After the interventions, all three children state that the beginning and maintenance of friendly relations with normal developing peers affects them in a positive way. More specifically, children with ASD seem to respond effectively during their interaction with their classmates, they present strong language skills, longer physical proximity, smile, and positive signs in social orientation (Bauminger, Solomon, Aviezer, Heung, Brown & Rogers, 2007). Furthermore, in the half-structured interviews they mention that through their friendly relations their needs are covered while at the same time, they feel that the levels of satisfaction from their friendly relations are high. It is worth mentioning that their classmates refer to similar levels of satisfaction (Petrina, Carter, Stephenson & Sweller, 2016). The indicator of the satisfaction level from friendly relations is the satisfaction level of the expectations of children with ASD (Hall, Larson & Watts, 2011).

Using the method of observation for the spontaneous interactions in natural environments, such as the school classroom and the schoolyard during school breaks, there can be detected mainly positive social behaviors and very rarely negative behaviors, such as the outbursts of student M. and the aggressive behavior of student K. The children can now activate social skills and there is often eye contact and communication with their classmates.

Student K. and student M. as the older children in the study, appear more social behaviors, higher flow in conversation, higher emotional proximity and coordinated play, in comparison with the younger student G., a finding which coincides with the findings of Bauminger, Solomon, Aviezer, Heung, Gazit, Brown and Rogers (2008).

Student M. states that after the interventions and the change of attitude from her classmates, the creation and maintenance of friendly relations is of utmost importance for her. Her desire to make friends has become more intense. She prefers friendships with girls, she is familiar with the dangers of the Internet, as well as the importance of trust. Her demands from her friendships have increased compared to the boys in the other two study cases, a finding which coincides with the findings of Ryan, Coughlan, Maher, Vicario και Garvey (2020).

Finally, the research study focuses on the fact that high functioning children with ASD aged 8 to 12, prefer to interact with their normal developing classmates, and quite frequently the beginning of the interaction initiates from them. Therefore, high functioning children with ASD can be socially expressive and wish to create friendly relations. It is deemed imperative to investigate further the practices and prospects of high functioning students with ASD, as far as their friendships are concerned, and examine the social and moral repercussions of the various interventions (Calder, Hill & Pellicano, 2012).

The findings certainly contribute to the improvement of the school experience, the respect of diversity, the comfortable sensation of high functioning children with ASD to operate in interaction processes and the provision of support from an early age to create new friendships and maintain the existing ones without the need to proceed further to personal adjustments (Cook, Ogden & Winstone, 2017). Friendships are built in diversified inclusive school environments, with the school unit integrated in disability.

BIBLIOGRAPHY
1) American Psychiatric Association, 2000. *Diagnostic and statistical manual of mental disorders (4th ed., text rev.).* Washington, DC: Author.
2) American Psychiatric Association, 2013. *Diagnostic and Statistical Manual of Mental Disorders, 5th Edition (DSM-5).* Washington: American Psychiatric Publishing.
3) Attwood, T., 2000. *Strategies for Improving the Social Integration of Children with Asperger Syndrome.* Autism, 4(1), pp. 85–100. https://doi.org/10.1177/1362361300004001006
4) Baron-Cohen, S., & Howlin, P., 1993. The theory of mind deficit in autism: Some questions for teaching and diagnosis. In S. Baron-Cohen, H. Tager-Flusberg, & D. J. Cohen (Eds.), *Understanding other minds: Perspectives from autism* (pp. 466–480). New York: Oxford University Press.
5) Bauminger, N., & Kasari, C., 2000. *Loneliness and Friendship in High-Functioning Children with Autism.* Child Development, 71(2), pp. 447–456. https://doi.org/10.1111/1467-8624.00156
6) Bauminger, N., & Shulman, C., 2003. *The Development and Maintenance of Friendship in High-Functioning Children with Autism.* Autism, 7(1), pp. 81–97. https://doi.org/10.1177/1362361303007001007

7) Bauminger, N., Solomon, M., Aviezer, A., Heung, K., Brown, J., & Rogers, S. J., 2007. *Friendship in High-functioning Children with Autism Spectrum Disorder: Mixed and Non-mixed Dyads.* Journal of Autism and Developmental Disorders, 38(7), pp. 1211–1229. https://doi.org/10.1007/s10803-007-0501-2

8) Bauminger, N., Solomon, M., Aviezer, A., Heung, K., Gazit, L., Brown, J., & Rogers, S. J., 2008. *Children with Autism and Their Friends: A Multidimensional Study of Friendship in High-Functioning Autism Spectrum Disorder.* Journal of Abnormal Child Psychology, 36(2), pp. 135–150. https://doi.org/10.1007/s10802-007-9156-x

9) Benvenuto, A., Battan, B., Porfirio, M.C., & Curatolo, P., 2013. *Pharmacotherapy of autism spectrum disorders. Brain & Development, 35*(2), pp. 119-127. https://doi.org/10.1016/j.braindev.2012.03.015

10) Burgess, K. B., Wojslawowicz, J. C., Rubin, K. H., Rose-Krasnor, L., & Booth-LaForce, C., 2006. *Social Information Processing and Coping Strategies of Shy/Withdrawn and Aggressive Children: Does Friendship Matter?* Child Development, 77(2), pp. 371–383. https://doi.org/10.1111/j.1467-8624.2006.00876.x

11) Calder, L., Hill, V., & Pellicano, E., 2012. 'Sometimes I want to play by myself': *Understanding what friendship means to children with autism in mainstream primary schools.* Autism, 17(3), pp. 296–316. https://doi.org/10.1177/1362361312467866

12) Charlop, M. H., & Walsh, M. E., 1986. *Increasing autistic children's spontaneous verbalizations of affection: an assessment of time delay and peer modeling procedures.* Journal of applied behavior analysis, 19(3), pp. 307–314. https://doi.org/10.1901/jaba.1986.19-307

13) Cook, A., Ogden, J., & Winstone, N., 2017. *Friendship motivations, challenges and the role of masking for girls with autism in contrasting school settings.* European Journal of Special Needs Education, 33(3), pp. 302–315. https://doi.org/10.1080/08856257.2017.1312797

14) Frith, U., 2009. *Autism, explaining the enigma,* (7th publication) (Translated by G. Kalomoiris). Athens: Ellinika Grammata (first publication year 1999).

15) Galanis, P., 2017. Pedagogical Approach for Students with Autistic Spectrum Disorder. In: M. Gelastopoulou, & A. Moutavelis (Eds.), *Educational material for parallel support and integration of students with disability or/and special educational needs at school* (pp. 121-142). Athens: Institute of Educational Policy.

16) Gaylord-Ross, R. J., Haring, T. G., Breen, C., & Pitts-Conway, V., 1984. *The training and generalization of social interaction skills with autistic youth.* Journal of applied behavior analysis, 17(2), pp. 229–247. https://doi.org/10.1901/jaba.1984.17-229

17) Gena, A., 2002. *Autism and Pervasive Developmental Disorders. Assessment-diagnosis-treatment.* Athens: Publication of the author

18) Graziano, A. M., 2002. *Developmental disabilities: Introduction to a diverse field.* Allyn & Bacon.

19) Hall, J. A., Larson, K. A., & Watts, A., 2011. *Satisfying Friendship Maintenance Expectations: The Role of Friendship Standards and Biological Sex.* Human Communication Research, 37(4), pp. 529–552. https://doi.org/10.1111/j.1468-2958.2011.01411.x

20) Heward, W. L., 2011. *Children with special needs. An introduction to special education* (translated by C. Lymberopoulou). Athens: Topos. (First publication year 2009).

21) Katsougri, A., 2021. *Training a child with autism.* Athens: Hellinoekdotiki.

22) Lennard – Brown, S., 2004. *Autism* (translated by M. Nikolakaki). Athens: Savallas (first publication year 2003).

23) Liss, M., Fein, D., Allen, D., Dunn, M., Feinstein, C., Morris, R., Waterhouse, L., & Rapin, I., 2001. *Executive functioning in high-functioning children with autism.* Journal of child psychology and psychiatry, and allied disciplines, 42(2), pp. 261–270.

24) McVey, A. J., Schiltz, H. K., Haendel, A. D., Dolan, B. K., Willar, K. S., Pleiss, S. S., Karst, J. S., Carlson, M., Krueger, W., Murphy, C. C., Casnar, C. L., Yund, B., & Van Hecke, A. V., 2018. *Social difficulties in youth with autism with and without anxiety and ADHD symptoms.* Autism research: official journal of the International Society for Autism Research, 11(12), pp. 1679–1689. https://doi.org/10.1002/aur.2039

25) Mendelson, J. L., Gates, J. A., & Lerner, M. D., 2016. *Friendship in school-age boys with autism spectrum disorders: A meta-analytic summary and developmental, process-based model.* Psychological Bulletin, 142(6), pp. 601–622. https://doi.org/10.1037/bul0000041

26) Myles, B. S., 2003. *Behavioral forms of stress management for individuals with Asperger syndrome.* Child and Adolescent Psychiatric Clinics of North America, 12(1), pp. 23–141. https://doi.org/10.1016/s1056-4993(02)00048-2

27) Norbury, C. F., Gemmell, T., & Paul, R., 2014. *Pragmatics abilities in narrative production: A cross-disorder comparison.* Journal of Child Language, 41(3), pp.485–510. https://doi.org/10.1017/S030500091300007X

28) Orsmond, G. I., Krauss, M. W., & Seltzer, M. M., 2004. *Peer Relationships and Social and Recreational Activities Among Adolescents and Adults with Autism.* Journal of Autism and Developmental Disorders, 34(3), pp. 245–256. https://doi.org/10.1023/b:jadd.0000029547.96610.df

29) Papageorgiou, B., 2005. *Therapeutic approaches for the disorders in the autism spectrum.* Encephalos Journal. www.encefalos.gr

30) Petrina, N., Carter, M., Stephenson, J., & Sweller, N., 2016. *Friendship Satisfaction in Children with Autism Spectrum Disorder and Nominated Friends.* Journal of Autism and Developmental Disorders, 47(2), pp. 384–392. https://doi.org/10.1007/s10803-016-2970-7

31) Polychronopoulou, S., 2012. *Children and Adolescents with Special Educational Needs and Capabilities.* Athens: Diadrasi.

32) Postorino, V., Kerns, C. M., Vivanti, G., Bradshaw, J., Siracusano, M., & Mazzone, L., 2017. *Anxiety Disorders and Obsessive-Compulsive Disorder in Individuals with Autism Spectrum Disorder.* Current psychiatry reports, 19(12), p. 92. https://doi.org/10.1007/s11920-017-0846-y

33) Ryan, C., Coughlan, M., Maher, J., Vicario, P., & Garvey, A., 2020. *Perceptions of friendship among girls with autism spectrum disorders.* European Journal of Special Needs Education, 36(3), pp. 393–407. https://doi.org/10.1080/08856257.2020.1755930

34) Shamsi, F., Hosseini, S., Tahamtan, M., & Bayat, M., 2017. *Methodology Report: The Impaired Theory of Mind in Autism Spectrum Disorders and the Possible Remediative Role of Transcranial Direct Current Stimulation.* Journal of Advanced Medical Sciences and Applied Technologies, 3(3), pp. 175-178. https://doi: 10.32598/jamsat.3.3.175

35) Simpson, K., Keen, D., Adams, D., Alston-Knox, C., & Roberts, J., 2018. *Participation of children on the autism spectrum in home, school, and community.* Child Care Health, 44(1), pp. 99-107. https://doi.org/10.1111/cch.12483

36) Stasinos, D. P., 2013. *Special Education 2020.* Athens: Editions Papazissi.

37) Tager-Flusberg, H., 2001. A reexamination of the theory of mind hypothesis of autism. In J. Burack, T. Charman, N. Yirmiya, & P. Zelazo (Eds.), *Development and autism: Perspectives from theory and research* (pp. 173–193). Hillsdale, NJ: Erlbaum.

38) Volkmar, F.R., 2013. Autistic Disorder. *In Encyclopedia of Autism Spectrum Disorders*, by Fred R. Volkmar, 371-376. NewYork: Springer

39) White, S. W., & Roberson-Nay, R., 2009. *Anxiety, Social Deficits, and Loneliness in Youth with Autism Spectrum Disorders.* Journal of Autism and Developmental Disorders, 39(7), pp. 1006–1013. https://doi.org/10.1007/s10803-009-0713-8

40) Wicks-Nelson R. & Israel A., 2003. *Behavior Disorders of childhood.* United States of America: Prentice Hall.

41) Woolley, J. D., & Wellman, H. M., 1993. *Origin and truth: young children's understanding of imaginary mental representations.* Child Development, 64(1), pp. 1–17. doi: https://doi.org/10.2307/1131434

Implementation of the United Nations Peace Task Intermission for Indonesia Engineering Company Task (TNI)/Garuda Contingent XXXII-C from Haiti to Central Africa (2014-2015)

Roy Limbong[1], Jonni Mahroza[2], Triyoga Budi Prasetyo[3]

[1,2,3] Indonesia Defense University

ABSTRACT: Indonesia has potential in cooperation on the intermission of UN peacekeeping tasks, although the need for UN intermission does not occur frequently (incidentally), but it needs to be prepared in order to anticipate opportunities and challenges in the development of the situation in UN PKOs, as has happened to the Indonesian Armed Forces Engineer Company Taskforce/Garuda Contingent. XXXII-C, through a decision-making mechanism based on the UN Resolution in UN PKOs to carry out the intermission of peacekeeping tasks from Haiti to Central Africa (2014-2015). The Kizi Taskforce TNI/Konga XXXII-C/MINUSTAH or Konga XXXVII-A/MINUSCA, can complete their duties as UN peacekeepers on duty at the UN Mission in MINUSTAH - Haiti and carry out UN Peace Task Intermissions in MINUSCA, in order to prepare missions in the African Republic Center (CAR). On this "rare" opportunity, the UN intermission process can be carried out properly through effective diplomacy and negotiations, so that the TNI/Konga XXXII-C Kizi Taskforce can carry out tasks in two different missions at once. And on this occasion, the researcher tries to explore the data in the form of a research entitled "Implementation of the United Nations Peacekeeping Taskforce; Case Study of Intermission of Satga IEC/Konga XXXII-C from Haiti to Central Africa (2014-2015)", In this study, I tried to explain the mechanism and implementation of the UN peacekeeping mission, accompanied by various challenges and obstacles faced in the area of operation. as well as the steps and efforts taken to overcome them, so that the task of ending the mission of the IEC/Garuda contingent in Haiti and the reopening of the UN mission in the Central African Republic can take place safely and smoothly. The researcher explored this research, considering that this form of intermission assignment rarely occurs, not only in the IEC Taskforce/Garuda Contingent, but also in UN peacekeeping operations.

KEYWORDS: Strategy, Intermission, Decision Making, Conflict Resolution, Diplomacy.

INTRODUCTION

Assignment in two different missions in two different countries is not something that is commonly experienced by contingents who are members of UN missions. However, this quite rare experience happened to Taskforce IEC (Indonesia Engineering Company), which originally served in Haiti under the name of the Garuda Contingent (Konga) XXXIIC/MINUSTAH and then continued its duties to the Central

African Republic (CAR) under the name Konga XXXVIIA/MINUSCA. At the beginning of the assignment, the IEC, Konga XXXII-C/MINUSTAH Taskforce left for Haiti as the third Garuda contingent to carry out humanitarian tasks in the island nation of the Caribbean region. The existence of the

IEC Taskforce in Haiti was motivated by the earthquake that occurred in the country on January 12, 2010. An earthquake measuring 7 on the Richter scale not only destroyed existing buildings and infrastructure but also paralyzed the government in the country located in the Central America region. This resulted in an uncontrolled situation, increased crime, and a humanitarian crisis, which prompted the UN Security Council to give an additional mandate to MINUSTAH (*Mission des Nations Unies pour la stabilization en Haiti*) to carry out the recovery, reconstruction, and stabilization of Haiti. As a realization of this mandate, additional troops were added including the Garuda Contingent (Taskforce of Indonesia Engineering Company/IEC)) to assist Haiti's recovery efforts through the construction of infrastructure and public facilities that were damaged after the earthquake. However, as the political and security situation improves and the economy recovers in Haiti, on October 12, 2012, UNSC Resolution No. 2070 concerning the MINUSTAH consolidation plan marked by downsizing in the period 2013-2016. As a follow-up to the consolidation plan, in the period November 2013-June 2014, the first phase of reduction of military personnel was carried out by 1,249 people, including the IEC Taskforce which is scheduled to take place no later than April 30, 2014.

Implementation of the United Nations Peace Task Intermission for Indonesia Engineering Company Task (TNI)/Garuda Contingent XXXII-C from Haiti to Central Africa (2014-2015)

Coinciding with the process of downsizing MINUSTAH, there was a sectarian conflict in the Central African Republic which prompted the United Nations to establish a multidimensional mission called MINUSCA (*Mission multidimensionnelle integree des Nations Unies pour la stabilization en Republique centrafricane*). In accordance with security council resolution number 2149 dated April 10, 2014, the establishment of MINUSCA aims to deal with sectarian conflicts that occur in the Central African Republic to achieve stabilization in all sectors in the country. This condition later became the momentum of the IEC Taskforce's intermission from Haiti to the Central African Republic. There are some special notes in the implementation of the IEC intermission from Haiti to the Central African Republic. First, the transfer of IEC duties is the first intermission of the Zeni contingent in peacekeeping operations. Although initially there were many debates related to the complexity and difficulties experienced in the field to move a contingent of Engineers to the accommodation with COE (Contingent Own Equipment) status and the amount of equipment they had, while the time allocation was limited; however, with careful planning and coordination along with the extraordinary work ethic of the troops, the IEC intermission process could take place smoothly and safely. Second, IEC started to enter CAR on May 21, 2014. Which means before the mission opened. This initially also caused a debate about the position and control of the IEC, considering that the FHQ (Force headquarter) and its components, including the Force Commander, did not yet exist, until the official mission was opened on September 15, 2014. However, with good coordination, IEC was then under the control of the TNI. Director of Mission Support (DMS). Third, after the opening of MINUSCA, the status of IEC was not only a military unit but also an enabling unit, so that command and administration were under the Force Commander but operationally (tasking authority) were more under the DMS. Fourth, the security situation in the Central African Republic (CAR) is so different from Haiti that it demands that the soldiers adapt immediately to these differences. This is indicated by the difference in the chapters of the 1945 UN charter that apply, namely in Haiti, chapter VI applies, while in CAR, chapter VII is valid.

THEORY AND CONCEPT
Strategy Theory

According to Alfred Chandler (1962): Strategy is the setting of long-term goals and objectives of an organization, and the direction of action and allocation of resources needed to achieve these goals and objectives. In this article, the author formulates an intermission strategy that can be formulated, namely the realization of the goals *(ends)* "to achieve certainty in the timing of intermission, the responsibility for redeployment the troop and materials as well as the fulfilment of the material requirement according Spesification of Units Requirement", by *the ways* of "implementing diplomacy and effective negotiations, using the strength *(means)* of the "Permanent Mission of the Republic of Indonesia (PTRI) in New York, Ministry of Foreign Affairs staff, and Indonesia Peace and Security Center (IPSC), and the IEC Taskforce (CBM/Trust and Military Capability)", supported by infrastructure with equipment/materials that are ready for operation on the next mission.

UN- Intermission Concept

Inter-mission or in its official term called Inter-mission cooperation is a new concept that is being developed by the United Nations in the context of conflict resolution through the transfer of capabilities/resources from one mission to another, to achieve effectiveness and efficiency of the implementation of peacekeeping operations. The concept which was officially introduced in December 2012 is considered important to be developed immediately considering the increasing intensity of the conflict, while budget support for peacekeeping operations is decreasing due to the global economic crisis. Initially, inter-missions were carried out in the form of intermission capabilities/resources in the form of personnel, equipment, and funds from one mission to another in one region/sub-region, for example, the transfer of helicopters from Liberia to Côte d'Ivoire when it happened. the post-election crisis in 2011. However, in subsequent developments, the implementation of the intermission became more complex in the form of intermission contingents from one region to another, as happened to IEC, intermission inter-region from America to Africa.

Decision-Making Concept

According to Snyder, the definition of decision-making theory which assumes that through decision making theory will know the behavior of the State in international relations. In carrying out its duties, the United Nations has several specialized organizations and agencies engaged in certain fields, such as WHO (health), FAO (food and agriculture), IMO (maritime), and so on. The United Nations itself was founded on October 24, 1945. Its official name is United Nations, commonly abbreviated as UN. The main objectives of the United Nations are:

1. Maintaining world peace and security
2. Promote and encourage brotherly relations between nations through respect for human rights,
3. Fostering international cooperation in economic, social, cultural, and environmental development,
4. To become the center of synchronization of all joint actions against countries that endanger world peace,
5. Provide humanitarian assistance in case of famine, natural disasters, and armed conflict.

Implementation of the United Nations Peace Task Intermission for Indonesia Engineering Company Task (TNI)/Garuda Contingent XXXII-C from Haiti to Central Africa (2014-2015)

According to the United Nations, peacekeeping is a technique designed to maintain peace when conflict subsides and to help implement agreements agreed upon by peacemakers and create conditions for lasting peace (United Nations Peacekeeping, "What Is Peacekeeping?", http://www.un.org/en/peacekeeping/operations/peacekeepin g.shtml). There is an understanding between the objectives of the PKOs and the Indonesian national interest in international relations as stated in the Preamble to the 1945 Constitution of the Republic of Indonesia as the constitutional basis, namely: "to participate in carrying out world order based on independence, eternal peace and social justice". The UN's critical need in preparing a mission in Central Africa is manifested in UN Security Council Resolution No. 2149 dated April 10, 2014 regarding the granting of the MINUSCA Mandate in the Central African Republic. (Resolution no. 2149, Mandates September 15,2014 as Date for Transfer of Authority) as the momentum for the intermission of the IEC/Konga XXXII-C Taskforce from Haiti to Central Africa (2014-2015).

The Decision making to implementation of the interests of international relations is manifested in the involvement of sending peacekeeping troops under the banner of the United Nations. So that the State of Indonesia remains consistent with a free and active foreign policy, namely Indonesia is free to determine attitudes and policies towards international problems and does not bind itself in priority to any world powers. Simultaneously, Indonesia also actively participates in resolving conflicts, disputes, and other world problems as the goal of independence, lasting peace, and social justice. As in the UN mission, in the absence of partiality or impartiality towards one of the conflicting parties (conflict), but actively seeking peace efforts in every conflict and socializing that colonialism in the world must be abolished because it is not in accordance with humanity and justice.

Emergence of the Idea for Conflict Resolution

Conflict is a struggle between opponents over values and claims to scarce status, power and resources (Coser;1956). The basis of a conflict resolution, is an understanding of the conflict itself. First, the most important thing to analyze are some kinds and reasons why conflicts occur, even in everyday life. Conflict has existed since the presence of humans on earth, because of the many differences that humans have, causing differences in understanding where differences in understanding are themselves conflicts of interest between individuals. Several types of destructive conflict are conflicts that are civil wars (between 2 groups within a country), or when a conflict has entered a violent stage, such as the sectarian conflict that occurred in CAR, is evidence of the failure of the government leadership in carrying out its duties to protect all its citizens from divisions and conflicts that lead to violence that takes many victims and has a negative impact on the CAR economy, especially the declining welfare of the country. According to Dahrendorf conflict is defined as a situation that occurs as a result of the pressure that surrounds decisions in several choices, which is sometimes manifested through confrontation between parties. Conflict resolution is an individual or group's way of resolving a problem that is being faced with another individual or other group voluntarily. conflict resolution also recommends using more democratic and constructive ways to resolve conflicts by giving conflict parties the opportunity to solve their problems by themselves or by engaging wise, neutral, and fair third parties to help conflicting parties resolve the issue. (conflict-prevention) are interventions to stop violent conflicts (peacekeeping) through negotiations to create peace (peace-making) with fostering peace in order to survive in the long term (peace-building).

DEFENSE DIPLOMACY TO EFFECTIVE DIPLOMACY AND N EGOTIATION IN CONFIDENCE BUILDING MEASURES (CBMS)

Defense diplomacy is an activity of state cooperation, both multilaterally and bilaterally, carried out by the military and related stakeholders in peacetime by involving military cooperation on strategic issues, ranging from the military role to non-military roles, such as the existence of a peacekeeping force, security enforcement (peace enforcement), promotion of good-governance, disaster response, protecting human rights, etc. Negotiation as one of the diplomatic functions according to the 1961 Vienna Convention, can prevent or eliminate conflict. The success of negotiations can be influenced by internal factors and external factors of the negotiating countries. Based on consideration of the factors that affect the country, so that a government has a different way of reading these factors so that there is a reorientation of foreign policy. This reorientation of foreign policy affects all foreign policies of a country during the reorientation government (Holsti, 2016). Thus, the main element of diplomacy is negotiation and is carried out to fight for the interests of the state. Diplomatic activities are carried out in the context of fighting for the national interest as far as possible through peaceful means. Therefore, efforts to maintain peace are a diplomatic priority as long as it does not damage the national interest which is the goal of diplomacy.

One of the most difficult times in implementing this intermission is waiting for the Indonesian government's decision regarding the status of the Taskforce, whether to return to the country or continue the task to a new mission area. On the one hand, the decision regarding the repatriation schedule for Indonesia Engineering Company (IEC) had been determined by UNDPKO before we arrived in Haiti, namely April 30, 2014, on the other hand, the IEC Taskforce was prepared to carry out tasks for one year, namely until November 2014. The option of moving to another area The new mission was the best alternative at that time to continue the TNI's kizi term of service in addition to carrying out constitutional orders, as stated in the 4th Paragraph of the Preamble to the 1945 Constitution of the Republic of Indonesia, namely "to participate in carrying out world order based on independence, eternal peace

and social justice." , as well as a solution to the limitations of human and material resources as well as accelerating the operational preparation of the UN Taskforce and budget savings to deal with the rise of conflicts in the dynamics of inter-regional strategic environment development effectively and efficiently, as well as supporting the policy of the President of the Republic of Indonesia, to achieve 4000 peacekeepers. Furthermore, according to the leadership's policy, the Central African Republic became the next mission area for the IEC Taskforce to continue their duties. However, there are 3 (three) main problems in realizing the IEC intermission plan from Haiti to the Central African Republic, namely First, the certainty of the timing of the intermission which did not come. Second, the responsibility for material transfer outside the MoU is unclear, and third, the difference in requirements that is quite striking on the needs of the Engineer Company between MINUSTAH (Haiti) and MINUSCA (CAR). In short, the three main problems can finally be solved through an effective diplomatic and negotiation process in increasing trust and building capacity in UN Inter-mission for PKOs.

Diplomacy and Negotiations in the face of uncertainty about the timing of the inter-mission.

Starting with the working visit of IPSC Commander and staf of Permanent Mission of the Republic of Indonesia to Haiti on January 23-27, 2014, the diplomatic process in order to move IEC from Haiti to CAR began. During the working visit, IPSC Commander and his entourage had the opportunity to carry out a courtesy call to the SRSG and the Force Commander - MINUSTAH as well as to convey the plan to transfer IEC from Haiti to CAR, whose implementation has yet to be determined, awaiting a resolution regarding the handling of conflicts in CAR. However, until the end of March 2014, there was still no decision regarding the opening of a UN mission in order to deal with the conflict in CAR so that MINUSTAH decided that IEC's assignment in Haiti would still end (as planned) on April 30, 2014, and as of April 9, 2014, it had been in progress. cease of operation position to prepare for repatriation. MINUSTAH's decision is based on the reason that the PBB takes a minimum of 1 (one) month to carry out the auction up to the contract, both ships and planes to transport the personnel and materials of the Taskforce. Although the resolution on CAR has been issued on April 10, 2014, the issue regarding the certainty of the timing of the IEC intermission is still not resolved. This is because the UN Mission in CAR will only open on September 15, 2014, and the official approval of the Indonesian government regarding the redeployment of the task of Indonesia Engineering Company (IEC) from Haiti to CAR has not come out until the deadline determined by UNDPKO. Facing this situation, we communicated with Military Advisor, which was followed up by communication to the Ministry of Foreign Affairs, so that on April 30, 2014 the Verbal Note No.S/078/PM/202/IV/2014 was issued regarding the approval of the Government of the Republic of Indonesia. to transfer the task of IEC Konga XXII-C/MINUSTAH from Haiti to the Central African Republic (MINUSCA). Based on the verbal note, the plan to transfer the Taskforce IEC can be realized.

Diplomacy and Negotiation in dealing with responsibilities of material transfer outside the MoU.

The next problem that arises is, as stated in the MoU, the UN party (in this case Movcon) is only responsible for transporting all COE personnel and materials according to the amount stated in the MoU with a maximum tolerance limit of 10%, other than this, it is fully returned to TCC; and in fact the material of the Taskforce far exceeds these provisions. According to the MoU, there are 27 containers of goods belonging to the Taskforce which are categorized as major equipments to transport the Taskforce's self-sustainment materials. Meanwhile, to transport all Taskforce materials (including prefabricated structures with COE status), ±52 containers are needed. The fulfillment of the shortage of 27 containers and the cost of transporting the additional containers will be fully borne by TCC. To the TCC, we have tried to report this to the IPSC, but no solution has been given while we continue to be urged to meet the repatriation schedule set. Various alternative solutions continue to be pursued by the Taskforce, including negotiating with MINUSTAH. Various paths were explored starting from regional MINUSTAH in Gonaives, Supply Section, Movcon, JLOC to Mission Support. During the negotiation process, we always communicate and report any developments to Permanent Mission of the Republic of Indonesia, so that it can be followed up at the UNHQ level because every outcome of our negotiations with MINUSTAH must obtain approval from UNHQ according to the relevant field. Furthermore, with the approval of the Permanent Mission of the Republic of Indonesia, then the Taskforce submits additional containers to MINUSTAH (in this case through the Director of Mission Support) with costs (container prices and shipping) that will be deducted from the reimbursement. However, with the issuance of the Indonesian government's decision to approve the transfer of the Taskforce to MINUSCA, 20 additional container support from MINUSTAH has become a loan which is regulated in the asset transfer mechanism in the context of transmission, the delivery of which is also the full responsibility of the United Nations.

Diplomacy and Negotiation in dealing with different requirements between MINUSTAH (Haiti) and MINUSCA (CAR).

The dispatch of the Taskforce to a mission is based on the MoU whose contents are adjusted to the Statement of Units Requirements (SUR) that has been set for the mission. Given that each mission area has different characteristics and task challenges, the requirements set are not always the same. This is also a problem in shifting the task of IEC considering that the mission of MINUSTAH (Haiti) is stabilizing and humanitarian (as regulated in chapter VI of the UN charter) while MINUSCA (CAR) is peace enforcing (as regulated in chapter VII). The types and quantities of materials owned by the Taskforce are different from those specified in the requirements for the company's engineers at MINUSCA, in addition to the condition of the vehicles and equipment

that are no longer new. Facing these problems, negotiations and diplomacy efforts were carried out with the aim of convincing the parties involved in the MoU negotiations to fully accept the Taskforce' material / COE and if necessary adjustments to the SUR, only need to add some equipment. In dealing with this situation, we benefited from the COE post inspection report which showed that the material condition of the Taskforce was almost 100% so that, although not new, it was considered feasible to be sent again to the new mission area. The second advantage is the lack of local contractors who have engineering skills in CAR, so the need for a contingent of engineers is very urgent to prepare for the opening of the mission. The third advantage is that we are the first engineer contingent to serve in CAR, so it is our input that ultimately becomes the refinement of the engineer contingent's SUR at MINUSCA.

RESEARCH METHOD

This journal uses a eksplanative-qualitative method. Sources of data obtained consist of primary and secondary sources obtained in the form of narrative data, descriptions and not numbers. The primary data in this study are the results of interviews with related institutions such as the Ministry of Defense, TNI Headquarters and Headquarters. While secondary data is data obtained indirectly from the source where this is taken from additional data that can help researchers such as books, articles in magazines or newspapers, and internet sites. These data are data related to the handling of transnational crimes at the sea borders of Indonesia, Malaysia and the Philippines.

DISCUSS

The shift in the global center of gravity (global center of gravity shifting) from west to east, has resulted in the development of a dynamic global strategic environment, so that it can affect the inter-regional, regional and national environment, as is a world order, where threats spread with uncertainty, where conflict is an unpredictable part and where the ability to maintain and support national interests is limited by constraints, both material resources and human resources and budgets due to the global economic crisis. Then the intermission strategy of the IEC/Konga Taskforce from Haiti to Central Africa in support of Indonesia's defense diplomacy as a form of increasing "trust" (CBMs) for world peace under the banner of the United Nations. ensure peace for the world. The importance of the readiness of the TNI / IEC Taskforce by increasing trust through CBMs in assisting and supporting the goals of the United Nations, especially in realizing peace to face problems in UN peacekeeping operations (PKOs). Furthermore, in addition to CBMs related to the challenges of the inter-mission process, it is also necessary to increase capacity in trust building and fostering the character of the peacekeepers themselves which have been embedded in the identity of the Indonesian nation with the ideology of Pancasila as a strategic power center that has been believed to be true, since seizing and defending independence until now. Facing with the dynamics of PKOs regarding intermissions with different situations (different chapters) being a fairly complicated obstacle, so that it is also necessary to increase the ability of the Taskforce in adjusting to different situations from the previous mission, the response and attitude of Indonesian defense diplomacy and the readiness of the TNI/IEC taskforce in dealing with intermissions should be formulated systematically, holistically and integrally as a manifestation and role of the TNI/IEC Taskforce in realizing national interests in the interests of international relations, namely carrying out main tasks in accordance with the constitutional basis in the mandate of the opening of the 1945 Constitution in the 4th paragraph... *"participate in a world order based on freedom, lasting peace and social justice"*.

CONCLUSIONS

In UN Peacekeeping operations (PKOs), inter-mission is a strategy which needed to accelerate the handling of global, regional and inter-regional conflicts to prevent more victims and conflicts that will become more widespread as well as the existence of "Limited Human Resources and Materials as well as acceleration of the operational preparation of the UN Taskforce and budget savings. , to respond for the increasing number of conflicts in the dynamics of the development of the inter-regional strategic environment by effectively and efficiently. As the implementation of Indonesia Engineering Company (IEC) inter-mission from Haiti to CAR is tangible evidence, Inter-mission process can run smoothly. From the UN's point of view, this is very beneficial in terms of the speed with which the mission is set up as well as being able to make effective use of the budget to facilitate logistical support. Meanwhile, from the Indonesian government's perspective, this also facilitates the process of dispatching contingents to new mission areas, given the bureaucracy that is not too complicated in its implementation. This is of course if the Taskforce that will carry out the intermission has mandates, duties and responsibilities with the same nature and character as the previous mission. Like the Taskforce IEC/ Konga XXXII-C/MINUSTAH Taskforce which carried out the intermission, it became the Taskforce IEC/ Konga XXXVII-A/MINUSCA Taskforce as a Taskforce that focuses on the implementation of engineering tasks. Intermission will become very complex and difficult to implement if the unit changes its function in terms of its mandate, duties and responsibilities.

Thus, the biggest challenge faced in its implementation was the certainty of time and an agreement that did not come immediately, resulting in the contingent having experienced various difficulties, especially related to logistical support from the mission and maintaining the morale of soldiers, both in capacity building of soldiers and facing different situations (Chapter VI to Chapter VII).

Other challenges that arise are related to the security situation, health problems, and of course logistical support, especially in the context of mission transfers and for the establishment of camps in new areas. In the end, I hope this simple article can be useful in order to support the preparation of the next UN contingents, especially when facing the task of UN intermission in Peacekeeping Operations (PKOs).

REFERENCES
Book
1) Barston, R.P. Modern Diplomacy. Longman. N.Y, 1997.
2) Boutelis and Smith, The Critical Role of Engineers in UN Peacekeeping, International Peace institute, Vienna, 2014.
3) Creswell, John W. Qualitative Inquiry and Research Design: Choosing among the Five Approaches in Creswell, John W. Research Design Qualitative, Quantitative and Mixed Approaches. Third Edition. Student Library. Yogyakarta, 2010.
4) Cottey, A., & Forster, A. (2004). Reshaping Defense Diplomacy: New Roles for Military Cooperation and Assistance. Oxon: Routledge.
5) Ghosh, Peu. International Relations, Second Edition. PHI Learning Private Limited. New Delhi, 2011.
6) Holsti, K.J. International Politics: A Framework for Analysis, translated by Azhary, M. Tahir, International Politics: Framework for Analysis, Volume 1. Guidelines for Science Jaya. Jakarta, 1987.
7) Hough, Peter. Understanding Global Security. Routledge Taylor and Francis Group. London and New Yourk, 2004.
8) Morgenthau, Hans J. Politics Among Nations, The Struggle for Power and Peace, revised by Thompson, Kenneth W., translated by Maimoen, S., Fatwan, A. M., and Sudrajat, Cecep, Politics between Nations, Ed. 1., Cet. 1. Indonesian Torch Library Foundation. Jakarta, 2010.
9) Perwita, Anak Agung Banyu and Yani, Yanyan Mochamad. Introduction to International Relations, cet. 3. PT Youth Rosdakarya. Bandung, 2011.
10) Roy, S.L. Diplomacy, translated by Herwanto and Mirsawati. CV. Rajawali., Jakarta, 1991.
11) Sugiyono, (2012). "Quantitative, Qualitative, and R&D Research Methods. 17th edition". Bandung: Alphabeta 2012

Constitution
1) Mandate of the opening of the 1945 Constitution in the 4th paragraph... "participatein a world order based on freedom, lasting peace and social justice".

Journal
1) Winger, G. (2014). The Velvet Gauntlet: A Theory of Defense Diplomacy What Is Defense Diplomacy? In A. Lisiak & N. Smolenski (Eds.), What Do Ideas Do? (pp. 1–15). IWM Junior Visiting Fellows' Conferences.

Website
1) https://employers.glints.id/resources/mengenal-vuca-volatility-uncertainty-complexity-ambiguity/
2) http://www.un.org/en/peacekeeping/operations/peacekeeping.shtml). (United Nations Peacekeeping, "What Is Peacekeeping?)
3) http://www.whatsinblue.org/2012/12/peacekeeping-and-inter-mission cooperation-briefing.php

The Development of The Occult-Demonic Syndrome Scale (ODSS-1)

Dr. Zlatko Šram
Grgura Ninskog 5, 22000 Šibenik, Croatia
https://orcid.org/0000-0003-2689-5706

ABSTRACT: Among many Christians and other religious and spiritual (R/S) groups belief in the demonic is common. Yet no measures exist that enable study of this phenomenon. For theoretical, practical, and research purposes such a measure seems essential. This study reports the development and preliminary psychometric properties of a measure designed to serve this purpose. Four items each in the domains of subjective experience and behavioral engagement were developed. We reasoned that these were interrelated domains. Factor analysis yielded two strongly related factors of four items each that corresponded to subjective feelings and behavioral engagement, accounted for 56.55% of the total variance and correlated 0.62. The measure showed good internal consistency and fits our theoretical model.

KEY WORDS: measurement, Christian, occult, demonic

INTRODUCTION

Worldviews vary along a broad continuum from materialist to mentalist/spiritualist. In the middle of the range are worldview that embrace both material and mental/spiritual ontologies in holistic or other models (Legare & Gelman, 2008; Moreland & Caig, 2017; Sire, 2015; Taves, Asprem, & Ihm, 2018). Often these seemingly-disparate views coexistent simultaneously in the same individuals (Shtulman & Legare, 2019).

In Christian literature, the occult represents a real spiritual world with independent ontological reality (Martin, Rische, & Van Gorden, 2008; Moreland & Craig, 2018). Occult encounters are believed/conceptualized to involve real encounters with demonic beings. These encounters are associated with deep psychophysiological arousal, intense emotions, and significant religious/spiritual experiences; they involve perceptions of conflict, influence, and control. Repetitive, often ritualistic, patterns of R/S behavior are associated with demonic encounter. The occult refers to various magical and divinatory beliefs and practices which are often closely associated with demonic influence (Bufford 2008; Crooks, 2018; MacNutt, 2009).

Many exorcists proved that occult practices, that people are involved in, invoke demonic powers and the people become the subject of demonic activity because occult behavior creates an open doorway for the demonic (Amorth, 1999; Rossetti, 2021). Namely, if someone turns to the occult, it may be the reason for an internal diabolical oppression (Gallagher, 2020) or obsession indicating an internal diabolical assault on person's thoughts and emotions (Fraune, 2019; Ripperger, 2013).

The common belief in demonic/occult reality is important for both the practice of psychotherapy and theoretical reasons. From a theoretical and philosophical perspective, considerations of the demonic/occult falls broadly within the domain of human diversity. At the core, this involves a question of worldviews and ontology (the question of what exists). While even among Christians worldviews vary, many Christians believe in a world that includes God, angels, and demons as well as humans. Evidently many others may believe in demons as well. Philosophically and theoretically, the question is whether or not occult phenomena are real and whether engaging in occult behavior reflects the existence of nonphysical dark entities or sinister forces (Hunter, 2015).

Father Gabriele Amorth (1999), the famed Roman Catholic exorcist, argued that the occult is the cult of Satan and presents a deviant form of religiosity. Said differently, it offers an alternative R/S worldview. Satanic or reversed religion generates the existence of satanic spirituality that constitutes a dangerous threat to various realms of human mental health and well-being (Bufford, 1989, 2008; Šram, 2017) and may present demonic-induced sicknesses (Isaacks, 2018).

In the research domain, demonic/occult processes and practices are seldom investigated empirically. Seemingly this is a taboo topic in current scientific research. Thus it is almost impossible to find research in the academic psychological and psychiatric journals that deals with the association between engaging in occult behavior and subjective feelings of demonic presence and influence as a syndrome. However, subjective feelings of demonic presence and influence are sometimes perceived as a spiritual phenomenon (Ashraf, Krishnan, Wudneh, Acharya, & Tohid, 2016) across a wide range of geographic and cultural settings (Legare & Gelman, 2008; Shtulman & Legare, 2018).

The Development of the Occult-Demonic Syndrome Scale (ODSS-1)

Within Christian literature as well, the occult is regularly associated with the adverse role of demonic influence on the mental health and spirituality of human beings (Amorth, 1999; Bolobanić, 2015; Campos, 2018; Martin, Rische, & Van Gorden, 2008), thus could have important implications for psychopathology and psychotherapy. Christian priests and pastors, as well as psychologists and psychiatrists, may often be confronted with humans whose experiences and sufferings are or can be attributed to the occult. Often these cannot be adequately addressed, and may not even be clearly classified, interpreted, and understood outside this framework (Bufford, 1989, 2008; Lucadou & Wald, 2014).

At a practical level, it is generally believed that demonic/occult engagement may lead to psychological and other harms. Unfortunately, those who engage in various sorts of occult practice often do not realize that "they have given themselves body and soul to demonic powers" (Amorth, 1999, p. 67). Adverse outcomes are commonly reported; further, it may not matter whether the individual knowingly dabbles with the power of Satan.

The potential for adverse consequences of dabbling in the occult are seldom discussed by either psychologists or psychiatrists in their psychotherapeutic treatment planning (Ripperger, 2013; Stafford, 2005) or by the Church authorities and priests in their pastoral life (Fraune, 2019; Amorth, 1999; 2005). A little attention is paid to dark side of R/S life and to R/S struggles caused by engaging in occult behavior (Exline & Rose, 2013; Lozano, 2018). That is why we consider there is an urgent need for carrying out research to find out whether and what kind of relationships exist between engaging in occult behavior and subjective feelings of demonic presence, because in general, the Catholic Church attributes the rise of demonic activity to people dabbling in the occult. It is of great significance for an individual and collective well-being to possibly diagnose the pattern of an *occult-mediated mental disorder*.

For purposes of our study, the space of engaging in occult behavior was defined as behavioral pattern that involve activities such as visiting a fortune-teller, attending witchcraft or voodoo ceremonies, attending a séance in which souls of the dead are called, and playing with a Ouija board or "Dungeon and Dragons". We propose that *seeking occult knowledge and power* are core to the psychological meaning of volitionally engaging in occult behavior.

In the space of personal experience, subjective feelings of demonic presence and influence were defined as a spiritual condition that indicates encountering an evil presence in one's life influencing his/her thoughts and behavior, sensing that something evil is attached to him/her, feeling that some dark power caught him/her with its hand and manipulated, goaded, or coerced him/her to do things he/she didn't want to do and/or perceived as evil, and feeling as if some dark powers were moving on/inside him/her. In its spiritual essence, the structure of subjective feelings of demonic presence and influence strongly resembles some kind of internal demonic oppression (Gallagher, 2020; Irmak, 2014) or diabolical obsession characterized by demonic assault on person's cognition, affection, and imagination (Amorth, 1999; Fraune, 2019; Ripperger, 2013).

We hypothesized that engaging in occult behavior, or dabbling in the occult, and subjective feelings of demonic presence and influence are substantially correlated that they may present a homogeneous construct and provide the foundation for an internally reliable scale to measure the *Occult-Demonic Syndrome*. We assumed that such a measure would be a useful and efficient tool for research and may also prove useful in both psychiatric and spiritual diagnosis.

METHOD
Participants and procedure

The survey was carried out in a convenient adult sample of the members of the Croatian ethnic minority across the Autonomous Province of Vojvodina in Republic of Serbia (N=189). The members of different Croatian organizations and institutions in Vojvodina administered the questionnaires to adults whom they knew or supposed were of Croatian ethnicity. The mean age of the sample was 45.0 years (SD=16.0) and 48% were male. Among participants, 97% declared themselves as members of the Roman Catholic Church. More than half of the participants declared themselves as religious people (religious=46.6%, very religious=12.2%; total=58.8%). The questionnaires, covering different religious, sociological and psychological topics, were filled in by the respondents themselves. Among participants, 5.8% reported they completed elementary, 14.8% vocational, 34.9% secondary, 12.7% college, and 31.7% university education.The sample was somewhat skewed toward higher degrees of school attainment, as is common for survey research requiring a sufficient degree of literacy. The current study is a part of a broader sociological and psychological study carried out in the late autumn of 2018.

Measurement

We wished to measure a construct for which no scale has yet been developed. The scale development process was conducted deductively, beginning with a theoretical definition as a basis on which items were generated. The deductive approach was most appropriate because the theory posited the existence of strong relationship between subjective feelings of demonic presence and influence (the demonic) and engaging in occult behavior (the occult). On the basis of such a theoretical approach we constructed the scale for measuring an occult-demonic syndrome. The measurement was labeled the *Occult-Demonic Syndrome Scale* (ODSS-1).

The Development of the Occult-Demonic Syndrome Scale (ODSS-1)

Participants were asked how often have they experienced or participated in the following things, using a 5-point scale: 1. never, 2. very rarely, 3. sometimes, 4. often, and 5. very often. Appendix A provides the items used in the ODSS-1.

RESULTS

Principal axis factor analysis

In order to find out the construct validity of the 8-item Occult-Demonic Syndrome Scale (ODSS-1) and how well it represents the underlying theoretical construct, principal axis factor analysis with Promax rotation was conducted. The oblique rotation factor analysis was performed because there was a good theoretical reason to assume that the resulting factors should be related. Prior to conducting factor analysis, the correctness of data was established. The Kaiser-Mayer-Olkin measure of sampling adequacy value (.KMO=814) is great, and Bartlett's Test of Sphericity was significant (chi-square=725.834, df=28, p<.001). The extracted factors were labeled F1 *Felt Presence* and F2 *Occult Behavior*. Together, the two factors explained 56.55% of the item variance. Table 1 displays the pattern matrix of the ODSS-1. A substantial positive correlation between subjective feelings of demonic presence and engaging in occult behavior was established (r=.62). It means that engaging in occult behavior shares 38% of common variance with subjective feelings of demonic presence (the coefficient of determination, $r^2 = .38$). Taken together, the amount of the explained variance by the first rotated factor (47.16%), the magnitude of factor loadings on the factor matrix (ranging from .53 to .82), and the large correlation between the two factors (a large correlation coefficient equals or exceeds r=.50; Cohen, 1998; Hemphill, 2003), indicated the ODSS-1 measured an internally coherent construct of an occult-demonic syndrome.

Table1: Principal axis factor analysis for the Occult-Demonic Syndrome Scale (ODSS-1)

F1: Felt Presence	
Items	*Loadings*
6. I felt as if some dark power caught me with its hands and forced me to do evil things I didn't want to	.93
2. I have felt an evil presence directing my life and influencing my thoughts and behavior	.80
8. I have felt as if some dark powers were moving on inside me	.67
4. I sensed that something evil was attached to me	.59
F2: Occult Behavior	
3. I have attended witchcraft or voodoo ceremonies	.90
5. I have attended a séance or spiritual meetings in which the souls of the dead were called	.72
1. I have used to visit fortune-teller who told me my fortune by use of cards, tea leaves, palm reading, crystal ball, etc.	.56
7. I have played with Ouija board, tarot cards or "Dungeon and Dragons"	.49

Reliability analysis

The 8-item Occult-Demonic Syndrome Scale was proven to be a highly reliable measure (Cronbach's coefficient alpha= .85; Mean inter-item correlation, MIC= .45), indicating a strong homogeneity of this cluster of items. The greatest inter-item correlation from the space of engaging in occult behavior and subjective feelings of demonic presence was between these two items: "I have attended a séance or spiritual meetings in which the souls of the dead were called" and "I have felt as if some dark powers were moving inside me" (r= .62). Thus, these two items measure strongly-related processes.

The two subscales derived from the factor analysis had also satisfactory internal consistency: *Felt Presence* (alpha= .83) and *Occult Behavior* (alpha= .76). The method of split-half reliability that randomly splits the data set into two was also used. If the 8-item scale is very reliable a participant's score on one half of the scale will be similar to their score on the other half. In other words, the scores from two halves of the scale should be highly related (Field, 2009). Cronbach's alpha for the first part was .70 and for the second part was .79. Correlation between these two forms was very high (r= .76). Given a high internal reliability of the second half (Cronbach's alpha= .79), it is worth noting the item domain of the second half: *"I have attended a séance or spiritual meetings in which the souls of the dead were called", "I felt as if some dark power caught me with its hands and forced me to do evil things I didn't want to", "I have played with Ouija board, tarot cards or "Dungeon and Dragons", and "I have felt as if some dark powers were moving inside me".*

High internal reliability of the ODSS-1 is also indicated by other indicators in the item analysis, like the corrected item total correlation ("the correlation between each item and the sum of other items"; Brace Kemp, & Snelgar, 2009, p.368) and the size of Cronbach's alpha if an item is deleted (Table 2). The values of corrected item-total correlation are all above .50, which is good. The overall alpha is .85, and none of the items would increase the reliability if they were deleted because all values in this column are less than the overall reliability of .85. This indicates that all items are positively contributing to the overall reliability of the ODSS-

The Development of the Occult-Demonic Syndrome Scale (ODSS-1)

1. Thus, it would be reasonable and justified to create the composite variable of the Occult-Demonic Syndrome Scale. From the Table 2, we can see that the scales and items are highly skewed toward the lower scores, indicating pathological nature of the Occult-Demonic Syndrome Scale.

Table 2: Mean, SD and Item-total correlations of the Items with ODSS-1 and Cronbach's alpha without the item

Item	M	SD	Skew	Kurtosis	Corrected item-total Correlation		Cronbach's alpha if item is deleted
1	1.21	.54	2.95	9.18	.53	.84	
2	1.39	.79	2.14	4.49		.60	.84
3	1.05	.32	6.87	50.94		.53	.84
4	1.20	.56	3.41	13.69		.68	.82
5	1.07	.40	7.06	16.88		.63	.83
6	1.17	.52	3.42	12.14		.75	.81
7	1.05	.28	5.77	34.12		.50	.84
8	1.11	.47	5.36	32.98	.69	.82	

CONCLUSION

Our hypothesis that engaging in occult behavior and subjective feelings of demonic presence, influence and control are substantially correlated was confirmed. Results of this study yielded a measure with two latent dimensions; the first corresponded to demonic experience and the second to occult behavior. These two latent dimensions were strongly correlated, as expected. Internal consistencies for the subjective feeling and occult behavior subscales were strong and internal consistency for the total scale was also strong. We found out that engaging in the occult and feelings of the demonic present a homogeneous construct and an internally reliable Occult-Demonic Syndrome Scale (ODSS-1) underlying a demonic-induced sickness (Isaacks, 2018).

Our finding is in line with assertions that occult practices invoke diabolical powers (Amorth, 1999; Rossetti, 2021). The people practicing the occult may become subject of demonic activity manifested as an internal diabolical oppression (Gallagher, 2020) and may indicate the existence of an internal diabolical assault on individual's perception and emotions (Fraune, 2019); Ripperger, 2013). In other words, the existence of mental disorder that includes the subjective feelings of demonic presence, influence, and control may be the result of dabbling in the occult. It resembles a symptom of Dissociative Identity Disorder described in DSM-5 "as if a 'spirit', supernatural being, or outside person has taken control" over person's mind (American Psychiatric Association, 2013, Dissociative Identity Disorder, p. 213).

The magnitude of association between the occult and demonic (r=.62) indicates that engaging in occult behavior does not need to be accompanied by any strong subjective feelings of demonic presence and influence on the conscious level in a person's life. Conversely, feelings of demonic presence may occur without apparent engagement in occult practices and experiences. There are various reasons for demonic attachment and oppression (Amorth, 1999; MacNutt, 2009; Rossetti, 2021). Although our common theoretical hypothesis that engaging in the occult has an impact on subjective feelings of demonic presence, influence, and control was confirmed, the alternative hypothesis of the nature of the link between the occult and demonic should not be discarded. Namely, the demonic may use psychological vulnerability, generated primarily from childhood trauma, to tempt the person to get involved in the occult without conscious awareness of doing so (Šram, 2017; Virkler, 1999).

The ODDS-1 shows promise as a measure of demonic/occult behavior and experience and can serve as a useful and efficient tool for research in both psychiatric and spiritual diagnosis. We have diagnosed the pattern of an occult-mediated mental disorder labeled the *Occult-Demonic Syndrome* that might be defined in a future edition of the Diagnostic and Statistical Manual of Mental Disorders.

However, there are some limitations to the present study: mono-method assessment, a small and religiously homogeneous sample, and cross-sectional design. In future research, the occult should be examined by its multidimensional facets (e.g. need for an occult knowledge and power) and in larger and religiously different sample. Given the psychological and psychiatric underpinning of the *Occult-Demonic Syndrome* we suggest that the survey be carried out with the aim of finding out what patterns of the occult behavior significantly mediates the relationship between childhood trauma and mental disorders in the sample of psychiatric outpatients and inpatients.

REFERENCES

1. American Psychiatric Association (2013). *Diagnostic and statistical manual of mental disorders* (5th ed.). Washington, DC & London: American Psychiatric Publishing.
2. Amorth, G. (1999). *An exorcist tells his story*. San Francisco: Ignatius Press.
3. Amorth, G. (2005*). Egzorcisti i psihijatri (Exorcists and psychiatrists)*. Jelsa: B. Medvid.

The Development of the Occult-Demonic Syndrome Scale (ODSS-1)

4. Ashraf, A., Krishnan, R., Wudneh, E., Acharya, A., & Tohid, H. (2016). Dissociatve identity disorder: A Pathophysiological phenomena. *Journal of Cell: Science & Theory*, *7* (5), 1-3. https://doi: 10.4172/2157-7013.1000251

5. Bufford, R. K. (1989). *Demonic influence and mental disorders*. Faculty publications– Graduate School of Clinical Psychology. http://digitalcommons.georgefox.edu/gscp_fac/57.

6. Bufford, R. K. (2008). *Demonic influence and the Christian: Issues and implications for counseling*. Faculty publications– Graduate School of Clinical Psychology. http://digitalcommons.georgefox.edu/gscp_fac/40.

7. Campos, S. R. (2018). *The fine line between demonic influence and illnesses*. Pittsburgh, PA: Dorrance Publishing Company.

8. Crooks, M. (2018). On the psychology of demon possession: The occult personality. *The Journal of Mind and Behavior, 39* (4), 1-73, Autumn (Special issue)

9. Brace, N., Kemp, R., & Snelgar, R. (2009*). SPSS for psychologists*. New York, NY: Palgrave Macmillan.

10. Cohen, J. (1988). *Statistical power analysis for the behavioral sciences* (2nd ed.). Hillsdale, NJ: Laurence Erlbaum Associates.

11. Exline, J. J. & Rose, E. D. (2013). Religion and spiritual struggles. In R. F. Paloutzian & C. L. Park (eds.), *Handbook of psychology of religion and spirituality,* 2nd edition, (pp. 380-398). New York, NY: The Guilford Press.

12. Field, A. (2009). *Discovering statistics using SPSS*. London: SAGE Publications Ltd.

13. Fraune, C. D. (2019). *Slaying dragons: What exorcists see & what we should know* (2nd ed.). The Retreat Box Press.

14. Gallagher, R. (2020). *Demonic foes*. New York: HarperCollins Publishers.

15. Hays, P. A. (1996). Addressing the complexities of culture and gender in counseling. *Journal of Counseling & Development*, *74*, 332–338. https://doi.org/10.1002/j.1556-6676.1996.tb01876.x.

16. Hemphill, J. F. (2003). Interpreting the magnitudes of correlation coefficients. *American Psychologist, 58* (1), 78–79. https://doi.org/10.1037/0003-066X.58.1.78.

17. Hunter, J. (2015). "Between realness and unrealness": Anthropology, parapsychology, and the ontology of non-ordinary realities. *Diskus. The Journal of the British Association for the Study of Religions*, *17* (2), 4-20. https://doi:10.18792/diskus.v17i2.68.

18. Irmak, M. K. J. (2014). Schizophrenia or possession? *Journal of Religion and Health*, *53* (3), 773-777. https://doi:10.1007/s10943-012-9673-y.

19. Isaacs, C. T. (2018). *In bondage to evil. A psycho-spiritual understanding of possession*. Eugene, OR: Pickwick Publications.

20. Legare, C. H., & Gelman, S. A. (2008). Bewitchment, biology, or both: The coexistence of natural and supernatural explanatory frameworks across biological development. *Cognitive Science, 32,* 607-642. DOI: 10.1080/03640210802066766.

21. Lozano, N. (2018). *Oduprijeti se đavlu. Katolički pogled na oslobađanje (Resisting the devil: A catholic perspective on deliverance)*. Zagreb: Magnum Opus.

22. Lucadou, von W., & Wald, F. (2014). Extraordinary experiences in its cultural and theoretical context. *International Review of Psychiatry*, *26* (3), 324-334. https://doi: 10.3109/09540261.2014.885411.

23. MacNutt, F. (2009). *Deliverance from evil spirits: A practical manual*. Grand Rapids, Mich.: Chosen Books.

24. Martin, W., Rische, J. M., & Van Gorden, K. (2008). *The kingdom of the occult*. Nashville, TN: Thomas Nelson.

25. Moreland, J. P., & Craig, W. L. (2017). *Philosophical foundations for a Christian worldview* (2nd ed.). Downers Grove, IL: InterVarsity Press.

26. Ripperger, C. (2013). *Introduction to the science of mental health*. Sensus Traditionis Press.

27. Rossetti, S. J. (2021). *Diary of an American exorcist*: *Demons, possession, and the modern-day battle against an ancient evil*. Manchester, NH: Sophia Institute Press.

28. Shultman, A., & Legare, C. H. (2019). Competing explanations of competing explanations: Accounting for conflict between scientific and folk explanations. *Topics in Cognitive Science*. 1-26. DOI: 10.111/tops.12483

29. Sire, J. W. (2015). *Naming the elephant: Worldviews as a concept* (2nd Ed.). Downers Grove, IL: InterVarsity Press.

30. Šram, Z. (2017). Psychopathy and depression as predictors of the Satanic syndrome. *Open Theology*, *3* (1), 90-106. https://doi.org/10.1515/opth-2017-0007.

31. Taves, A., Asprem, E., & Ihm, E. (2018). Psychology, meaning making, and the study of worldviews: Beyond religion and non-religion. *Psychology of Religion and Spirituality, 10*, 207-217. https://doi.org/10.1037/rel0000201.

32. Virkler, H. A. (1999). Demonic influence, sin, and psychopathology. In D. G. Benner & P. C. Hill (Eds.). *Baker's encyclopedia of psychology and counseling* (2nd Ed.). Grand Rapids, MI: Baker Academic.

The Development of the Occult-Demonic Syndrome Scale (ODSS-1)

Appendix A
ODSS-1:

1 I have used to visit fortune-teller who told me my fortune by use of cards, tea leaves, palm readings, crystal ball, etc.

2 I have felt an evil presence directing my life and influencing my thoughts and behavior.

3 I have attended witchcraft or voodoo ceremonies.

4 I sensed thant something evil was attached to me.

5 I have attended a seance or spiritual meetings in which the souls of the dead were called.

6 I felt as if some dark power caught me with its hands and forced me to do evil things I didn't want to.

7 I have played with Ouija bord, tarot cards or "Dungeon and Dragons."

8 I have felt as if some dark powers were moving on inside me.
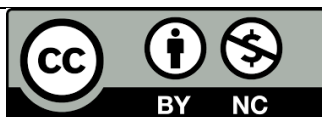
Improving the Quality of Service through Strengthening Organizational Culture, Interpersonal Communication, Pedagogical Competence and Trust (Empirical Research Using Pathway Analysis and Sitorem in Lecturers Indonesia Defence University)

Haposan Simatupang[1], Sri Setyaningsih[2], Dian Wulandari[3], Muhammad Ikmal Setiadi[4]

[1,2,3] Pakuan University, Jalan Pakuan PO Box 452, Bogor – Indonesia

[4] Politeknik Transportasi Darat Indonesia – STTD Bekasi, Jalan Raya Setu No.58, Bekasi, Jawa Barat 17530 – Indonesia

ABSTRACT: Indonesia Defence University as a university that develops one of the new branches of science, defense science, must be able to meet and detect the development of global threats that are happening especially related to defense and security. Defense science emerged about five decades ago, since western countries introduced the concept of managing the defense sector to discuss how to allocate budgets and human resources, utilizing tools such as in the business world for defense purposes. The study sought to claify efforts to measure service quality based on dominant potential factors. Quality of service is assumed to be an important part in improving the quality of education in a convergent approach derived from external factors of a learner. . In this study, the stages of data analysis techniques begin by conducting descriptive statistical analysis, testing analytical prerequisites, and continued with path analysis. Descriptive statistical analysis aims to describe the data of each variable in a single way. The result is to improve the quality of lecturer services at is trust in Indonesia Defence University to be able to produce superior quality graduates.

KEYWORDS: Defense, Lecturer, Research, Science, University

I. INTRODUCTION

Efforts to direct education to the approach of quality achievement have existed since a decade ago, and in its development to date reached a contradiction of its own. In the period 2008-2010 the world of education is required to be able to collaborate with many parties where further known the concept *of University-Business Collaboration* (UBC). Pertuze, *et al.*, (2010) explained that UBC plays a role in increasing the success of projects run by a company to touch the 80% mark with studies on more than 106 projects run by various companies in the world. Furthermore, the three-element conception (*The Triple Helix*) described by Henry Etzkowitz in 2008 explains that effective collaboration between government, universities, and the business world will have a significant impact on the development of the production needs of new knowledge and technologies needed by the business world due to an official push on government needs and updating the theoretical thinking of the economy that is outdated in universities (Etzkowitz, Etzkowitz, Etzkowitz) 2011).

Hegemony changes in the quality of education that prioritize business and job fulfillment are also experienced in Indonesia. Indonesia promotes the achievement of *World Class University* (WCU) standards. Through the Regulation of the Ministry of Research, Technology, and Higher Education Number 50 of 2017 on the Strategic Plan of the Ministry of Research, Technology, and Higher Education 2015-2019, the government targets in 2018 there are at least 4 universities that are included in the world's top 500 universities. From this regulation, every university is required to be able to answer these challenges (Prakoso et al., 2021).

Various strategies must be mobilized to be carried out one of which is to improve non-substance factors related to the quality of the university. The Directorate General of Higher Education in 2021 explained that at this time there are 4 universities in Indonesia that have entered the world's top 500 (Universitas Gadja Mada, Universitas Indonesia, Bandung Institute of Technology, and Airlangga University). To achieve this ranking, one of the focus of the Indonesian government at this time is to increase the number of researchers. From data released by the Ministry of Technology Research and Higher Education (Kemenristekdikti, 2018).

> "Indonesia only has 550 researchers per million population. While the number of lecturers with S2 and S3 degrees in Indonesia reached 75 percent. In terms of employment, the number of professors has now reached 5500 people."

This figure is still very far compared to other countries in Asia. India already has a ratio of 1400 per one million inhabitants. While in other Asian countries, such as Japan has 5000 per one million population. South Korea, 5500 per million population, while Israel

which is the country with the most number of researchers has 6500 researchers per million population.

Comparison of the number of researchers per 1 million people
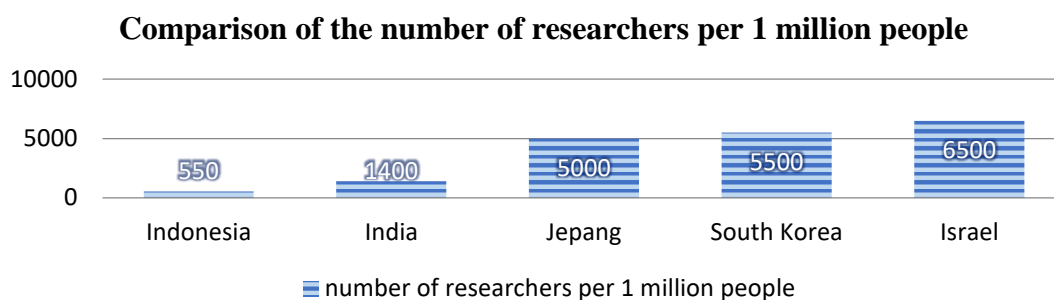
Figure 1. Comparison of The Number of Researchers in Several Countries
Source: lipi.go.id, (2015)

The improvement of the quality of education, furthermore, needs to be questioned directly on the real facts in the social life of the community. Referring to data from the Human Development Index (HDI) issued by the Central Statistics Agency (BPS) in Indonesia, although it has increased since 2010, it is still far from said that education as an effective in building people in Indonesia. BPS 2021 noted that Indonesia's HDI is growing by an average of 0.87 percent per year, but it is specifically understood that Indonesia's HDI is still ranked 107th in the world away from Singapore (11), Brunei Darusalam (47) and Malaysia (62).

HDI indicators such as old school expectations and average length of school still show numbers under 12 years, or still have not achieved higher education above 12 years. Furthermore, indonesia's adjusted per Capita Expenditure (PPP) indicator (Rp. 11.01 Million per year) is still very low when compared to the world average which reaches Rp. 60 Million per year (BPS, 2021; UNDP, 2021). which reaches Rp. 60 Million per year (Badan Pusat Statistik, 2021). This condition has the potential to raise doubts about the education system in Indonesia and even the world as a whole, is it really towards a quality direction to build the nation's civilization? It has been explained earlier that improving the quality of higher education in the world with a standard of both WCU and triple helix education can not be said to be effective, while Indonesia through various policies actually relies on the conception. It should be stated that basically Indonesia has its own characteristic educational philosophy that actually needs to be restored in essence because it contains high noble values (Nizar, A. et al., 2021).

Indonesia through Law No. 12 of 2021 on Higher Education has sought to explain how the essence of an ideal college. In Article 4 of the Act, the College has a function; *first,* develop the ability and form the character and civilization of a dignified nation in order to educate the life of the nation; *Second,* develop an innovative, responsive, creative, skilled, competitive, and cooperative Academic Community through the implementation of tridharma; and *third,* develop Science and Technology by paying attention to and applying humanities values (Prakoso et al, 2021). The noble value of the implementation of universities based on the Law clearly requires intensive attention of various interested parties, especially lecturers. Universities are required to be increasingly professional and selective in managing human resources, especially lecturers as the spearhead of higher education. Lecturers are expected to develop competence and improve their personality, so as to be able to produce an innovation that can be useful for the nation and state (Lukman Yudho Prakoso et al., 2021).

The issue of identity and quality of college services, indicated to occur in the implementation of The Defense University (UNHAN) as a relatively newly established public university, UNHAN is required to be able to fill an important role in creating defense science studies and preparing a cadre of future leaders of Indonesia. UNHAN was established based on Presidential Decree of the Republic of Indonesia Number 5 of 2011 dated February 7, 2011 concerning Defense University as a University Organized by the Government. As a tangible form of civil-military connectedness UNHAN is fostered by two state institutions at once, namely the Ministry of Education and Culture in this case carried out by the Directorate General of Higher Education and functionally fostered by the Ministry of Defense (Suhirwan, Lukman Yudho Prakoso, 2021).

UNHAN provides an opportunity for TNI and civilian officers to learn and deepen Defense Science from a military, political, economic, social and cultural point of view so as to obtain professional relations between civil and military in an academic forum. UNHAN as a university that develops one of the new branches of science, defense science, must be able to meet and detect the development of global threats that are happening especially related to defense and security. Defense science emerged about 5 decades ago, since western countries introduced the concept of managing the defense sector in discussing how to allocate budgets and human resources, by utilizing tools such as in the business world for defense purposes (Supriyatno, 2014).

World Class University hegemony must also be carried out by UNHAN, where UNHAN must be able to adapt to two civilian achievements nuanced education and military achievements of state application character. Through the vision, "By 2024 become a world-class defense university with a research-based that preserves national values." The demands of UNHAN as *a world class*

university must be balanced by various factors related to the quality of service and the development of defense science further to meet the needs of the government in this case the ministry of defense (Lebo et al., 2021).

Trust or trust in the organization has an important role in ensuring sustainability in an organization. Di Fabio (2017) argues that most of an organization's development and growth in both urban and rural contexts is often influenced by trust variables. The study of trust in organizations is inseparable from the spirit and enthusiasm of researchers and scientists in reviewing the relationship between the psychological condition of human resources, connected with organizational management to reveal the role of organizational behavior in predicting the development of an organization in the future (Conchie et al., 2011).

In the implementation of lectures, the quality of lecturer services can be influenced by the leadership style of the Chairman of the Study Program (his superior) (Prihantoro et al., 2021). When the head of the study program can adjust his leadership style to the circumstances of the lecturer and various conditions behind the course of the student study process, then this will greatly support the lecturer in discussing problems with his superiors, lecturers will get effective directions so as to improve the quality of their services. This is in line with the conception *of learning organization,* where the way organizational learning is based on capabilities is positively influenced by *learning organization* performance , especially related to knowledge in management, utilization and deepening of a knowledge formed, sustainability of the generation of new ideas and knowledge, application of knowledge, policies, or new routines that are relevant to the context of discarding routines or knowledge. misleading old (Bui & Baruch, 2010).

Shen and Tang (2018) explained that training indirectly affects the quality of service through training transfer mediation and job satisfaction, so often intensive training becomes the basis for increasing an individual's capacity to provide a service. The teaching process that is part of the teaching service is determined by the motivation of the teaching staff (lecturer), where this motivation consists of two domains: general work motivation, and special teaching motivation (Bjekić et al., 2014). Various variables related to the quality of service as above, but in particular often there are variables that specifically build a quality of service as management in the organization (Prakoso et al., 2021).

II. LITERATURE REVIEWS

Organizational behavior in this era of globalization tends to focus on aspects of adaptation, recent studies related to organizational behavior can be found in a study developed by McShane, L. S., and Von Glinow (2018). An integrative model that can be offered in explaining how organizational behavior can be formed is inseparable from balanced input and output patterns. Some variables related to the input and process of organizational behavior form consist of organizational efforts, organizational structure, organizational change, human resource management practices and organizational strategies. Such inputs and processes are described as having a direct impact on individual inputs and processes in the form of individual personalities, values and competencies; self-concept, perception and mindset of the individual; attitudes and emotions; Motivation, and self-leadership.

In the same input and process is also considered to have an influence on inputs and group processes in the form of tasks, group size and composition; trust, cohesion and group development; communication; leadership; *Power*, influence and politics; conflict and negotiation of various inputs and processes are also explained that both individual and group processes can influence each other. The three inputs are further inputs and processes for the formation of individuals in the form of performance and behavior; *Organizational citizenship behaviour* (OCB); well-being, decision and creativity. While group inputs and processes have a direct influence on group results, namely group performance, group decisions, collaboration / mutual support and social networking. In this model individual results and group results are mutually influential. In the final stages individuals and groups have a direct influence on organizational outcomes or organizational effectiveness that can be seen from the conformity of open systems, learning organizations, human capital development, stakeholder satisfaction and organizational ethics. A complete picture of the interrelationship of various factors in the context of organizational behavior.

Organizational behavior is often associated with the psychological condition of employees to the organization, the level of organizational commitment will largely determine how individuals relate to their organization Scales and Quincy Brown (2020). There are many types of relationships between employees and organizations such as effective, normative, and continuity, this linkage is further used as a measure of how committed employees are to the organization that overshadows them Scrima et al. (2015). Effective commitment is the emotional linkage between the individual and the organization; Normative commitment is the employee's feeling to carry out his obligations and responsibilities to the organization; Continuity commitment is a financial factor that individuals get from the organization.

In the relationship of individuals with organizations is also caused by the factors of daily work activities of individuals in the organization, so that the increasing quality of daily work activities will bind individual commitments to the organization and allow individuals to perform other tasks voluntarily (Vallerand, 2015). A person who does not have a commitment to the organization is very likely for the occurrence of withdrawn behavior. The behavior of withdrawing is closely related to the act of refusing to do work in his or her daily duties, the act will essentially allow the individual to resign or leave the organization (Colquitt et al., 2009).

III. METHODS

Quantitative approaches are considered capable of answering the questions and objectives of the study. Qualitative research that has a positivistic paradigm (Creswell, J, 2008) is considered able to explain the interrelationships between variables used in this study. Quantitative research also aims to take into account objective facts focused on the variables compiled in the research, so that reliability does not need to be questioned again as the study of situational contexts also demands this (Creswell, 2013).

The most popular form of survey design used in education is *cross-sectional* survey design. In *a cross-sectional* survey design, researchers collected data at one point in time. This design has the advantage of measuring attitudes or practices that occur at a given time, it also provides information in a short period of time, such as the time it takes to manage surveys and gather information (Creswell, 2013). Surveys are used by first establishing the information needs of the survey, which then the survey can explain three types of information such as descriptive explanations, behaviors, and certain attitudes (Bandur, 2016).

Specifically, this study utilizes *path analysis*. Pathway analysis is an analysis developed by Sewel Wright in the 1930s, where this analysis is intended to connect and test the causal linkage of conjecture so that it can be accepted in a scientific community (*Plausibility*), the interrelationship between variables in a study is expected to be observed even though it does not carry out an experimental approach (Vreÿ, 2012). This method is also believed to analyze *the* direct or indirect effects of various variables proposed in a hypothesis as a form of treatment of those variables. It should be understood that this analysis is not a cause-and-effect analysis, but rather tends to the causal model applied by research in accordance with the evolving knowledge and conception of a particular theory (Snyder, 1999).

Specifically Alerasoul et al. (2021) explained that path analysis is an application of multireggression studies that use relatively complex and complex path diagrams. As is usually the point of the model, that a consideration is urgently needed. For example considering models involving three variables, such as the relationship between x and y or vice versa then the influence of y on z, or simultaneously x and y affect z, where various correlations of those variables can be linked in a path analysis (Winarsunu, 2006). With the number of variables in this study, path analysis can be the answer to find the connectedness between these variables. Approach the survey method by utilizing the analysis of pathways in research that examines information related to the relationships between variables tested in the study. Free variables consist of, organizational culture (x_1), and interpersonal communication (X2), lecturer pedagogical competence (X3), and *trust* (X4) with quality of service (Y) as bound variables.

A. Population of Research

In educational survey research, population can be interpreted as a group of individuals who share the same characteristics, the population can be small or large. Thus it is necessary to decide which group to study (Creswell, 2013). However, the population is not only human but can also be objects or objects to be observed (Hadi, 2010). Thus, this study was determined based on the population of lecturers who have been determined based on internal unhan data spread across 12 study programs (study programs), obtained the number of lecturers at UNHAN in 12 study programs as many as 192 people (Arto et al., 2019).

B. Data Collection Techniques

Data collection techniques are carried out based on established measuring instruments. The data collected can be in the form of numbers, written information, oral information, and various facts related to the focus of the research. Thus the data collection technique in this study, prioritized in two techniques, namely documentation and questionnaire techniques.

The emipiris data to be collected in this study consists of, organizational culture (x_1), and interpersonal communication (x_2), lecturer pedagogical abilities (X3), and *trust* (X4) with quality of service (Y). Furthermore, the picture of data collection can be seen in the following table below.

Table 1. Summary of Data Collection Techniques

Variable	Measured Information	Respondents	Essence	Scale Type	Answer Options
Quality of Service (Y)	Lecturer	Student	Perception	Likert/ Attitide	SA, A, H, D, SD*
Organizational Culture (X_1)	Organization	Lecturer	Perception	Likert/ Attitide	SA, A, H, D, SD*
Intrapersonal Communication (X_2)	Lecturer	Lecturer	Behaviour	Behaviour	AL, O, SO, E, NE**
Pedagogical Competence(X_3)	Lecturer	Lecturer	Ability	Test	Correct (1) Wrong (0)
Trust (X_4)	Lecturer	Lecturer	Perception	Likert/ Attitide	SA, A, H, D, SD*

  * SA= Strongly Agree, A= Agree, H= Hesitate, D= Disagree, SD= Strongly Disagree.

  ** A= Always, O= Often, SO= Sometimes, E= Ever, NE= Never.

Improving the Quality of Service through Strengthening Organizational Culture, Interpersonal Communication, Pedagogical Competence and Trust (Empirical Research Using Pathway Analysis and Sitorem in Lecturers Indonesia Defence University)

1. *Quality of Service*

The quality of service in this study is measured through student satisfaction with the services provided by lecturers, thus the essence in this variable is perception which is further measured by the Likert scale. Service *quality* is the conformity between the services provided with the expectations or expectations of those who receive the service. Quality of service is the student's perception of the suitability of services provided by lecturers with their expectations or expectations, measured through questionnaire instruments arranged based on indicators: 1) *tangible*, 2) *reliability*, 3) *responsibilities*, 4) *credibility*, and 5) *empathy* (Dipua et al., 2020).

2. *Organizational Culture*

The organizational culture in this study was measured through the lecturer's perception of the organizational culture formed at UNHAN, thus the essence in this variable is perception which is further measured by the Likert scale. Organizational culture is the values, assumptions, norms agreed upon by members as a result of the accumulation of shared learning and adaptation of internal and external changes, which are the reference and direct the behavior of organizational members. The organizational culture in this study is the lecturer's assessment of the values, assumptions, norms agreed with the UNHAN *academic community* as a result of the accumulation of shared learning and adaptation of internal and external changes, which become a reference and direct the behavior *of* the UNHAN academic community, measured through questionnaire instruments arranged based on indicators, among others; 1) *power distance,* 2) *uncertainty avoidance,* 3) *future orientation,* 4) *institutional collectivism,* 5) *performance orientation,* 6) *assertiveness, and* 7) *humane orientation* (Harris et al., 2019).

3. *Intrapersonal Communication*

Interpersonal communication is the exchange of information between two or more people through a familiarity approach so that messages can be received and conveyed by both parties effectively. Interpersonal communication is the lecturer's assessment of his behavior in the exchange of information himself with *the academic community* of UNHAN through a familiarity approach so that messages can be received and conveyed by both parties effectively, as measured using indicators: a. Active listening, b. Word selection, c. Feedback, d. Empathy, e. Emotional management (Hermawan et al., 2020).

4. *Pedagogical Competence*

Pedagogical competence is the knowledge, proficiency and ability of a teacher in managing a learning system that can help learners or students master the competencies taught. Pedagogical competence is the lecturer's self-assessment of his knowledge, skills and ability to manage a learning system that can help students master the competencies taught, measured using written tests whose problems are arranged based on indicators: 1) the ability to master the characteristics of learners; 2) mastery of learning theories and educational principles; 3) the ability to develop the curriculum; 4) the ability to create educational learning activities; 5) the ability to develop the potential of learners; and 6), assessment and evaluation (Junaidi & Prakoso, 2021).

C. *Data Analysis techniques and Hypothesis Testing*

In this study, the stages of data analysis techniques begin by conducting descriptive statistical analysis, testing analytical prerequisites, and continued with *path analysis*. Descriptive statistical analysis aims to describe the data of each variable in a single way. In this study, descriptive statistics included: highest scores, lowest scores, many classes, class intervals, averages, medians, modes, spread sizes or variability using standard deviations and score ranges. In addition, there is also a frequency table and histogram chart (Prasojo et al., 2021).

Inferential statistical analysis aims to test research hypotheses. Hypothesis testing is done using *path analysis*. In this study hypothesis testing through path analysis describes the effect of free variable (X) on Service Quality as a bound variable (Y). Related to the variables in path analysis, Sugiyono (2016), explains as follows:

(a) Free variables or often referred to as stimulus variables, predictors, antecedents are variables that affect or are the cause of changes or the emergence of dependent variables (bound).

(b) Bound variables or often referred to as output variables, criteria, consequently are variables that are affected or that are consequent, because of the presence of free variables.

The method of path analysis or also called *the causal model for directly observed variables*. Path analysis is a multivariate data analysis method with the aim of knowing the direct and indirect influence of some exogenous variables (causes) on endogenous variables (consequences) with recursive patterns and all variables can be observed directly. The path analysis model tested in this study is seen in Figure 10 below:

Improving the Quality of Service through Strengthening Organizational Culture, Interpersonal Communication, Pedagogical Competence and Trust (Empirical Research Using Pathway Analysis and Sitorem in Lecturers Indonesia Defence University)
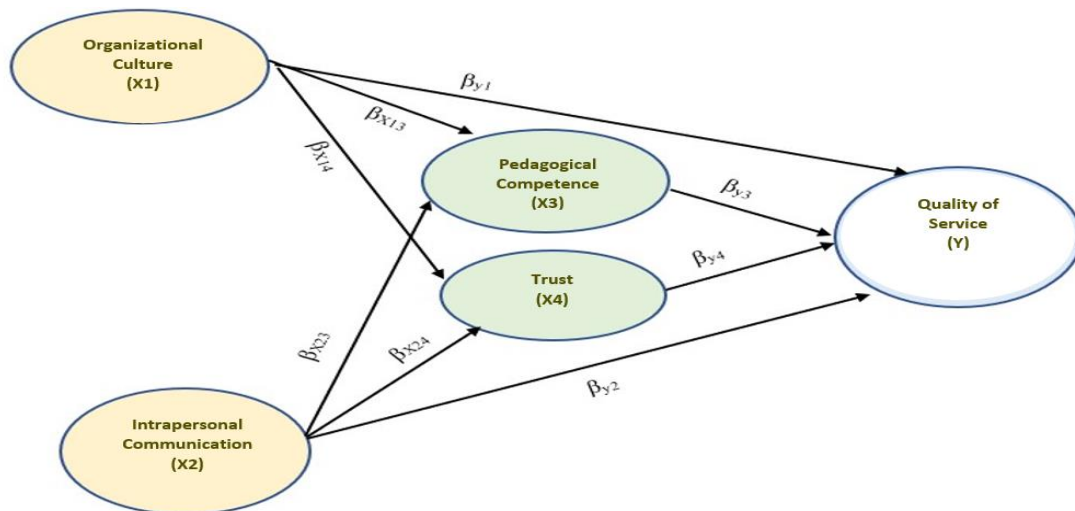
Figure 2. Research Constituency with Path Analysis

Information:

β *Y1*	=	Koefisien line pengaruh langsung Organizational Culture (X1) to Quality of Service (Y).
β *Y2*	=	Koefisien line pengaruh langsung Interpersonal Communication (X2) to Quality of Service (Y).
β *Y3*	=	Koefisien line pengaruh langsung Pedagogical Competence (X3) to Quality of Service (Y).
β *Y4*	=	Koefisien jalur pengaruh langsung Trust ($_{X4}$) to Quality of Service (Y).
$bX13$	=	Koefisien path pengaruh langsung Organizational Culture (X1) to Lecturer Pedagogical Competence (X3).
$bX14$	=	Koefisien jalur pengaruh langsung Budaya Organisai (X1) against *Trust* (X4)
bX23	=	Koefisien path pengaruh langsung Interpersonal Communication (X2) to Lecturer Pedagogical Competence (X3).
bX24	=	Koefisien line pengaruh langsung Interpersonal Communication (X2) to Trust (X4).

D.   *Statistical Hypothesis Assignment*

In this study there are the following hypotheses:

1.   Direct Influence of Organizational Culture ($_{X1}$) on Quality of Service (Y)

   H0: β $_{Y1}$ ≤ 0 There is no direct influence of Organizational Culture (X1) on Service Quality (Y)

   H1: β $_{Y1}$ > 0 There is a direct influence of Organizational Culture (X1) on Service Quality (Y)

2.   Direct influence of Interpersonal Communication ($_{X2}$) on Quality of Service (Y).

   H0: β $_{Y2}$ ≤ 0 There is no direct influence of Interpersonal Communication (X2) on Service Quality (Y)

   H1: βY2 > 0 There is a direct influence of Interpersonal Communication (X2) on Service Quality (Y)

3.   Direct influence of Pedagogical Competence ($_{X3}$) on Service Quality (Y).

   H0: β $_{Y3}$ ≤ 0 There is no direct influence of Lecturer Pedagogical Competence (X3) on Service Quality (Y)

   H1: βY3 > 0 There is a direct influence of Lecturer Pedagogical Competence ($_{X3}$) on Service Quality (Y)

4.   Direct influence *of Trust* ($_{X4}$) on Quality of Service (Y).

   H0: β $_{Y4}$ ≤ 0 There is no direct influence of Trust (X4) on Service Quality (Y)

   H1: βY4 > 0 There is a direct influence *of Trust* ($_{X4}$) on Service Quality (Y)

5.   Direct Influence of Organizational Culture ($_{X1}$) on Pedagogical Competence (X3).

   H0: βX13 ≤ 0 There is no direct influence of Organizational Culture (X1) on Lecturer Pedagogical Competence (X3)

   H1: βX13 > 0 There is a direct influence of Organizational Culture ($_{X1}$) on Lecturer Pedagogical Competence (X3)

6.   Direct influence of Organizational Culture ($_{X1}$) on *Trust* (X4).

   H0: βX14 ≤ 0 There is no direct influence of Organizational Culture (X1) on Trust (X4)

   H1: βX14 > 0 There is a direct influence of Organizational Culture ($_{X1}$) on *Trust* (X4)

7.   Direct Influence of Interpersonal Communication ($_{X2}$) on Lecturer Pedagogical Competence (X3).

     $_{H0}$: βX23 ≤ 0 There is no direct influence of Interpersonal Communication (X2) on Lecturer Pedagogical Competence (X3)

     H1: βX23 > 0 There is a direct influence of Interpersonal Communication ($_{X2}$) on Lecturer Pedagogical Competence (X3)

8.   Direct Influence of Interpersonal Communication ($_{X2}$) on *Trust* (X4)

     $_{H0}$: βX24 ≤ 0 There is no influence on Interpersonal Communication (X2) on Trust (X4).

     H1: βX24 > 0 There is a direct influence of Interpersonal Communication (X2) on Trust (X4).

IV. RESULT AND DISCUSSION

In this session tried to explain how the picture of data findings obtained from the research implementation process by measuring variables ranging from the quality of lecturers' services which are bound variables and free variables that are assumed to enrich the quality of lecturer services, namely organizational culture, interpersonal communication, pedagogical competence and *trust*. At the University of Defense (UNHAN). The data contained in this chapter is obtained based on responses and answers from various respondents who have been designed in the previous chapter (Madrohim, & Prakoso, 2021).

E.   Quality of Service Variable

Through direct analysis so as to produce primary data, various information about service quality variables are obtained. The variable is described in 33 questionnaire questions through a rating scale of 1 to 5 with a choice of positive statement answers with the provision of Strongly Disagree (STS) with a score of 1, Disapproval (TS) with a score of 2, Doubt (R) with a score of 3, Agree (S) with a score of 4, Strongly Agree (SS) with a score of 5. For negative statements with the following score considerations: Strongly Disagree (STS) with a score of 5, Disagree (TS) with a score of 4, Doubt (R) with a score of 3, Agree (S) with a score of 2, Strongly Agree (SS) with a score of 1. The statistical description of the respondent's answers can be found in the following table below.

Table 2. Frequency Distribution of Lecturer Service Quality Data (Y)

Frequency	Quality of Teaching Service (Y)
Average	130,1
Middle Value	131,5
Mode	139
Standard Deviation	20,95
Sample Variant	439,02
Range	91
Smallest	74
Biggest	165
Lots of data	100
Sum	13.010

From the table above it can be understood that descriptive data in the form of mean values has numbers that are close to the mode or can be said to still be in one variant. The distribution of the frequency distribution of the quality of lecturers' services in Unhan can be observed in the following table below.

Table 3. Frequency Distribution of Lecturer Service Quality Data (Y)

No	Class intervals	Fabsolut	Relative (%)
1.	74-96	8	8,00
2.	97-119	17	17,00
3.	120-142	51	51,00
4.	143-165	24	24,00
Total		**100**	**100.00**

Through the table above it can be understood that the frequency distribution with the most frequency scores is in the 3rd class with $_{frelatives}$ of 51.00% (51 out of 100 respondents) in the range of 120-142. Students who feel the service of lecturers with an average score (130.1) as much as 51% (51 out of 100 students), students who answer the quality of lecturer services above average is 24% (24 out of 100 students) and answer the quality of lecturer service below the average of 25% (25 out of 100 students).

Improving the Quality of Service through Strengthening Organizational Culture, Interpersonal Communication, Pedagogical Competence and Trust (Empirical Research Using Pathway Analysis and Sitorem in Lecturers Indonesia Defence University)

The picture shows that the quality of lecturers' services through student answers shows values equal to and above average by 75%, while the quality of lecturer services above average only reaches 24%. To observe the distribution of variable scores of lecturer service quality (Y). From the graph below it can be understood that the frequency distribution of lecturer service quality intervals has a distribution that can be categorized as moderate. This is illustrated by descriptive statistical value data where the most emerging score (mode) is 139 greater than the average with the number 130.10.
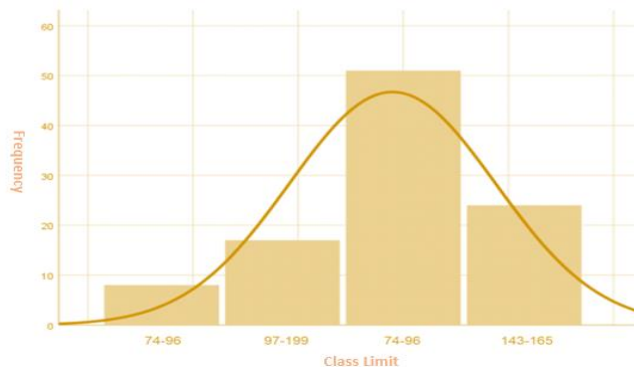
Figure 3. Histogram of Service Quality Data (Y)

F.   Organizational Culture Variables (x1)

Through direct analysis to produce primary data, various information about organizational culture variables (x1) are obtained. The variable is described in 34 questionnaire questions through a rating scale of 1 to 5 with a choice of positive statement answers with the provisions strongly disagree (SD) with a score of 1, Disagree (D) with a score of 2, Hesitate (H) with a score of 3, Agree (A) with a score of 4, Strongly Agree (SA).) with a score of 5. For negative statements with consideration of the following score: Strongly Disagree (SD) with a score of 5, Disagree (D) with a score of 4, Hesitate (H) with a score of 3, Agree (A) with a score of 2, Strongly Agree (SA)) with a score of 1. The statistical description of the respondent's answers can be found in the following table below.

Table 4. Frequency Distribution of Organizational Culture Data (X1)

Frequency	Organizational Culture (x1)
Average	131,1
Middle Value	134
Mode	70
Standard Deviation	28,86
Sample Variant	832,74
Range	100
Smallest	70
Biggest	170
Lots of data	100
Sum	13.110

From the table above it can be understood that descriptive data in the form of mean values has numbers that are close to the mode or can be said to still be in one variant. The picture of the frequency distribution of organizational culture in Unhan can be observed in the following table below.

Table 5. Frequency Distribution of Organizational Culture Data (X1)

No	Class intervals	Fabsolut	Relative (%)
1.	70-90	12	12
2.	91-111	11	11
3.	112-132	13	13
4.	133-153	37	37
5.	154-174	27	27
Total		100	100.00

Improving the Quality of Service through Strengthening Organizational Culture, Interpersonal Communication, Pedagogical Competence and Trust (Empirical Research Using Pathway Analysis and Sitorem in Lecturers Indonesia Defence University)

Through the table above it can be understood that the distribution of frequencies with the most frequency scores is in the 4th class with frelatives of 37% (37 out of 100 lecturers) in the range of 133-153. Lecturers who feel organizational culture with an average score (131.1) as much as 13% (13 out of 100 Lecturers), lecturers who answer the organizational culture above average is 64% (64 out of 100 lecturers) and answer organizational culture below the average of 23% (23 out of 100 lecturers). The picture shows that the organizational culture figures through question answers show values equal to and below the average of 36%, while the pedagogical ability of lecturers above average reaches 64%. To observe the distribution of the score of the organizational culture variable (X1) is presented in the form of a histogram as follows in the figure below.
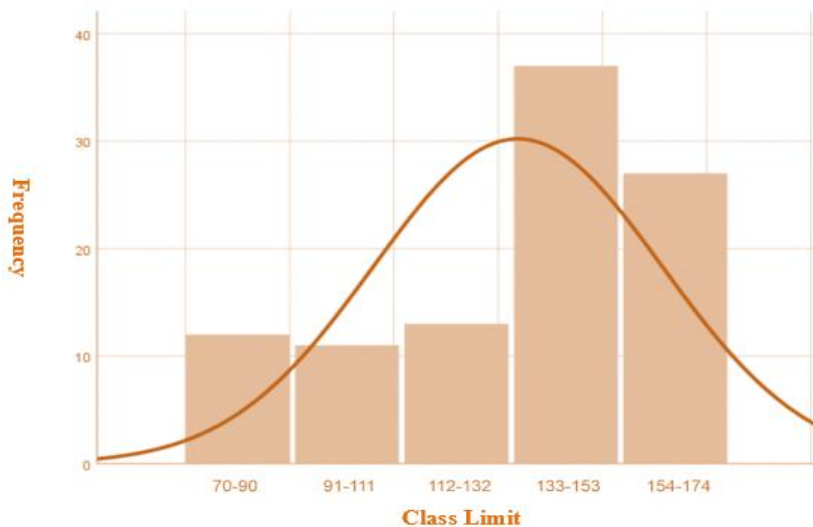
Figure 4. Histogram of Organizational Culture Data (X1)

From the graph above it can be understood that the distribution of frequency intervals of organizational culture has a distribution that can be categorized as high. However, the statistical descriptive value of the data where the most score appears (mode) is 70 smaller than the average with the number 131.1. It is known that the number of questionnaire items is 34 questions in the valid category. From the score it is understood that the lowest theoretical score is 34 and the highest is 170, where the theoretical median is known to be at 102. The lowest empirical score score is 70 and the highest is 170, with the empirical median being 134. It can be explained that the empirical median value is above the theoretical median (134>102), thus explaining that the organizational culture in the study can relatively be said to be above the high category.

G. *Interpersonal Communication Variables* (x2)
Through direct analysis to produce primary data, various information about interpersonal communication variables (x_2) is obtained. The variable is described in 36 questionnaire questions through a behavioral scale with a rating of 1 to 5 with a choice of positive statement answers with the provision of Never (Ne) with a score of 1, Ever (E) with a score of 2, Sometimes (So) with a score of 3, Often (O) with a score of 4, Very Often (VO).) with a score of 5. For negative statements with consideration of the following score: Never (Ne) with a score of 5, Ever (E) with a score of 4, Sometimes (So) with a score of 3, Very Often (VO) with a score of 2, Very Often (VO)) with a score of 1. The statistical description of the respondent's answers can be found in the following table below.

Table 6. Frequency Distribution of Interpersonal Communication Data (X2)

Frequency	Interpersonal Communication (x2)
Average	150,11
Middle Value	**149,5**
Mode	140
Standard Deviation	16,25
Sample Variant	264,12
Range	74
Smallest	106
Biggest	180
Lots of data	100
Sum	15.011

From the table above it can be understood that descriptive data in the form of mean values has numbers that are close to the mode or can be said to still be in one variant. The picture of the frequency distribution of Interpersonal Communication in Unhan can be observed in the following table below.

Table 7. Frequency Distribution of Interpersonal Communication Data (X2)

No	Class intervals	Fabsolut	Relative (%)
1.	106-120	5	5
2.	121-135	7	7
3.	136-150	41	41
4.	151-165	27	27
5.	166-180	20	20
Total		**100**	**100.00**

Through the table above it can be understood that the frequency distribution with the most frequency scores is in the 3rd class with frelatives of 41% (41 out of 100 lecturers) in the range of 136-150. Lecturers who feel they have interpersonal communication with an average score (150.11) of 41% (41 out of 100 lecturers), lecturers who answer interpersonal communication above average is 47% (47 out of 100 lecturers) and answers interpersonal communication below the average of 12% (12 out of 100 lecturers). The picture shows that interpersonal communication numbers through question answers show values equal to and below the average of 53%, while interpersonal communication above average only reached 47%. To observe the distribution of the score of the interpersonal communication variable (X2) is presented in the form of a histogram as follows in the figure below.
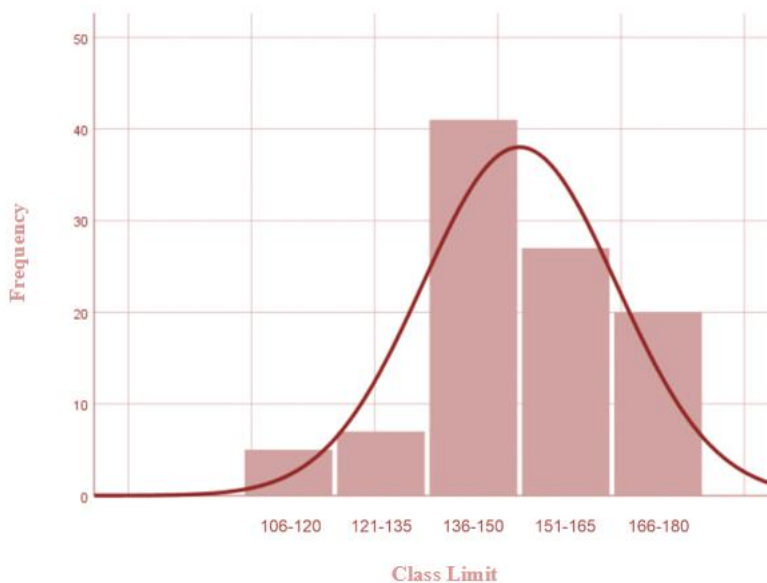
Figure 5. Histogram of Interpersonal Communication Data (X2)

From the graph above it can be understood that the frequency distribution of interpersonal communication intervals has a distribution that can be categorized as high (Arief et al., 2021). However, the statistical descriptive value of the data with the most emerging score (mode) is 140 smaller than the average with the number 150.11. From the previous chapter it is known that the number of questionnaires is 36 questions in 36 and the highest is 180, where the theoretical median is known to be at 108. The lowest empirical score score is 106 and the highest is 180, with the empirical median being 149.5. It can be explained that the empirical median value is above the theoretical median (149.5>108), thus explaining that interpersonal communication in this study can relatively be said to be above the high category.

H. *Pedagogical Competency Empowerment Variables (x3)*

Through direct analysis so as to produce primary data, various information about pedagogical competency variables (x3) are obtained. The variable is described in 32 questions through a test with a scoring scale of 1 for the correct answer and 0 for the wrong answer. The statistical description of the respondent's answers can be found in the following table below.

Table 8. Frequency Distribution of Pedagogical Competency Data (X3)

Frequency	Pedagogical Competence (x3)
Average	15,4
Middle Value	13
Mode	9
Standard Deviation	7,39
Sample Variant	54,67
Range	26
Smallest	5
Biggest	31
Lots of data	100
Sum	1.540

From the table above it can be understood that descriptive data in the form of mean values has numbers that are far from the mode numbers or can be said to differ in one variant. The distribution of pedagogical competency frequency (X3) in Unhan can be observed in the following table below.

Table 9. Frequency Distribution of Pedagogical Competency Data (X3)

No	Class intervals	Fabsolut	Relative (%)
1.	5-8	13	13
2.	9-12	35	35
3.	13-16	18	18
4.	17-20	8	8
5.	21-24	10	10
6.	25-28	8	8
7.	29-32	8	8
Total		**100**	**100.00**

Through the table above it can be understood that the frequency distribution with the most frequency scores is in the 2nd class with frelatives of 35% (35 out of 100 lecturers) in the range of 9-12 numbers is also below the average value interval (15.4). Lecturers who have pedagogical competence (X3) with a score below or equal to the average (15.4) of 66% (66 out of 100 Lecturers), lecturers who answer the question of pedagogical competence above average is 34% (34 out of 100 lecturers). The figure shows that the pedagogical competency figure (X3) of lecturers through question answers shows values equal to and below the average of 48%, while pedagogical competence (x3) lecturers above average only reached 34%. To observe the distribution of the score of the pedagogical competency variable (X3) is presented in the form of a histogram as follows in the figure below.
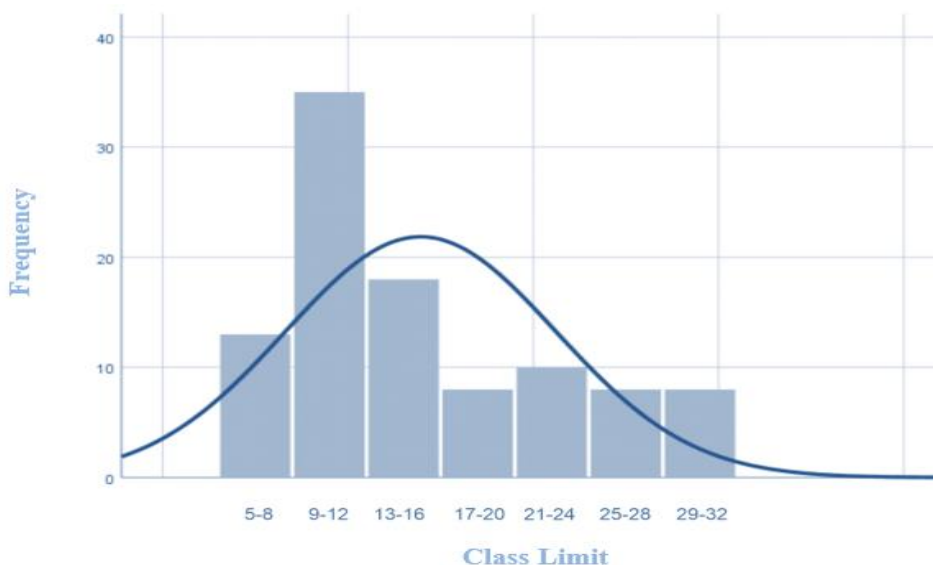
Figure 6. Histogram Pedagogical Competency Data (X3)

Improving the Quality of Service through Strengthening Organizational Culture, Interpersonal Communication, Pedagogical Competence and Trust (Empirical Research Using Pathway Analysis and Sitorem in Lecturers Indonesia Defence University)

From the graph above it can be understood that the frequency distribution of lecturer pedagogical competency intervals has a distribution that can be categorized as low. This is illustrated by descriptive statistical value data where the most emerging score (mode) is 9 smaller than the average with the number 15.4. It is known that the number of questionnaire items is 32 questions in the valid category. From the score it is understood that the lowest theoretical score is 0 and the highest is 32, where the theoretical median is known to be at 16. The lowest empirical score score is 5 and the highest is 31 with the empirical median being 13. It can be explained that the empirical median value is at a score below the theoretical median (15.4<16), thus explaining that the pedagogical competence (x_3) in this study can relatively be said to be under the moderate category.

I.   Variable Trust (X4)

Through direct analysis to produce primary data, various information about *trust* variables (X4) is obtained. The variable is described in 38 questionnaire questions through a rating scale of 1 to 5 with a choice of positive statement answers with the provision of Strongly Disagree (STS) with a score of 1, Disapproval (TS) with a score of 2, Doubt (R) with a score of 3, Agree (S) with a score of 4, Strongly Agree (SS) with a score of 5. For negative statements with the following score considerations: Strongly Disagree (STS) with a score of 5, Disagree (TS) with a score of 4, Doubt (R) with a score of 3, Agree (S) with a score of 2, Strongly Agree (SS) with a score of 1. The statistical description of the respondent's answers can be found in the following table below.

Table 10. Data Trust Frequency Distribution (X4)

Frequency	*Trust* (X₄)
Average	157,88
Middle Value	163,5
Mode	190
Standard Deviation	30,57
Sample Variant	934,35
Range	150
Smallest	40
Biggest	190
Lots of data	100
Sum	15.788

From the table above it can be understood that descriptive data in the form of mean values has numbers that are far from the mode or can be said to be different variants. The trust frequency distribution (x_4) picture in Unhan can be observed in the following table below.

Table 11. Data Trust Frequency Distribution (X4)

No	Class intervals	Fabsolut	Relative (%)
1.	40-65	1	1
2.	66-91	4	4
3.	92-117	4	4
4.	118-143	13	13
5.	144-169	34	34
6.	170-195	44	44
Total		**100**	**100.00**

Through the table above it can be understood that the distribution of frequencies with the most frequency scores is in the 6th class with frelatives of 44% (44 out of 100 lecturers) in the range of 170-195. Lecturers who feel they have a *Trust* with an average score (157.88) of 34% (34 out of 100 Lecturers), lecturers who answer trust above average is 44% (44 out of 100 lecturers) and answer *trust* below average by 22% (22 out of 100 lecturers). The figure shows that the Trust's figures through question answers show values equal to and below the average of 56%, while *trusts* above average only reach 44%. To observe the distribution of the trust variable score (X4) is presented in the form of a histogram as follows in the figure below.
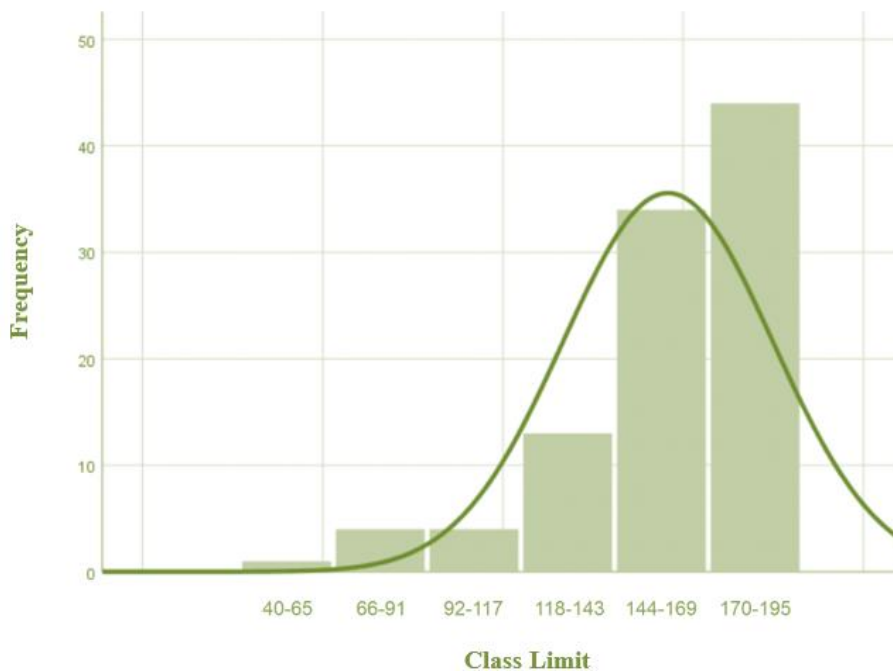
Figure 7. Histogram *Trust* (X$_4$)

From the graph above it can be understood that the *Trust* interval frequency distribution has a spread that can be categorized as high. However, the statistical descriptive value of the data with the most emerging score (mode) is 190 greater than the average with the number 157.88. From the previous chapter it is known that the number of questionnaires is 38 questions in 38 and the highest is 190, where the theoretical median is known to be at 115. The lowest empirical score score is 40 and the highest is 190, with the empirical median being 163.5. It can be explained that the empirical median value is above the theoretical median (163.5>115), thus explaining that *the Trust* in this study can relatively be said to be above the high category (Salim et al., 2020).

J.   *Summary of Statistical Description of Research Variables*

Based on the results of the analysis of statistical data descriptions for the five previously established variables where the variables are bound is Quality of Service (Y), the free variables are Organizational Culture (X_1), Interpersonal Communication (X2), Pedagogical Competence (X_3) and *Trust* (X4). From various analysis of the description of research variables that have been built, can be summarized in the following table below.

Table 12. Summary of Statistical Data Description

Frequency	And	X$_1$	X$_2$	X$_3$	X$_4$
Average	130,1	131,1	150,11	15,4	157,88
Middle Value	131,5	134	149,5	13	163,5
Mode	139	70	140	9	190
Standard Deviation	20,95	28,86	16,25	7,39	30,57
Sample Variant	439,02	832,74	264,12	54,67	934,35
Range	91	100	74	26	150
Smallest	74	70	106	5	40
Biggest	165	170	180	31	190
Lots of data	100	100	100	100	100
Sum	13.010	13.110	15.011	1.540	15.788
Number of classes	4	5	5	7	6
Class Spacing	22	20	14	3	25

From the various quantitative analyses above it can be understood that there is a close relationship between the various variables tested. However, those relationships when analyzed separately did not show strong positive relationships. The relationship can also

broadly explain that the quality of service can be formed when there is a process of working the function of organizational culture, interpersonal communication, pedagogical competence, and organizational confidence but not in its entirety and as a whole and simultaneously (Sartono et al., 2020). It should be emphasized that in this study, the development of service quality was only influenced by the correct prediction rate of 14.1% by variable *trust* while the rest was influenced by other factors that were not measured in this study. Furthermore, when controlling organizational cultural variables and interpersonal communication can improve the Trust's relationship with service quality, they are predicted at 30.7% and 33.2% respectively. The whole discussion of the connectedness of service quality at The Defense University (Unhan) felt by Unhan students based on organizational culture variables, interpersonal communication, pedagogical competence and *Trust* felt by Unhan lecturers can be seen in the following description below (Manik et al., 2019).

The quality of education in the flow of convergence is closely related to the influence of factors beyond the internal natural abilities of a learner. The quality of education is closely related to efforts to help a learner to be able to develop good potential and prevent the development of bad potential (Stern). A lecturer in this sense will give meaning as a student's assistant who is closely related to the efforts to provide services. Indirectly it can be emphasized that the quality of education is very related to how lecturers provide services to students to be able to optimize their abilities in positive connotations (Narindra et al., 2021).

This research basically limits various factors beyond improving the quality of education through quality of service, but indirectly other factors in efforts to improve the quality of education become an important topic in this study. Some factors such as only institutional support become an integral part in building organizational culture, interpersonal communication, pedagogical competence and *trust* building efforts. Factors that are not directly measured are also an important part in explaining the quality of service as a whole (Kusuma et al., 2019).

In this study, the close relationship between the main free variable and the bound variable, however, the strong relationship cannot be said to be high enough, the four variables in this study together only affect about 34% of the quality of service variants. The percentage amount can be said to be below average so it has not significantly changed efforts to improve the quality of service. Partially two endogenous variables (Pedagogical Competence and *Trust*) exert a not-so-high influence on independent variables which affect above 12.5% in the effort to variance the quality of service in Unhan, while exogenous variables (organizational culture and interpersonal communication) directly have an influence of 21.5%. The picture of the connectedness between these variables that have also been confirmed through the SITOREM approach can be observed in the following image below:
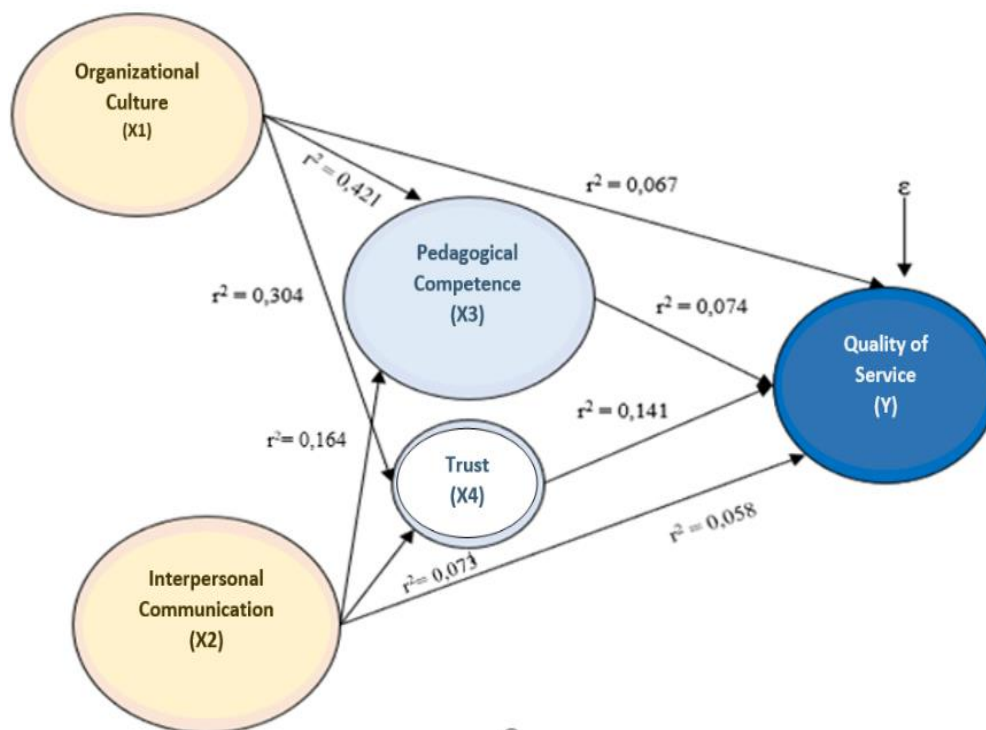
Figure 8. Path analysis of interrelationships between research variables

Further weighting for priority in building the quality of service that can be observed in the following table below.

Improving the Quality of Service through Strengthening Organizational Culture, Interpersonal Communication, Pedagogical Competence and Trust (Empirical Research Using Pathway Analysis and Sitorem in Lecturers Indonesia Defence University)

Table 13. Priority of Variable Improvement in Improving Service Quality

Variable	Sub-Variable Improvement Efforts	Priority order
Trust (X_4)	Organizational competence	1
	Recognition of the organization	2
	Openness of the organization	3
	Integrity of the organization	4
	Organizational concern	5
Pedagogical Competence (x_3)	Mastery of learning theories and educational principles	6
	Assessment and evaluation	7
	Ability to master the characteristics of learners	8
	Ability to develop curriculum	9
	Ability to create educational learning activities	10
	Ability to develop the potential of learners	11
Organizational Culture (x_1)	*future orientation*	12
	uncertainty avoidance	13
	power distance	14
	assertiveness	15
	humane orientation	16
	institutional collectivism	17
	performance orientation	18
Interpersonal Communication (x_2)	Feedback	19
	Word selection	20
	Active listening	21
	Empathy	22
	Emotional management	23

From the results of the priority of increasing these sub-variables, a strategy is expected to be formed that ensures the establishment of a quality of service at the Defense University. The quality of lecturer service in this research assumption will be closely related to providing the right quality of education for student development in accordance with their interests and talents, it is part of integral to measurable and controlled education management.

V. CONCLUSIONS

Broadly speaking, this research is carried out so as to produce four main independent variables which are further separated on endogenous variables (pedagogical competence and *trust*) and exogenous (organizational culture and interpersonal communication) to be tested and strived to understand the quality of education. These variables are further deepened to allow for a more in-depth analysis of the connectedness between independent variables. The details of this study can be summed up as follows:

1. There is the most significant positive relationship between *trust* (X4) and quality of service, a significant positive relationship obtained also when linking efforts to the following variables in a row; Pedagogical Competence (X3), Organizational Culture (X1), and Interpersonal Communication (X2). When the four variables are jointly analyzed the relationship to the quality of service also provides a significant and positive relationship picture of service quality, where 34% of the variation in service quality is influenced by these four factors. Positive connectedness is obtained between organizational culture with *trust*, as well as interpersonal communication with *trust*, while endogenous variables in the form of pedagogical competence are negatively related to organizational culture and interpersonal communication.

2. In this study found various other variables that have a strong enough dominance in revealing the development of service quality. Factors in the form of organizational competence, mastery of learning theories and principles of education, *future orientation,* communication with feedback. Organizational competence in the context *of trust* which is assumed to be a belief in the potential advantages possessed by the organization, characterized in previous behavior when facing problem situations / conditions. Lecturer performance that is seen directly in students also has a very significant impact on improving the quality of lecturer services. Unhan lecturer's mastery of learning theories and educational principles related to the adjustment of various learning methods that can be adaptive to the characteristics of learners so as to motivate them in carrying out an educational process has also had an impact on the quality of service.

3. SITOREM analysis allows for the most dominant factors inherent in a managerial problem, can be answered quickly and precisely. The issue of the quality of lecturer services at UNHAN as a measuring tool to improve the quality of education, can be deepened in factors that are specific and specific to the condition and background and ability of the institution. Quality of service that tends to be broad and allows distortions of various factors that are not directly and significantly related can be separated through the SITOREM approach, especially during qualitative analysis involving key sources and supporters in a research locus. Furthermore, quantitative analysis allows the certainty value of the strength of the relationship between the measured factors, so that a study can be carried out effectively and efficiently.

4. This study produced four factors that are other variables that need to be studied in depth, but the six factors are still an integral part in four main variables, namely organizational culture, interpersonal communication, pedagogical competence and *trust*. The four factors in question are organizational competence, mastery of learning theories and educational principles, *future orientation*, and communication with feedback. These factors showed a very significant association to service quality in the study. Thus it can be assumed that the four factors that are sub-variables can be the key to improving the quality of service especially in Unhan. However, the limitations of this study on variables and generalizations have not been strongly extended to a higher scope of theoretical studies, thus allowing for the development of research with more specific research objects in accordance with the findings of this study in other areas as well as wider scope.

REFERENCES

1) Alerasoul, S. A., Afeltra, G., Hakala, H., Minelli, E., & Strozzi, F. (2021). Organisational learning, learning organisation, and learning orientation: An integrative review and framework. Human Resource Management Review. https://doi.org/10.1016/j.hrmr.2021.100854

2) Arief, R., Midhio, I. W., Risman, H., Anwar, S., & Prakoso, L. Y. (2021). Makassar War in the Perspective of the Indonesian Total War. Journal of Social and Political Sciences, 4(2). https://doi.org/10.31014/aior.1991.04.02.291

3) Arto, R. S., Prakoso, L. Y., & Sianturi, D. (2019). Strategi Pertahanan Laut Indonesia dalam Perspektif Maritim Menghadapi Globalisasi. Strategi Pertahanan Laut, 5(2), 65–86.

4) Badan Pusat Statistik. (2021). Berita Resmi Statistik: Indeks Pembangunan Manusia (IPM) Tahun 2020. BPS No.97/12/Th. XXIII, 15 Desember 2020. BPS.

5) Bandur, A. (2016). Penelitian Kualitatif: Metodologi, Desain, dan Teknik Analisis. Mitra Wacana Media.

6) Bjekić, D., Vučetić, M., & Zlatić, L. (2014). Teacher Work Motivation Context of In-service Education Changes. Procedia - Social and Behavioral Sciences, 116, 557–562. https://doi.org/10.1016/j.sbspro.2014.01.257

7) Bui, H., & Baruch, Y. (2010). Creating learning organizations: A systems perspective. Learning Organization, 17(3), 208–227. https://doi.org/10.1108/09696471011034919

8) Colquitt, J. A., LePine, J. A., & Wesson, M. J. (2009). Organizational behavior: Improving performance and commitment in the workplace. In -: Vol. (Issue). mc.

9) Conchie, S. M., Taylor, P. J., & Charlton, A. (2011). Trust and distrust in safety leadership: Mirror reflections? Safety Science, 49(8–9), 1208–1214. https://doi.org/10.1016/j.ssci.2011.04.002

10) Creswell, J, W. (2008). Educational Research: Planning, Conducting, and Evaluating Quantitative and Qualitative Research. In Pearson Education. http://basu.nahad.ir/uploads/creswell.pdf%0Ahttps://www.pearson.com/us/higher-education/product/Creswell-Educational-Research-Planning-Conducting-and-Evaluating-Quantitative-and-Qualitative-Research-3rd-Edition/9780136135500.html

11) Creswell, J. (2013). Qualitative, quantitative, and mixed methods approaches. In Research design. Sage publications. http://scholar.google.com/scholar?hl=en&btnG=Search&q=intitle:Research+design+-+Qualitative,+Quantitative,+and+mixed+methods+approaches#0

12) Di Fabio, A. (2017). Positive healthy organizations: Promoting well-being, meaningfulness, and sustainability in organizations. In Frontiers in Psychology (Vol. 8, Issue NOV). https://doi.org/10.3389/fpsyg.2017.01938

13) Dipua, A., Hermawa, R., Puspitawati, D., Harahap, N., Nurdiansyah, D. R., & Prakoso, L. Y. (2020). An Analysis Of The South China Sea Conflict: Indonesia's Perspectives, Contexts And Recommendations. PalArch's Journal of Archaeology of Egypt/Egyptology, 17(4), 976–990.

14) Hadi, S. (2010). Metodologi Riset. Pustaka Pelajar.

15) Harris, A., Prakoso, L. Y., & Sianturi, D. (2019). Strategi Pertahanan Laut dalam Rangka Ancaman Keamanan di Alur Laut Kepulauan Indonesia II. Journal of Social and Political Sciences, Vol.4 No.2 (2021), 5(1), 15–30. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3838453

16) Hermawan, T., Prakoso, L. Y., & Sianturi, D. (2020). Strategi Pertahanan Laut dalam Analisa Dampak dan Upaya Pemerintah Mengamankan ALur Laut Kepulauan Indonesia. Strategi Pertahanan Laut, 6(3), 273–296.

17) Junaidi, M. E., & Prakoso, L. Y. (2021). Pancasila as the Basis for Indonesia's Universal Defense. Journal of Social and Political Sciences, 4(2). https://doi.org/10.31014/aior.1991.04.02.283

18) Kusuma, A. W., Prakoso, L. Y., & Sianturi, D. (2019). Sinergitas Komando Armada I dan Badan Keamanan Laut Republik Indonesia dalam Strategi Pertahanan Laut Guna Memberantas Kejahatan Lintas Negara di Selat Malaka. Strategi Pertahanan Laut, 5(2), 51–64.

19) Lebo, D., Pramono, B., Prakoso, L. Y., Risman, H., & Suhirwan, S. (2021). The Total War Strategy through Optimizing the Understanding of Pancasila Values in the Millenial Era. Journal of Social and Political Sciences, 4(2). https://doi.org/10.31014/aior.1991.04.02.273

20) Lukman Yudho Prakoso, Suhirwan, Kasih Prihantoro, Budi Pramono, Rianto, A. I. S. (2021a). BAHAN AJAR KEBIJAKAN PERTAHANAN LAUT (M. I. Setiadi (ed.)). UNHAN PRESS.

21) Lukman Yudho Prakoso, Suhirwan, Kasih Prihantoro, Budi Pramono, Rianto, A. I. S. (2021b). BAHAN AJAR SEJARAH PERANG (M. IKMAL SETIADI; SERI DEPY SUGIYANI (ed.)). UNHAN PRESS.

22) Madrohim, M., & Prakoso, L. Y. (2021). The Total War Strategy Through the Improvement of the Role of National Shipyard in Supporting Main Weapon System of Indonesian Navy. Journal of Social and Political Sciences, 4(1). https://doi.org/10.31014/aior.1991.04.01.245

23) Martdupanus Manik, J., Fakultas Strategi Pertahanan, S., Yudho Prakoso, L., & Sabrina Manik, A. (2019). Seminar Series in Humanities and Social Sciences: POST CONFLICT RESOLUTION OF THE 2019 PRESIDENTIAL ELECTION.

24) McShane, L. S., & Von Glinow, M. (2018). Organizational behavior, fifth edition. McGraw-Hil.

25) Narindra, K., Sudibyo, & Prakoso, L. (2021). Optimazation of the Diplomatic Strategy Through Cross-Culture Understanding for the Garuda Contingent in Naqoura South Lebanon. 16(2), 6363–6368.

26) Nizar, A. A., Pramono, B., & Gunawan, R. (2021). STRATEGI & KAMPANYE MILITER PEMANTAPAN BELA NEGARA MENGHADAPI KNFLIK SOSIAL (S. kasih P. L. Y. P. Rianto (ed.)) (M. I. Setiadi (ed.)). CV. Aksara Global Akademia.

27) Prakoso, Lukman Yudho, Suhirwan, prihantoro, K., Legionosuko, T., Rianto, Salim, G., & Yusriadi, Y. (2021). Analysis Public Policy Of Defence Strategy. Journal of Legal, Ethical and Regulatory Issues, 24(Special Issue 1), 1–9.

28) Prakoso, Lukman Yudo, Prihantoro, K., & Suhirwan, S. (2021). Urgensi Tranformasi Networking dan Driver Force Kebijakan Pertahanan. In M. I. Setiadi (Ed.), CV. Aksara Global Akademia.

29) Prasojo, M., Prakoso, L. Y., Mansyah, A., Hendra, A., & Bangun, E. (2021). Pancasila as the Foundation of Political Ethics in Indonesia, Case Study of the Struggle for the Chairman of a Political Party in Indonesia. Journal of Social and Political Sciences, 4(2). https://doi.org/10.31014/aior.1991.04.02.280

30) Prihantoro, K., Prakoso, L. Y., Suhirwan, S., & Kusmiati, M. (2021). Metode SWOT AHP dalam Merencanakan Strategi Pertahanan. In CV. Aksara Global Akademia. CV Aksara Global Akademia.

31) Salim, G., Indarjo, A., Zein, M., Yudho Prakoso, L., Suhirwan, Achmad Daengs, G. S., Rukisah, & Bija, S. (2020). Analysis of allometric growth and condition index of tiger shrimp (Penaeus monodon) in Juata Laut Waters and Fishpond, Tarakan (Indonesia). IOP Conference Series: Earth and Environmental Science, 564(1). https://doi.org/10.1088/1755-1315/564/1/012010

32) Sartono, Prakoso, L. Y., & Sianturi, D. (2020). Impresi dan Otoritas Pemerintah dalam Mengamankan Alur Laut Kepulauan Indonesia (ALKI). Strategi Pertahanan Laut, 6(3), 231–256.

33) Scales, A. N., & Quincy Brown, H. (2020). The effects of organizational commitment and harmonious passion on voluntary turnover among social workers: A mixed methods study. Children and Youth Services Review, 110. https://doi.org/10.1016/j.childyouth.2020.104782

34) Scrima, F., Di Stefano, G., Guarnaccia, C., & Lorito, L. (2015). The impact of adult attachment style on organizational commitment and adult attachment in the workplace. Personality and Individual Differences, 86, 432–437. https://doi.org/10.1016/j.paid.2015.07.013

35) Shen, J., & Tang, C. (2018). How does training improve customer service quality? The roles of transfer of training and job satisfaction. European Management Journal, 36(6), 708–716. https://doi.org/10.1016/j.emj.2018.02.002

36) Snyder, C. A. (1999). Contemporary Security and Strategy. In Contemporary Security and Strategy. Palgrave Macmillan. https://doi.org/10.1007/978-1-349-27359-1_1

37) Suhirwan, Lukman Yudho Prakoso, A. G. D. (2021). National Defense Policy by Strengthening Defense Strategy: Study of the Development of a Naval Air Base in Bengkulu. Italienisch, 11(2).

38) Supriyatno, M. (2014). Tentang ilmu pertahanan. Yayasan Pustaka Obor Indonesia, Jakarta. https://books.google.com/books/about/Tentang_Ilmu_Pertahanan.html?id=CaxxDAAAQBAJ

39) Vreÿ, F. (2012). Modern Strategy. In Scientia Militaria - South African Journal of Military Studies (Vol. 30, Issue 1).

Oxford University Press. https://doi.org/10.5787/30-1-169

40) Winarsunu, T. (2006). Statistik Dalam Penelitian Psikologi dan Pendidikan. In Jurnal Muhammadiyah Malang.
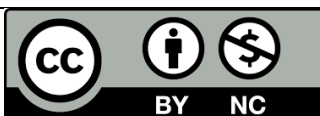
Obstacles to Criminal Law Enforcers in Overcoming the Hoax-Spreading Crime

Nur Azizah Azmi[1], Pujiyono[2]

[1,2]Faculty of Law, Universitas Diponegoro

Abstract: This study discusses efforts to tackle the crime of spreading hoaxes in cyberspace through criminal law and reveals the obstacles law enforcers have in tackling these crimes. The writing method used was a normative juridical approach, analytical descriptive. The results of this study are that law enforcers should be qualified, organized, structured to unite communities specializing in handling all types of cyber actions, given certain tools and facilities such as educated and skilled human workers, good organization, adequate equipment, sufficient finances for tackling cybercrime, especially the spread of false information/fake news (hoax).

KEYWORDS: criminal law enforcement, cybercrime, fake news/hoax

PRELIMINARY

The progress of science and technology development has made the world enters the era of the industrial revolution 4.0. The expansion of the world of technology in all human activities has resulted in human being inseparable from the need for digitalization. With the sophistication of science and technology, it provides easy access in various fields such as information. Before the rapid era of digitalization, accessing information from one country to another was very difficult. But advances in science and technology that are always developed by humans provide tangible results, one of which is in the field of information. Now, someone who has never even left the house and only relies on his smartphone can find out the latest information that is happening in his country and even information that is abroad. It can be said that the existence of digitalization makes borderless countries' relations.[1]

Digitization not only makes it easy to access information but also shares and disseminates information, even if the information can become high-value news and commercial. Digitization has become a culture/practice in modern society because in carrying out their activities both in thinking, acting, innovating, or creating wherever and whenever they are inseparable from digitalization assistance.[2] Behind all the conveniences provided in the era of digitalization, some challenges and problems arise regarding cybercrime, one of which is filtering true information from hoaxes.

Fake news (hoax) is very detrimental to individuals or groups covered in it. With the ease of accessing information, accessing fake news (hoax) will be easier and faster to spread. This innovation also provides a platform for the wider community to express opinions and thoughts. The culture/practice of modern society that is increasingly attached to digital provides a problem as well as ethics in disseminating information which if the information is false (hoax) can cause division and loss.

The increasing need for digitalization in Indonesia itself has resulted in this country having to provide legal protection to its people from cybercrimes. The seriousness of the state in protecting its people from cyberspace crimes has been stated in the Criminal Code, but it is not enough to end there. In 2008, Indonesia took a stand by issuing a special law on digitization, namely Law Number 11 of 2008 concerning Information and Electronic Transactions. In addition to making a special law regarding cyberspace, to tackle cybercrime, it is also necessary to have harmonization of both material/substance harmonization and external (international/global) harmonization.[3] In fact, until now the crimes that have occurred in cyberspace are increasingly widespread, especially with the occurrence of the COVID-19 pandemic which has given new nuances to all human activities in the world. The regulations that have been set by the state are in fact still not sufficient to provide a sense of justice and security from cybercrimes,

---

[1] Putra Jaya, Nyoman Serikat, *Hukum dan Hukum Pidana di Bidang Ekonomi*. Badan Penerbit Universitas Diponegoro. (Semarang: 2018), hal. 140

[2] Hendy Sumadi, 'Kendala Dalam Menanggulangi Tindak Pidana Penipuan Transaksi Elektronik Di Indonesia', *Jurnal Wawasan Yuridika*, 33.2 (2015), 175–203.

[3] Senze Verrel, Rasso Nathaniel, and Lembong Roy Ronny, 'Upaya Kriminalisasi Dalam Hal Penanggulangan Kejahatan Cyber Crime', *Lex Administratum*, IX.4 (2021), 252–63.

especially in the dissemination of false information/fake news (hoax). One of the obstacles faced by law enforcement is the difficulty in controlling criminal acts in cybercrimes, especially in the dissemination of false information/fake news (hoax).

This study used a normative juridical analysis method with a qualitative descriptive approach, where the law was conceptualized as a rule or norm which is a benchmark for human behavior that is considered appropriate (Ishaq, 2017). This normative legal research was based on primary and secondary legal materials, namely research that refers to the norms contained in statutory regulations. In this legal research, several laws were used as primary legal materials, namely the Criminal Code and the 1945 Constitution, Law Number 11 of 2008 concerning Information and Electronic Transactions which was updated by Law Number 19 of 2016 concerning Amendments to previous laws and Government Regulations. In addition, the author also used secondary and tertiary legal materials, namely literature books, journals, research results, other scientific works related to this research, and language dictionaries that help explain primary and secondary legal materials in this research.[4]

This article focused its discussion on what are the characteristics or criteria for hoaxes, how to prevent the spread of hoaxes in cyberspace in Indonesia, and what are the obstacles that law enforcers have in tackling the crime of spreading fake news (hoaxes) in cyberspace.

DISCUSSION

    1.   **False Information / Fake News (Hoax) Criteria**

The hoax comes from "*hocus pocus*" which comes from the Latin "*hoc est corpus*" which means "this is the body". This word is used by magicians to say that something is true which is not necessarily true.[5] Then the notion of fake news itself consists of two words, namely news, and fake. According to the Big Indonesian Dictionary, the news is a story or information about an actual incident or event that and a lie/fake is not in accordance with the real thing (conditions and so on). In the scope of social media, fake news is a story that is conveyed to the public through the media but does not match the truth or actual facts. Article 28 of Law Number 19 of 2016 concerning electronic information and transactions, states that anyone who intentionally and without rights spreads false and misleading news that can result in consumer losses in electronic transactions is threatened with criminal sanction and fines, and everyone intentionally and without rights spreading information that aims to cause a certain sense of hatred/hostility based on racism. In fact, hoaxes are not a new problem, but with advances in technology, some individuals or groups can use them to spread fake news (hoaxes) very quickly. Thus, the effect of these actions becomes greater and more dangerous. According to the Secretary-General of APJII, Indonesia's 2019-2020 internet users are estimated to be 196.7 million users, an increase of around 8.9% from the previous year. This allows easy access to information, including hoax information.[6]

Therefore, it is very important to distinguish and know-how information or news is categorized as a hoax. The following are some of the criteria or characteristics of information/fake news (hoax) that is spread through social media/internet:[7]

a.   Sources of information/news come from untrustworthy parties, where the information/news does not have an official link, from sites that are not clear and have no mention of the person in charge or who cover it either by individuals, institutions, or other groups. Or do not have the credibility or reputation of the information/news that is good enough;

b.   The pictures, photos/videos used are fabrications that don't even have anything to do with the information/news they cover. Usually, the reporter only takes from the original source and engineer it in an improvised manner;

c.   Using provocative sentences that are intended to make it easier for readers to be influenced by the information/news;

d.   Contains elements of politics and racism/discrimination where it is not stated explicitly the true meaning of the information or news.

From the explanation of the criteria for information/news that is included in the hoax category, it is necessary to have a filter and a credible series to reduce the ease with which a person/group spreads and accesses false news/information (hoax) because the ease with which it is spread and accessed affects thoughts, actions and social conditions of the readers.

    2.   **Countermeasures the Spreading False News (Hoax) Crime in the Cyberspace in Indonesia through Criminal Law**

Crime from a legal point of view is behavior or action that violates criminal law, where no matter how bad the act is if it is not prohibited by criminal law, it is still considered a non-crime act.[8] With the rise of the phenomenon of crime that occurs in cyberspace itself, Indonesia should be a legal state under Article 1 paragraph (3) of the 1945 Constitution to provide legal

---

[4] Ishaq, *Metode Penelitian Hukum Dan Penulisan Skripsi, Tesis,Serta Disertasi*, Alfabeta, (Bandung: 2017) hal. 27

[5] Ari Kurniawan, 'Pertanggungjawaban Pidana Terhadap Penyebaran Berita Bohong Yang Menimbulkan Kegaduhan Di Dalam Hukum Positif Indonesia' (Universitas Islam Negeri Sulthan Thaha Saifuddin, 2020)., hal. 1

[6] "Dirjen PPI: Survei Penetrasi Pengguna Internet Di Indonesia Bagian Penting Dari Transformasi Digital,"KOMINFO,2020,https://kominfo.go.id/index.php/content/detail/3415/Kominfo+%3A+Pengguna+Intern et+di+Indonesia+63+Juta+Orang/0/berita_satker.

[7] Lusiana Monohevita, 'Stop HOAX !', *UI Lib.Berkala* (Depok, 2017), 6–11. Hal. 7

[8] Saleh Muliadi, "Aspek Kriminologis Dalam Penanggulangan Kejahatan," FIAT JUSTISIA:Jurnal Ilmu Hukum 6, no. 1 (2015): 6, https://doi.org/10.25041/fiatjustisia.v6no1.346.

protection for its people. Efforts in dealing with a crime can be broadly divided into 2 (two), namely through the "penal" (criminal law) and "non-penal" (outside/not with criminal law). The application of criminal law is always related to the existence of criminal laws and regulations. According to Sudarto, quoted by Ginting, to realize criminal laws and regulations that match the situation/condition at a certain time, is by implementing the politics of criminal law. Legal policy using "penal" itself is a series of processes consisting of three stages, namely the stages of legislative/formulating policies, judicial/applicating policies, and executive/administrating policies. The means of these policies must pay attention to and lead to the achievement of the objectives of social policies, namely social welfare, and social defense.[9]

In tackling cybercrimes through criminal law nationally, there are several legal bases for overcoming criminal acts, including the Criminal Code, the Criminal Procedure Code, Law No. 14 of 2008 concerning Public Information Disclosure, Law no. 19 of 2016 concerning Information and Electronic Transactions on the amendment to the Law of the Republic of Indonesia No. 11 of 2008 concerning Information and Electronic Transactions, Law No. 36 of 1999 concerning Telecommunications, Law No. 32 of 2002 concerning Broadcasting, Law No. 40 of 1999 concerning the Press, Law No. 23 of 2002 concerning Child Protection, Law No. 44 of 2008 concerning Pornography, Law No. 31 of 1999 that was renewed by the Law No. 20 of 2001 concerning Eradication of Criminal Acts of Corruption, International Convention, Convention On Cyber Crime held in Budapest, 23.XI.2001.[10]

For an act to be classified as a crime, according to the A. S. Alam quoted by Wahyuni, seven main elements must be met and are interrelated:[11]

a. There is an act that results in a loss
b. The loss has been regulated in the Criminal Code (principle of legality)
c. There must be a criminal act
d. There must be malicious intent (criminal intent = *mens rea*)
e. There is a fusion between malicious intentions and malicious deeds
f. There must be an update between the losses that have been regulated in the Criminal Code and actions
g. There must be a criminal sanction that threatens the act

Concerning false information (hoax) circulating on social media/internet, it is classified as a crime and fulfills criminal elements. In fact, the state gives freedom to its people to process, seek and convey information by all means in accordance with Article 28 letter F of the 1945 Constitution which reads "Everyone has the right to communicate and obtain to develop personal information and his social environment, and has the right to seek, obtain, possess, store, process, and convey information by using all available channels," but as the times develop, it provides a new pattern/culture in social movements that exist in the society which cannot be separated from the existence of a crime. Quoted from kompas.com in 2019 there were 1,005 cases of spreading hoaxes during the 2019 election.[12] So, in addition to facilitating access to information, the digital world cannot be denied, it can also provide problems related to cybercrime, one of which is hoaxes.

Reviewing the state's promise to give the right to a sense of security and protection from all forms of loss, it is also stated in the 1945 Constitution Article 28G paragraph (1) which reads "everyone has the right to protect himself, his family, honor, dignity, and property under his control, and has the right to a sense of security and protection from the threat of fear to do or not do something which is a human right." In Law No. 19 of 2016 concerning Information and Electronic Transactions Article 28 paragraph (1) contains the spread of false information/fake news. The verse reads "everyone intentionally and without rights spreads false and misleading news that results in consumer losses in electronic transactions. The sanctions imposed on cases of spreading false news are contained in Article 45A which reads "(1) Any person who intentionally and without rights spreads false and misleading news that results in consumer losses in Electronic Transactions as referred to in Article 28 paragraph (1) shall be punished with imprisonment for a maximum of 6 (six) years and/or a maximum fine of Rp. 1,000,000,000.00 (one billion rupiah). (2) Any person who knowingly and without rights disseminates information aimed at creating feelings of hatred or hostility towards certain individuals and/or community groups based on ethnicity, religion, race, and inter-group (racism) as referred to in Article 28 paragraph (2) shall be sentenced to a maximum imprisonment of 6 (six) years and/or a maximum fine of Rp. 1,000,000,000.00 (one billion rupiah)." Article 390 of the Criminal Code also contains the same thing although with a slightly different formulation, which reads "Anyone with the intention of benefiting himself or another person by fighting the right to lower or increase the price of merchandise, fonds or money securities by broadcasting false news, sentenced to a maximum imprisonment of two years and eight months." Quoted from hukumonline, fake news that is spread through electronic media

---

[9] Philemon Ginting, 'Kebijakan Penanggulangan Tindak Pidana Teknologi Informasi Melalui Hukum Pidana' (Universitas Diponegoro, 2008).hal. 15

[10] Simon Nahak, "Hukum Tindak Pidana Mayantara (Cyber Crime) Dalam Perspektif Akademik," Jurnal Prasada 4, no. 1 (2017): 7, https://doi.org/10.22225/jhp.4.1.161.1-11.

[11] Wahyuni, 'Upaya Kepolisian Dalam Penanggulangan Kejahatan Penyebaran Hoax Di Kota Makassar' (Universitas Hasanuddin Makassar, 2019).hal. 9

[12] Fitria Chusna Farisa, 'Cyber Crime Polri: Ada 1.005 Kasus Penyebaran Hoaks Selama Pemilu 2019 L', 2019, p. 1.

(social media) which does not aim to mislead consumers, can be punished according to the ITE Law depending on the content of the content being distributed, such as:

a. If the fake news contains decency, it can be criminally charged under Article 27 paragraph (1) of the ITE Law;

b. If it contains gambling, it can be punished based on Article 27 paragraph (2);

c. If it contains insults and/or defamation, it will be punished according to Article 27 paragraph (3) of the ITE Law;

d. If it contains extortion and/or threats, it will be punished based on Article 27 paragraph (4) of the ITE Law;

e. If it is charged with causing hatred based on racism, it will be punished according to Article 28 paragraph (2) of the ITE Law;

f. If it contains threats of violence or intimidation aimed at personally, it will be punished according to Article 29 of the ITE Law.

Law Number 1 of 1946 concerning the Regulation of Criminal Law, also contains fake news as contained in Articles 14 and 15 which reads, Article 14 "(1) Whoever, by broadcasting false news or notifications, intentionally publishes trouble among the people, sentenced to a maximum imprisonment of ten years, (2) Whoever broadcasts a news or issues a notification that can cause trouble among the people, while he should be able to think that the news or notification is a lie, is punished with a maximum imprisonment of three years." and Article 15 "Whoever broadcasts news that is uncertain or news that is excessive or incomplete, while he understands it should at least be able to suspect that such news will or has been able to cause trouble among the people, shall be punished with a maximum imprisonment of two years."

How serious the state is in upholding and protecting its people from the crime of spreading false news (hoax), so as a human being who is accompanied by a healthy mind before wanting to spread information, we should ensure that the information can be accounted for and true so that there will be no spread of false news (hoax).

3.   Obstacles to Criminal Law Enforcers in Overcoming the Hoax-Spreading Crime

Arwendria explained that in 2019 the average number of hoaxes spread in a day reached 3,500 times and is predicted to increase as the simultaneous legislative and presidential elections are close in April next year.[13] Data from the Ministry of Communication and Information stated that there were around 800,000 sites in Indonesia indicated as spreading false information in 2017.[14] From these data, it is very clear that even though some laws and regulations regulate and provide criminal sanctions for the spread of fake news (hoax), there are still many events that occur around this. Controlling and eradicating fake news is carried out by the government such as carrying out literacy campaigns, fact-checking initiatives, and establishing punitive measures to prevent its spread.[15]

As previously stated, the prevention of cybercrime cannot be separated from the policy of overcoming crime/criminal politics. In this case, the formation of laws around cyberspace cannot be separated from the purpose of criminal politics, namely as an effort to provide social welfare and for the protection of society (social defense). Therefore, there is a need for a critical evaluation of the weaknesses in cybercrime law enforcement, especially the spread of hoaxes. According to Barda Nawawi Arif as quoted by Hendy, evaluation needs to be carried out because of the existence of a link between the policy formulation of legislation (legislative policy) with law enforcement policies and policies for eradicating crime (criminal policy).[16] Criminal policy which is part of the law enforcement policy must have the ability to place the components of the legal system in a conducive and applicable manner to tackle any crime. The criminal policy must be implemented with rational and comprehensive planning as a response to a crime (a rational total of the responses to crime).[17]

The general obstacle possessed by Indonesia is that it cannot be separated from the ability of law enforcement to enforce existing laws and regulations. This is motivated by the lack of law enforcement officers who understand the ins and outs of information technology (internet), limited facilities and infrastructure, and the lack of legal awareness of the community in efforts to overcome information technology crimes. In addition, law enforcement officers in the regions have not been able to fully anticipate the rise of crime in the spread of hoaxes or other cybercrimes. In addition, not all law enforcement officers master digitalization techniques or there are still technological stutterers because not all institutions, especially regional ones, have internet networks. In addition, police officers have limited tools and knowledge about cybercrime, especially at the regional level.

For this reason, to overcome crime in cyberspace, at least the following things must be fulfilled:[18]

a. Fulfilling the need for qualified, organized, structured law enforcement to unite communities that specialize in handling all types of cyber actions;

---

[13] Arwendria Arwendria and Ariska Oktavia, "Upaya Pemerintah Indonesia Mengendalikan Berita Palsu," Baca: Jurnal Dokumentasi Dan Informasi 40, no.2 (2019) : 195, https://doi.org/10.14203/j.baca.v40i2.484.

[14] Ayu Yuliani, 'Ada 800.000 Situs Penyebar Hoax Di Indonesia' (KOMINFO, 2017), p. 1.

[15] Ricky Firmansyah, 'Web Klarifikasi Berita Untuk Meminimalisir Penyebaran Berita Hoax', *JURNAL INFORMATIKA*, 4.2 (2017), 230–35.

[16] Sumadi. *Jurnal Wawasan Yuridika 33, 2 (2016) :* 185.

[17] Mahmud Mulyadi, "Pendekatan Integratif Dalam Penanggulangan Tindak Pidana Korupsi," Jurnal Hukum Samudra Keadilan 13, no. 1 (2018): 4.

[18] Sumadi. *Jurnal Wawasan Yuridika 33, 2 (2016) :196.*

Obstacles to Criminal Law Enforcers in Overcoming the Hoax-Spreading Crime

b. The existence of certain tools and facilities such as educated and skilled human resources, good organization, adequate equipment, and sufficient finances;
c. Public awareness of the ethics of information so as not to spread the news that is not certain to be true.

CONCLUSION

The development of science and technology has made it easy to access all kinds of information. This convenience certainly has problems and challenges for humans themselves, such as the emergence of cybercrime, one of which is the crime of spreading false information/fake news (hoax). Various efforts had been made by the Government of Indonesia in order to create legal certainty and law enforcement to tackle the crime of spreading false information/fake news (hoax). Various legal bases were formed by the state as stated in the Criminal Code, the ITE Law, the Law on Criminal Law which contains sanctions for disseminators of information/fake news (hoax). However, it is undeniable that the need for an evaluation is carried out because of the link between the policy formulation of legislation (legislative policy) with law enforcement policies and policies for eradicating crime (criminal policy). Obstacles in eradicating cyber crime also need to be overcome to create social welfare and social protection. Regarding the problem of law enforcement in enforcing the regulations that have been set to eradicate the crime of spreading hoax information, then they should be capable, organized, structured to unite communities specializing in handling all types of cyber actions, given certain facilities and facilities such as educated human resources. and skilled, good organization, adequate equipment, sufficient finances to tackle cybercrime, especially the dissemination of false information/fake news (hoax).

BIBLIOGRAPHY

1) Kitab Undang-Undang Hukum Pidana
2) Undang-Undang Dasar 1945
3) Undang-Undang Nomor 19 Tahun 2016 tentang Informasi dan Transaksi Elektronik
4) Undang-Undang Nomor 1 Tahun 1946 tentang Peraturan Hukum Pidana
5) Kamus Besar Bahasa Indonesia
6) Arwendria, Arwendria, and Ariska Oktavia, 'Upaya Pemerintah Indonesia Mengendalikan Berita Palsu', *Baca: Jurnal Dokumentasi Dan Informasi*, 40.2 (2019), 195 <https://doi.org/10.14203/j.baca.v40i2.484>
7) Chusna Farisa, Fitria, 'Cyber Crime Polri: Ada 1.005 Kasus Penyebaran Hoaks Selama Pemilu 2019 L', 2019, p. 1
8) 'Dirjen PPI: Survei Penetrasi Pengguna Internet Di Indonesia Bagian Penting Dari Transformasi Digital', *KOMINFO*, 2020, p. 1
9) Firmansyah, Ricky, 'Web Klarifikasi Berita Untuk Meminimalisir Penyebaran Berita Hoax', *JURNAL INFORMATIKA*, 4.2 (2017), 230–35
10) Ginting, Philemon, 'Kebijakan Penanggulangan Tindak Pidana Teknologi Informasi Melalui Hukum Pidana' (Universitas Diponegoro, 2008)
11) Kurniawan, Ari, 'Pertanggungjawaban Pidana Terhadap Penyebaran Berita Bohong Yang Menimbulkan Kegaduhan Di Dalam Hukum Positif Indonesia' (Universitas Islam Negeri Sulthan Thaha Saifuddin, 2020)
12) Monohevita, Lusiana, 'Stop HOAX !', *UI Lib.Berkala* (Depok, 2017), 6–11
13) Muliadi, Saleh, 'Aspek Kriminologis Dalam Penanggulangan Kejahatan', *FIAT JUSTISIA:Jurnal Ilmu Hukum*, 6.1 (2015), 1–11 <https://doi.org/10.25041/fiatjustisia.v6no1.346>
14) Mulyadi, Mahmud, 'Pendekatan Integratif Dalam Penanggulangan Tindak Pidana Korupsi', *Jurnal Hukum Samudra Keadilan*, 13.1 (2018), 1–19
15) Nahak, Simon, 'Hukum Tindak Pidana Mayantara (Cyber Crime) Dalam Perspektif Akademik', *Jurnal Prasada*, 4.1 (2017), 1–11 <https://doi.org/10.22225/jhp.4.1.161.1-11>
16) Sumadi, Hendy, 'Kendala Dalam Menanggulangi Tindak Pidana Penipuan Transaksi Elektronik Di Indonesia', *Jurnal Wawasan Yuridika*, 33.2 (2015), 175–203
17) Verrel, Senze, Rasso Nathaniel, and Lembong Roy Ronny, 'Upaya Kriminalisasi Dalam Hal Penanggulangan Kejahatan Cyber Crime', *Lex Administratum*, IX.4 (2021), 252–63
18) Wahyuni, 'Upaya Kepolisian Dalam Penanggulangan Kejahatan Penyebaran Hoax Di Kota Makassar' (Universitas Hasanuddin Makassar, 2019)
19) Yuliani, Ayu, 'Ada 800.000 Situs Penyebar Hoax Di Indonesia' (KOMINFO, 2017), p. 1
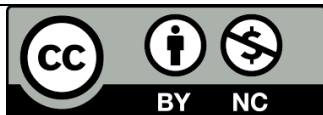
War of Nerves Between United States of America and Soviet Union Relations on International Peace 1949 – 1975

Chukwu C. James

Department of History and International Studies, Nnamdi Azikiwe University, Awka, Nigeria.

ABSTRACT: This work focused on the war nerves between United State of America and Soviet Union relations and endeavour to find out, how the ideological war between the United States and the Soviet Union, affected international peace. This is as a result of the significance of the era in the contemporary trends in human civilization. This era heralded the advent of the most destructive instruments in the annals of humans' development – the Atomic Bomb and the Ballistic Missiles. The presence of these instruments in the midst of humanity, gave rational beings something to worry about The study employed the historical methods which emphasise description, thematic presentation, interpretation and analysis of facts. Information for this study was obtained from secondary sources like textbooks, journal articles, magazines, and so on were used. The findings show that the war of nerves between between United States of America and Soviet Union Relations violated international peace and polarised the international system.

KEY WORDS: War of Nerves, United States, Soviet Union, Relations, International Peace.

INTRODUCTION

The World War II, ended with the emergency of two opposing ideological blocs in international system led by the United States of America on one hand and the Union of Soviet Socialist Republic (USSR) on the other hand. Thae Cold War, a brain-child of the second world war, originated from the war-time illusions of the Western Statesmen. These actors notably, Winston Churchill Prime Minister of Britain and President Truman of Americ, anticipated a post war co-operation of Soviet Union, but the post war development disillusioned them. This is aptly stated by Fleming D., *The Cold War, originated in the chagrin of Western leaders, notably Churchill and Trman, over Soviet control of central and Eastern Europe after World War II.*[1]

The Cold War has been boiling between Western and Eastern bloc nations since 1949, with brief diplomatic rapprochement until 1975. The years in between were tension – ridden. Mankind lived under the perpetual fear of nuclear holocaust, with every stage of the Cold War, the world stood like a status waiting for Armageddon to come. The question uppermost in men's mind was, when will the Third World War occur? What nature will it take, and probably who will trigger it off. By 1970, following the imperative imposition of détente on international system, it became obvious that World War, the third in the history of mankind, is not likely to occur, because of this, some analysis argued that the Cold War did not violate international peace. Our concern here is to know what roles the Cold War played in aggravating the global tension on one hand and at the other, the ways it embraced the peaceful resolution of international conflicts.

The Soviet violation of the allies post war peace treaties at Teheran, Yalta, and Potsdam, her outright blockade of her portion of Berlin from the Western, the communist expansionism in East Europe, and the Soviet's frustration of free election in Eastern Europe alarmed the Western leaders. "From Stettin in the Baltic to Trieste in the Adriatic, Sir Winston Churchill warned, an iron curtain has descended across the continent". [2]

The Second World War ended in a most spectacular way – the emergence of the two super-powers and the birth of the atomic bomb. This destructive instrument was used by the United States to end the war with Japan. Britain having secretly possess the atomic bomb, took steps to conceal it from Soviet Union and other actors of international political system. In his iron curtain speech on May 3, 1946, Winston Churchill of Britain said:

> It would nevertheless be wrong and impudent to entrust the secret knowledge or experience of the atomic bomb, which United States, Britain and Canada now shares, to the World Organisation, while it is in its infancy. It would be crimbal madness to cast it adrift in this agitated and unirated world. No one in any country has slept less well in their beds because this knowledge and the method and the materials to supply it, are at present retained in American hands. I do not believe, we should all have slept so soundly, had the position be reversed, and if some communist or neo-fascist state monopolised for the time being these dresded agencies.[3]

War of Nerves Between United States of America and Soviet Union Relations on International Peace 1949 – 1975

The monopoly of the atomic bomb by the West and the war time strategy of the western allies nations whereby they delayed the opening of the second front for lack of sufficient barges for such enormous undertaking and which the Soviet's interpreted as a "delibrate attempt by the World's two leading capitalist powers to destroy both of their two major ideological opponents one and the same time",[4] naturally led to mutual suspicion of Western powers by the Soviet Union. She saw her Western allies, war time delay in opening the second front as a calculated attempt by the West to expose the Red Army to massive onslaught of the Nazi's. during the war-time and post war-time peace conferences, the allied powers laid down modalities for post war settlement. Hence the end of the World War II, heralded the division of Europe between the victor powers – Britain, America, Soviet Union and France.

The Cold War had had meaningful impact on international peace. These can be seen in the areas of the preservation of international Peace, it violation, the introduction of arms race, its escalation and imposition of highly destructive weapons on international system, the permanent division of the world into bellicose camps and the evolution of neutralist feelings among peace loving people.

To this end, this work is devoted to finding out the war of nerves between United States of America and Soviet Union relations and the infuence the Cold War had on International Peace between the period of study.

CONCEPTUAL CLARIFICATION

The study engages a few words or concepts which may seem quite ambiguous. These concepts require some clarifications. It is my intention to define them in brief to enable readers to understand and digest the work without racking their brain.

Cold War: This is a state of intensive competition devoid of armed conflict between states – a policy of making mischief by all methods short of War between nations.

Balance of Power: This is a theory of international relations which according to Isaak, "Balance of Power system is an equilibrium made up of approximately equal power or nations set against each other so that no one power can predominate".[5]

Iron Curtain: Is an ideological barrier separating the Soviet Union and the communist countries of East Europe from the Western countries, which hindered trade and communication.

International System: In the words of Stanley Hofimann, "is a pattern of relations between the basic units of world politics, who is characterised by the scope of the objectives pursued by these units and of the tasks performed among them, as well as by the means used in order to achieve those goals and perform these tasks"".[6]

Deterrence: Deterrence "is persuading an enemy that attacking you will not be worth any potential gain".[7]

Balance of Terror: Is a state of equi;ibrium in the possession of nuclear weapons by which both ideological powers could destroy each other.

Diplomatic Rapture: this is a situation of severance of diplomatic or formal political relations between nations who hitherto were enjoying cordial relations.

Western Powers: The term western powers is used to indicate the capitalist nations of Europe led by the United States.

National Interest: These are those interests and priorities of a nation, for which she could go to war to protect or maintain.

THEORETICAL FRAMWORK

Cold War is a research field that poses serious problem of choice in adopting a theoretical framework for its analysis. This is because of the abundance of contending frameworks. There are System Theory, Mutual Aid Theory, Conflict Resolution, Centre Periphery, Marxist and Game Theory. These theories can equally provide a perfect theoretical mould for the analysis of the war of nerves between United States of America and Soviet Union Relations on international peace..

It is my intention to use the Game Theory as my tools of analyses because, it seems to be most relevant to the topic under investigation. Though not without blemish, the game theory, has universal applicability to international political system. In this work, I intended to liken the actors of the Cold War to players of various kinds of "parlour games" – drought, chess, chicken, poker, scramble or bridge games. The games are prone to conflict decision – making and co-operation.

Game theory is a mathematical discipline, that is designed to deal with the question of optimun behaviour of participants in games of strategy and to determine the resulting equilibrium. In game theory, each participant endeavour to maximaze their advantage in situations where the outcome depends on their actions, and the nature. The interests of participants in the game theory, are often opposed and sometimes parallel, to one another. In other words, conflicting interest and possible co-operation among participants are likely to be there. There is also mutual suspicious among participants because, some of them can forecast with certainty the next action of others.

Games are described by specifying possible behavour within the rules of the game. In a game, the rules are given by physical and legal environment within which an individual's actions may take place. In the game of international poliotics, I regard each actors bas being rational beings, who has definite objectives and having at their disposal, some resources with which to confront their opponents in conflicts. The actors are expected to act rationally. Game involves moves and countermoves, which trnds to explain the unfolding of the moves, the states of information of the players, and the alternative choices available to each actor at each

encounter. Each acyor, unaware of the opponent's choices, choose a single number that identifies a strategy from sets of strategies allowing for all contingencies.

In game theory, the player's is also expected to have perfect knowledge of the strategies open to him in pursuit of his aims. The players should also be able to design a strategy that covers all contingencies and ensure minimum risks and maximu – pay-off. In all game, there are outcomes – the pay-off. It is the relationship between player and the price of objective, they aim at – a win, a loss, or draw. In game theory, theoriest are interested in amalysing the strategies that will enable the players to maximise their outcomes, and the prospect being usually small in range, requires careful study of the alternative course of action. The rules of the game is simply the distribution of resources and the employment of these resources. In Cold War, players, are expected to know that nuclear misailes are not to be used – they are not part of the rules of international game.

Alliances are often formed in international politics. In game theory context, alliances means, mthe combination of resources for the best advantsghe of the players. This is an indication that the players are many. Consequently, those who have common objectives, pool their resources together to enable them achieve their objective interests. This co-operation among actors is known as the variable – sum game which assumes that two or more parties can gain more individually by co-opereting, especially in the long run, for according to Isaak:

> Rather than arguing over existing economic pie, it is more satisfying to co-operate and create more pies, for every one by means that individual parties would not have available, if they merely worked on their own.[8]

Conversely, the Zero-sum game – a pure conflict game or situation assumes that "Whatever one party gains, the other party necessarily losses and that co-operation is, therefore, irrational".[9] A more appropiate model in international relations, is the multiparty non zero-sum game; for, as Zawodny reminds us, "We must recognise that some types of international conflict today can be resolved only by situations in which neither side losses and in which sometime both sides may win".[10]

THE COLD WAR AND INTERNATIONAL PEACE

Since the inception of the ideological conflict between the nuclear powers of international system, peace has continued to elude the world. In Berlin, Korea, China, Cuba, Vietnam, Middle East, Congo and South Africa, they were fracas between the mega powers on hand and the rivalry factions on the other and the world stood defenceless against imminent nuclear holocaust. The chief architects of the cold war were fanatically committed to maximizing their interests and sought by all means to minimize that of its opponent. Thus twice in 1948 and 1958, Russia pushed the global peace to the wall in Berlin. In those days, world war seems inevitable.

In Roy's opinion:

> The cold war has been going on between these two rival blocs since the termination of the Second World War, and another war will be staged at the very moment when Soviet Russia and the United States would come into open clash.[11]

The berlin crisis was so hot that it demanded the head of international peace on a platter. Spanier saw the situation thus:

> The Soviet proposals had included the ultimatum that if West Berlin's status had not been renegotiated, a la Russe within six months, the Russians would place the East Germans in control of the rail roads and highways leading into western Berlin, if the East Germans then interfere with western traffic, the West would have to deploy force to block any blockade, and Khrushchev stated that any such Western attempt would meet Soviet resistance. The defence of West Berlin therefore posed the definite possibility of total war.[12]

The crises stopped short of catastrophe, doubtless because both sides exercised responsibility and both had a sharp appreciation that extreme policies could lead to mutual destruction.

> In 1961, the erection of the Berlin wall – is one example of confrontation without resolution. Another is provided by the tension over Formosa and the offshore Islands; yet another by the Soviet suppression of Hungarian revolt; and another by the Western military adventure over Suez; others as to the Cuban crises, the tension over the Conga, and the conflicts in the Middle East etc. However the important point however is that, dangerous as these crises were, peace was preserved.[13]

In analysing the issue further, Spanier stated his opinion, rhetorically stating that: "What objective was worth the cost of total war, if Berlin was not, what was? Berlin was thus a crisis of massive retaliation, for the Soviet action questioned the very feasibility of our basic strategy".[14]

There is no gain-saying that the War of Nerves between United States of America and Soviet Union Relations violated international peace. This is because the conflict inflated international tension, for according to Bulganin in 1957, "The international situation has recently seriously deteriorated. Dangerous attempts have been undertaken to undermine the relaxation of international tension already achieved and to place the people at the brink of war".[15]

War of Nerves Between United States of America and Soviet Union Relations on International Peace 1949 – 1975

The War of Nerves went as far as gravely affecting the United Nations. The structure of the organization has been based on two proportions – the necessity of relating function to power, and the belief that it would be possible for the great powers, particularly the Soviet Union and the United States, to sustain a broad accord in their relationship in the post-war period. But with the diplomatic rupture aided by the Cold War, both proposition proved untenable. The basic disagreement on innumerable issues between the two greatest powers made the security machinery ineffectual, and most of the crucial issues of division had to be determined by direct negotiation outside the framework of the United Nations.

The War also affected the domestic societies of the two great powers. In Soviet Union an authoritarian government could mobilize the community to effort, exploiting East – West competition and fear for the community's security. In the United States, with its democratic machinery and its more individualistic values, it was impossible to impose an official viewpoint directly upon the society, even if a government had wished to do so.

In furtherance, it will be naive to assume that a world besieged by impregnable stock piles of nuclear weapons and civil wars, religious conflicts and wars of attrition is at peace. The occurrence of these conflicts as in Korea, China, Vietnam, Congo, and Middle - East alludes to future outbreak of the total war for in the word of Major General Telenskii, "At any moment…mankind might be faced with the accomplished fact of the beginning of destructive atomic war"[16]. A world faced with the ultimate fear war is not peaceable. The employments of the weapons mean the annihilation of human being on earth.

Zhukov, opine that: "The very existence of atomic weapons made it necessary to reckon with the possibility of their employment, because certain madmen, mighty go to the length of using them in spite of everything"[17].

THE COLD WAR AND THE ARMS RACE

The nuclear arms race began during World War II, when the United States were informed that the Nazi's may be building a weapon of mass destruction, the atom bomb. The United States realizing that if the Nazi's could possible develop this weapon, making them unstoppable, stated their own nuclear weapons, program, called the 'Manhattan Project'. The United States, won the first nuclear arms race when they tested the first nuclear weapon on the Alamogordo Bombing Range in New Mexico on July 16, 1945.

The World War II ends with the birth of the atomic bomb. Its emergence was one of the cardinal causes of the Cold War, its invention, employment and cancelation from the Soviet's by its inventors (Western Powers) strained the relationship between the communists and capitalists blocs. Thus, the modern nuclear arms race, which is the race between the United States, under Harry Truman, and Soviet Union, under Joseph Stalin, began in 1946, when the American representative in the newly formed United Nation (UN), Bernard Baruch, proposed that nuclear weapons be eliminated. The Russians refused this proposition and the arms race began. Soviet ruling body, "polit-buro" under Stalin, mounted pressures on the Soviet military scientist to produce within a limited time, an atomic weapon with the capability of scaring the traitor, mainly, the Americans and its allies under the supervision of the scientist Seigi Saldorov

Between 1945 to 1949, the United States enjoyed the monopoly of the atomic bomb, but on August 26th, 1949,the Soviet Union successfully tested her first atomic bomb. The knowledge of Soviet possession of the atomic bomb, instilled fear on the Western bloc nations, especially Britain and America; who saw the turn of event as a heartbreak to their supremacy. Wart was in agreement with this view:

> As the breach between the East and West widened to a state of unconcealed hostility during the late forties, there was one consoling factor which the Western powers countered as a solid guarantee of their supremacy should a general war again breakout: American monopoly of the atomic bomb. It was freely predicted that because of the backward state of Soviet science and technology, the secrete of atomic energy could be kept for many years; and there was those who knows little of the realities of soviet foreign policy except that it was Aggressive, claimed that the only deterrence to a Russian attack on Western Europe was the threat to the Soviet homeland posed by the United States. Air Force, armed with atomic weapon.[18]

Sequel to this turn of event a massive arms race ensured. Arms race and proliferation of weapon entered into the books of international politics of Cold War, where actors of international system plunged themselves into massive production and stock pilation of nuclear weapons. With each nation trying to out produce the other, or at least, ensured equilibrium of military capability leading to development of such phenomenon's as deterrence, real politik, political realism, position of strength etc. thence the continuity of international system became increasingly dependent on the mercy of nuclear weapons. Rhetorically, Spanier communicated the idea very vividly. He was very pessimistic about the future turn of events that can lead to all-out war:

> If nations are willingly to relinquish their sovereign rights, might not some future quarrel spark off a global conflagration that would leave the world in ruins, its smouldering ashes a monument to man's scientific genius, and his malevolence towards other men.[19]

The Cold War made it imperative for nations to arm themselves with highly destructive explosives, whose employment will herald the end of the world. To this, Bradley contributed with better evidence:

> We have defiled our intellect by the creation of such instruments os destruction that we are now
> in desperate danger of destroying ourselves. Our plight if critical and with each effort we made
> to relieve it by further scientific advances, we have succeeded only in aggravating our peril. As
> a result, we are now speeding inexorably towards a day when even the ingenuity of our scientists
> may be unable to save us from the consequences of a single rash act or a lone reckless upon the
> switch of an unint erceptible missile.[20]

The Cold War and arms race relationship to international system made significant headway in the 50's and 60's on October 4th, 1957 the Soviet Union took the world unawares by spectacularly placing a 184 pound. This was following by the launching of the second sputnik, which was six times as large as the first; thereby making them enjoyed unchallenged leadership in the space. In 1960, France entered into the nuclear club of United States, Soviet Union, Britain, and Canada by successfully exploding a nuclear bomb. This in Wart's opinion "pointed up the dangers of an accelerating arms race".[21] Another conspicuous landmark in the arms race was the soviet launching of a five – tone manned rocket into orbit on April 12, 1961

The situation in the international scene was worsened by the soviet break of the informal moratorium on the nuclear testing, **Wart concisely said that:

> Apart from further pollution of the atmosphere with radioactivity, the Soviet violation of the
> truce aroused fresh tremors of apprehension about the unstable "balance of terror" and
> aggravated the already grave tension between East and West.[22]

Corollary to Soviet deviation, Kennedy order the resumption of underground testing and further intensify American effort in space technology. He was convinced that "a second rate, a second place effort was not consent with his country's role as a world leader and a great power whose reputation was based to a very large extent on its industrial – technological abilities".[23] Subsequently, he ordered a review a various space projects in which America could surpass Russia, the most likely seemed to be landing a man on the moon, and in May, the president announced that this objective would be achieved before the end of the decade". In July, 1969, the first man stood on the moon. While, they talked of having come on behalf of all mankind, their shoulder patches read "U.S.A."[24]. There is no gain – saying that the cut – throat competition amongst actors of international politics for supremacy in the production, perfection and stock pilation of nuclear missiles will affect international system in one way or the other. The issue at stake during the arms race period was not only the possession of nuclear weapon but the accuracy of the delivery system. This was what Herbert Kim was advocating. When he stated that,

> The primary focus of the arms race was to develop an effective first strike capability. First
> capability is the ability to effectively disable the enemy's military and political forces making
> retaliation Impossible. Once each side had reached what they saw as a second strike force. This
> force would let the nation surprised by a nuclear attack to retaliate with a full nuclear force.[25]

The war of nerves between the communiest world and their capitalist counter parts between 1949 and 1975, gave the international community something to worry about. The fate of global peace during the Cold War era, the emergence, spread and escalation of the ideoligical combat amongst the principal actors of international system was a turning point in the annals of human existence in the world.

CONCLUSION

This research has tried to examine the actual influnces of the psycho-ideological struggle between the Eastern and Western bloc-nations on international peace, and also find out the extent the brain-child of Second World War (Cold War) had encroached on the peaceful coexistence of actors in international political system.

The game theory helped me much in dispelling the mist that beclouded the Cold War and my understanding of its obvious impacts on international peace. During the course of this research, the analysis showed that the protagonists of the Cold War, behaved in a typical player's manner. There were moves and counter moves, during the Berlin blockade and counter strategy of airlifting and the Soviet adventurism into Cuba and the resultant American threat of nuclear attack on Russia, if the missiles were not removed. There were also bluffs as in Khrushchev's threat of nuclear attack on the West, if they did not move out of West Berlin within a given date. There was also room for negotiations. I found out, that throughtout, the Cold War, the actors resorts to negotiation when their strategies, moves and counter moves were exhausted like in the Berlin blockade, Korea War, Cuban Crisis and even Vietnamese debacle.

I concerned myself with investigative analysis of the War of nerves between United States of America and Soviet Union relations on international peace. I concluded, from my findings, that the Cold War violated international peace and polarised the international system.

Paradoxically, the Cold War which gave birth to the nuclear arms race preserved international peace because the destructiveness of nuclear equipment – to be precise, made global war useless, knowing that it usage will herald the extermination of all lives on earth including the deployer of such dreaded instrument this was shared by Essan Gala:

It is considered likely by many that the system of security which is inherent in the strategic relationship between the superpowers based as it is on a balance of terror, has discouraged them for over three decades from initiating military conflicts directly with each other. It is also assumed that it has prevented regional conflicts in which either side might be involved to escalate to lobal conflict.[26]

END NOTE

[1] S. Denna Fleming, *The Issues of Survival,* London: George Allen and Unwin Ltd, 1972. P.1

[2] John W. Spanier, *American Foreign Policy Since World War II,* London: Pall Mall Press Ltd., 1962, p. 24

[3] Churchill Winston, "Iron Curtain Speech" at Fulton, Missouri, March 5th, 1946.

[4] Spanier p. 16

[5] A. R. Isaak, *Individuals and World Politics,* California: Duxbury Press, 1975, p. 125

[6] J. K. Zawodny, Stanley Hofimann, *International System and International Law: World Politics, xiv,* U.S.A: October Ltd., 1961, p. 207.

[7] John T. Rourke, *International Politics on the World Stage, 9th Ed,* U.S.A.: McGraw – Hill Companies, Inc., 2003, p.362.

[8] Isaak, p. 186.

[9] Isaak p. 186

[10] J. K. Zawodny, "Man and International Relations" in Palmer N. D., and Perkins H. C., *International Relations: The World Community in Transition,* 3rd Ed, Delhi: Krishan Nagar, 2004, p. xx.

[11] A. C. Roy, *International Relations Since 1919,* Calcutta: The World Press, Private Ltd., 1987, p. 341.

[12] Spanier, *American Foreign Policy…* P. 142.

[13] Richard Holme Spanier et al, Civilisation, Volume II: Journey to The Modern World, California: CRM Books, Del Mar, 1973, p. 466.

[14] Spanier, *American Foreign Policy…* P. 143.

[15] S. H. Dinerstein, *War and Soviet Union: Nuclear Weapon and Revolution in Soviet Military and Political Thinking,* London: Stephens & Sons Ltd., 1959, p. 160.

[16] Dinerstein, *War and Soviet Union:…*p. 143.

[17] Dinerstein, *War and Soviet Union:…*p. 144

[18] W. D. Wart, *Soviet Russia in World Politics,* London: Vision Press Ltd., 1963, p. 403.

[19] J. A. Spanier, *Games Nations Play,* London: Nelson and Sons Ltd., 1972, p.240.

[20] K. Bradley, In Fleming Denna S.: Ïssues of Survival", London: George Allen and Unwin Ltd., 1972, p. 41.

[21] Wart, *Soviet Russia in World…* p. 465.

[22] Wart, *Soviet Russia in World…* p. 465.

[23] Spanier, *Games Nations…* p. 103.

[24] Spanier, *Games Nations…* p. 104

[25] Kim Herbert, "Arms Threat" in Marcus V., *Power Strategy,* U.S.A: Presley and Sons Ltd., 2002, p. 106.

[26] Essan Gala, "Dynamics of the Arms Race: A Third World View" in J. Rotblat (ed), *Scientists the Arms Race and Disarmament,* London: Taylor and Francis Ltd., 1982, p. 60.
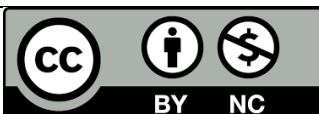
From Gender Blindness to Gender Equality Policy

Aziza M. Radjabova

PhD student The University of World Economy and Diplomacy, Uzbekistan

ABSTRACT: How important are gender issues in international relations and world politics? The various events taking place in different parts of the world today have led to the inclusion of women in world politics not only as an active subject (in governance, peacekeeping, economic processes), but also as an important object of social relations. It has also become a requirement of the time to focus on women's issues in economic, social and political relations as a segment of the population in need of social protection due to poverty, internal conflicts, diseases, economic and political crises. At the same time, the issue of gender equality has become a voluntary and mandatory obligation for countries. No country in the world has achieved gender equality regardless of its level of development. This inequality has a number of well-established historical foundations. Firstly, long historical evidences prove that women's physical weakness and the task of rearing children had placed them at a disadvantage and made it hard for them to compete with men. This disadvantage had been increased by the exclusion of women from knowledge, from work and from property ownership and political rights. In this article, I try to analyze the importance of gender phenomenon in world politics. Gender blindness of the system had its negative impacts at all spheres that found its proof through historical periods. Today, Gender is not only actual in global peace and stability, but also in sustainability of economic welfare and social maintenance.

KEY WORDS: Gender equality, feminism, liberal feminism, the UN, CEDAW, climate change.

INTRODUCTION.

In most societies, women were traditionally confined to the home as daughters, wives and mothers. Almost everywhere in the world, women are denied their human rights just because of their sex or gender. *Women's rights should not be seen as special rights*: they are human rights enshrined in international human rights treaties and other documents, and include such rights as freedom from discrimination, right to life, freedom from torture, right to privacy, access to health, right to decent living conditions, right to safety, and many others. Women activists and the struggle for equality have always been part of all human societies. The struggle of women for equality has theoretically and practically lasted for years and is still a process in progress.

Gender equality is a critical point of the idea that masculinity doesn't mean domination and feminity submission. However, the protection of simple civic and political rights of half member of population is still under suspicion in some countries. Many obstacles which women face in their daily routine will serve as the main basis of problems tackled by societies. No country in the world has achieved gender equality regardless of its level of development. This inequality has a number of well-established historical foundations. Firstly, long historical evidences prove that women's physical weakness and the task of rearing children had placed them at a disadvantage and made it hard for them to compete with men. This disadvantage had been increased by the exclusion of women from knowledge, from work and from property ownership and political rights. Over time women submitted to masculine versions of female inferiority. Secondly, in many societies female oppression was determined by birth, 'like the skin of the Black', social affiliation or by sex-selection. Also, the existing system of cultural belongings "*moulded*" [2] women's minds by the way in which men were supreme had also further contributed to women's subjection. Of course, the reasons given above will not be without consequences. Women with spiritual and enlightened liberal views gradually began to demand the full manifestation of their rights and freedoms. Their ranks began to expand and gain political importance, and in history it was sealed under the name of feminism.

By the 1920s, women had won the right to vote in most European countries and in North America. At around the same time, women became more active in communist, socialist and social democratic parties because increasing numbers of women began to work outside the home in factories and offices. The United Nations Convention on the Political Rights of Women, adopted in 1952, once again legally strengthened women's right to vote and stand for election. The entry of woman into political life as voters and political subjects, an international phenomenon, has been one of the marked changes of the twenties century. Consequently, during the twentieth century, women's priority issues in global scale moved beyond married women's property

rights, divorce laws, and the suffrage to include labor laws, social issues, including child-care, welfare, health-care and education, access to safe legal abortion, international development, the distribution of economic resources, and human rights.

THE ROLE OF THE UN IN ESTABLISHING GENDER EQUALITY VALUES GLOBALLY.

The United Nations is a universal organization at the global level, which has identified all important issues of human destiny as the main agenda of its activities. Protecting the rights and interests of women, who make up half of the world's population, is an integral part of the UN mission for peace and stability. The United Nations is the first international organization to promote and advance the rights and interests of women on a global scale. The Charter of the organization is the first international instrument to recognize gender equality as a fundamental human right. The United Nations is the only organization of a universal nature that helps to create a historical and modern framework for internationally applicable strategies, standards, programs and goals for the advancement of women around the world. The organization also serves as a platform for the best and most beneficial compromise, discussion and negotiation for important aspects of the issue of gender equality. Ensuring women's legal and civil rights are important challenges facing the world community: poverty; unemployment; social dispersion; disordered population growth; plays an important role in resolving human rights violations, etc. The United Nations has a unique role to play in this process. In this case, the organization acts as the main coordination center.

The establishment of the UN Commission on Human Rights and the Status of Women in 1946 and the adoption of the Universal Declaration of Human Rights in 1948 were the first steps in the efforts to establish a legal framework to promote gender equality. From this period, the process of codifying the legal rights of women began. Thus, the United Nations has begun a wide range of activities to assess the situation of women around the world. Full details of the political and legal status of women, an analysis of each country, a catalog of achievements, and the identification of remaining barriers have laid the groundwork for world standards of women issues. On this basis, international legal regulations, treaties, conventions have been developed.

A number of important documents, established by the UN and ratified by member states, provide legal guarantees for the implementation of gender policy at the national and international levels. United Nations Charter (1945), Universal Declaration of Human Rights (1948). Convention on the Equal Remuneration of Women and Men for Equal Labor (1951), Convention on the Protection of Motherhood (1952), Convention on the Political Rights of Women (1952), Discrimination (Employment and Occupation) Convention (1958), Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (1962), and Declaration on the Protection of Women and Children in Emergency and Armed Conflict (1974). Increasing participation of women on an equal basis with men in all areas of public and political life of the countries, was officially recognized in 1979, when the UN General Assembly adopted the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) [4]. This document is rightly called "The International Bill of Women's Rights" and obliges member states to ensure that women, on equal terms with men, have the right to participate in the formation and implementation of government policies, to hold public office, and to exercise all public functions at all levels of government (Article 7). Governments who have ratified the treaty have a responsibility to take all available measures to make sure the rights of women are respected, protected and fulfilled.

The principle of gender equality is also one of the most important goals of the UN Millennium Development Goals and Sustainable Development Goals. At the same time, UN institutional units are involved in the ongoing monitoring of women's issues and the development of recommendations and suggestions. In late 2013, the UN Women launched a constitutional database. According to him, the constitutions of 195 UN member and observer states are being studied and evaluated in terms of gender equality. There is also INSTRAW, the International Institute for Women's Research and Education at the United Nations, which collects, analyzes and reports on gender issues. Such institutions play an important role in the study and solution of problems in the field of gender relations.

EXACERBATING POWER OF CLIMATE CHANGE ON GENDER EQUALITY.

Climate change is worsening existing inequalities, be that gender or other inequalities. In many countries, women are particularly disadvantaged by some factors – including income, occupation and education – that can affect their vulnerability to the impacts of climate change. In addition to this, entrenched social norms and socio-economic structures deprive women of access to resources, decision-making, information, agency, etc.[5] Also, women are more likely than men to be affected by extreme weather events on health, including mental illness, infectious disease, partner violence, poor reproductive, maternal birth and food insecurity[6]. The simplest example is pregnant women who often experience heightened health risks and reduced access to reproductive and maternal care services as a result of climate change impacts.

Any changes in the environment are directly related to women's living conditions. Women who spend most of their time at home are often responsible for preparing food, collecting water and sourcing fuel for heating and cooking. These tasks are more difficult where the lack of infrastructure in rural areas. With climate change, while, extreme weather events such as droughts and floods have a greater impact on the lives of women. Feminization of poverty becomes one of the most urgent issue gaining global scale. Most vulnerable part of population – 70% of the world's poor are women. According to the UN Food and Agriculture

organization, If woman had the same access to productive resources as men, they could increase yields on their farms by 20-30 %, which could raise total agricultural output in developing countries by 2.5-4 %.

The effects of climate change, such as degradation, desertification, droughts, water shortages are not alien to the Central Asia. Especially, global warming affects villagers' way of life. Because of the precarious economic situation, men often have to look for work far away from home, leaving the economic burden on the shoulders of women and children. Central Asian women, mostly who are living in rural areas face the most challenges in the hot dry summer in the foothills and severe winter cold in the highlands.

Therefore, it is more urgent for government leaders to realize that empowering women is important not only for improving their living conditions, but also for strengthening their economic and social status. These will help societies adapt more quickly and easily to the impacts of a changing climate through improved healthcare, education, and representation in decision-making.

WOMEN IN POLITICS.

The emergence of women as an "invisible power" in world politics is assessed by the fact that international relations are viewed as a "male-dominated" field. It has also been repeatedly confirmed that world politics and governance are based on the principle of "hegemonic masculinity" [7]. As a result, it is no coincidence that men appear in many global management positions as individuals with the strongest attributes.

Masculinity and politics have a long and close association. Characteristics associated with "manliness," such as toughness, courage, power, independence, and even physical strength, have, throughout history, been those most valued in the conduct of politics, particularly international politics. Frequently, manliness has also been associated with violence and the use of force, a type of behavior that, when conducted in the international arena, has been valorized and applauded in the name of defending one's country [8].

Article 8 of the Convention on the Elimination of all Forms of Discrimination against Women ("CEDAW") establishes the right of women to represent their governments at the international level, on equal terms with men and without discrimination, and to participate in the work of international organizations. The CEDAW Committee has interpreted Article 8 to apply to regional as well as to international bodies [9]. Consistent with long-standing interpretations of States obligations to prohibit discrimination, Article 8 requires States not only to refrain from discrimination but also to adopt affirmative measures to eradicate barriers that effectively discriminate against women [10].

The view of women as active participants in international relations was not taken seriously and was seen as a realpolitik "field not specific to the nature of women". At the same time, the attitude towards women in international relations has been interpreted by several scholars. In particular, Professor A. Leiphart describes women as "a political minority" [11]. Neo-realist Francis Fukuyama, in his "Women and the Evolution of World Politics" analyzes women's position in world politics, such as, "A world run by women would follow different rules, it would appear, and it is toward that sort of world that all postindustrial or Western societies are moving. As women gain power in these countries, the latter should become less aggressive, adventurous, competitive, and violent. [12]

Women are underrepresented in leading positions, whether in elected offices, the civil service, the private sector or academia. Several obstacles, such as structural barriers, discriminatory laws and institutions still limit women's options to participate in political life. As the 2011 UN General Assembly resolution on women's political participation notes, "Women in every part of the world continue to be largely marginalized from the political sphere, often as a result of discriminatory laws, practices, attitudes and gender stereotypes, low levels of education, lack of access to health care and the disproportionate effect of poverty on women." Data from 133 countries shows that women constitute 2.18 million (36 per cent) of elected members in local deliberative bodies. Only two countries have reached 50 per cent, and an additional 18 countries have more than 40 per cent women in local government [13]. As of 1 September 2021, there are 26 women serving as Heads of State and/or Government in 24 countries. Just 10 countries have a woman Head of State, and 13 countries have a woman Head of Government. At the current rate, gender equality in the highest positions of power will not be reached for another 130 years [14].

Despite the existing problems, gender parity in world politics has reached a progressive level in recent years. This can be seen in the example of women in ambassadorial positions. According to the Anwar Gargash Diplomatic Academy (AGDA) Women in Diplomacy Index 2021 survey results, the share of women in ambassadorial appointments in Denmark, Norway and Sweden was 40.6%, Oceania (Australia) 40.2%, North America (USA, Canada and Mexico) was 34.0%, the highest figure was Canada. The number of female ambassadors in South America (Brazil, Argentina and Colombia) was 17.0%, the share of female diplomats in the European Union was 23.4% (27.2% in the whole of Europe), South Africa (Africa and Nigeria) was 27.3%, in Asia 12.9%. Finally, the sample percentage for the Arab Gulf countries (Saudi Arabia and the United Arab Emirates) was 4.8%. However, the final conclusion is unsatisfactory, with women remaining underrepresented in ambassadorship positions. Out of 4,060 ambassadors currently appointed in the sample (a number of posts were vacant at the time of data gathering), only 842 are women. This indicates that the total share of women ambassadors stands at 20.7% for 2021 [15].

CONCLUSION.

The empowerment of women and girls needs to be accelerated to achieve the dramatic transformation necessary in our societies to realize the 2030 Agenda in every country. The commitment to women and girls who suffer from discrimination, harmful practices and violence and to girls and adolescents who demand equal access to quality education and health care remains paramount. Equality does not mean that women and men will become the same, but that women's and men's rights, responsibilities and opportunities will not depend on whether they are born female or male.

REFERENCES

1) Halliday F. Hidden from international relations: women and the international arena //Millennium. – 1988. – T. 17. – №. 3. – C. 419-428.

2) Rowbotham S. Hidden From History: 300 Years of Women's Oppression and the Fight Agai. – Pluto Press, 1977.

3) Camille Cottais. (translated by Caroline Felner) Liberal Feminism. https://igg-geo.org/wp-   content/uploads/2021/08/IGG_CCottais_Liberal_feminism2020.pdf

4) Convention on the Elimination of All Forms of Discrimination against Women New York, 18 December 1979 // URL:

5) https://www.un.org/ru/documents/decl_conv/conventions/cedaw.shtml

6) Andrijevic, M. et al (2020) Overcoming gender inequality for climate resilient development, Nature Comms, doi:10.1038/s41467-020-19856-w

7) Global Gender and Climate Alliance (2016). Additional analysis by Carbon Brief.

8) Connell R. W. Gender and power Cambridge //Polity. – 1987. – T. 10. – C. 183-85.; Connell R. W. Masculinities. Berkeley. – 1995.

9) Tickner J. A. et al. Gender in international relations: Feminist perspectives on achieving global security. – Columbia University Press, 1992.http://www.ciaonet.org/book/tickner/tickner12.html (3 of 16) [8/11/2002 5:14:15 PM]

10) Sarah Wittkopp, The UN Convention on The Elimination of All Forms of Discrimination Against Women, A commentary 224 (Marsha A. Freeman et al. eds., 2013).

11) Convention on the Elimination of All Forms of Discrimination against Women, General Recommendation No. 23: Political and Public Life, 38, 43, 50, U.N. Doc. A/RES/52/38/Rev.1 (1997) [hereinafter General Recommendation No. 23].

12) Лейпхарт А. Конституционные альтернативы для новых демократий //Полис. 1995. № 5. С. 136—146.

13) Y. Azimov, H. (2022). Main Directions of Modern International Security Approaches. *International Journal of Social Science Research and Review*, *5*(2), 151-157. https://doi.org/10.47814/ijssrr.v5i2.21

14) Francis Fukuyama. Women and the Evolution of World Politics. Foreign Affairs, Vol. 77, No. 5 (Sep. - Oct., 1998), pp. 24-40 Published by: Council on Foreign Relations

15) United Nations Statistics Division. United Nations Global SDG Database. Data as of 1 January 2020, retrieved 1 August 2020.

16) UN Women calculations.

17) Ravshanov, F. R., & Azimov, H. Y. (2021). Danger and Security: History and Present. *International Journal of Multicultural and Multireligious Understanding*, *8*(4), 280-285.

18) https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2013/12/UN%20 WomenLGThemBriefUSwebrev2%20pdf.pdf

19) Women in Diplomacy Index 2021.Research & Analysis march 2021. https://www.agda.ac.ae/docs/default source/Publications/agda-women-in-diplomacy-mar-2021.pdf?sfvrsn=4

NOTES.

1. The first country to grant women the right to vote was New Zealand in 1893. French women obtained the right to vote and stand for election in 1944.In Saudi Arabia women were allowed, for the first time, to vote and run for office in 2015.

2. Liberal feminism emerged in the 17th and 18th centuries, while major social movements appeared in Western countries. The significance of this period is the transition from a feudal society to an industrial society, from a monarchical State to a democratic State based on the rule of law, the development of capitalism, etc. Liberal feminists want to apply the philosophy of liberalism to gender equality: the oppression of women lies in their lack of political and civil rights. It can, therefore, be countered by reforms aiming at establishing equal opportunities for both women and men. Women's 'liberation' would, thereby, be achieved by putting an end to discriminatory practices, and by pushing for equal rights. The key notions of liberalism include individual freedom, democracy, equal opportunities, and equal rights.

Theoretically, liberal feminist thoughts in various areas found its peculiarities in the works such scholars as Mary Astell (1666–1731), Mary Wollstonecraft (1759–99), Harriet Taylor (1807–58), John Stuart Mill (1806–73), Elizabeth Cady Stanton (1815–1902), and Virginia Woolf (1882–1941)[1]. They drew on the liberal tradition's value of equality and individual freedom. However, activists Maria Stewart (1803–79) and Susan B. Anthony (1820–1906) did pay attention to the lives of Black and working middle class women.

3. Convention on the Elimination of All Forms of Discrimination against Women art. 8, Dec. 18, 1979, 1249 U.N.T.S. 13 [hereinafter CEDAW] (asserting that "States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations").

4. UN Women calculation based on information provided by Permanent Missions to the United Nations. Only elected Heads of State have been taken into account.

Performance Appraisal Strategies and Job Productivity of Business Studies Teachers in Public Secondary Schools in Akwa Ibom South Senatorial District

Dr. Effiong Edet Asuquo[1], Ituen Kingsley Akpadiaha[2]

[1,2]Department of Business Education, Faculty of Education, University of Uyo, Uyo

ABSTRACT: This study sought to determine the relationship between performance appraisal strategies and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District. Three specific objectives, three research questions and three null hypotheses were formulated for the study. The correlational research design was used in this study. The population of the study comprised 63 principals and 177 Business Studies teachers; totaling 240 respondents which were drawn from 63 public secondary schools in Akwa Ibom South Senatorial District. The sample consists of 54 principals and 123 Business Studies teachers which gave a total sample size of 177 respondents and were obtained statistically using Taro Yamane formula. Simple random sampling technique was used for the study. Two research instruments captioned: "Performance Appraisal Strategies Questionnaire (PASQ)" for Business Studies teachers and "Job Productivity of Business Studies Teachers Questionnaire (JPBSTQ)" for principals were used for data collection. The instruments were face validated by three experts in the Department of Business Education, University of Uyo. Cronbach's Alpha technique was used in determining the reliability coefficient of the instruments (PASQ) and (JPBSTQ) where coefficient indices of .74 and .95 were obtained respectively. Simple Linear Regression analysis was used in answering the research questions as well as testing the null hypotheses at 0.05 level of significance. The findings of the study revealed that there is a strong and significant relationship between the application of management by objectives, 360 degree feedback, and assessment centre appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District. From the findings, it was concluded that if performance appraisal strategies are properly applied by principals and board, itwould go a long way to enhancing job productivity of Business Studies teachers in Public Secondary Schools as well as promoting the students' academic achievement. Therefore, it is recommended among others that Government through State Secondary Education Board should regularly organize seminars, workshops and conferences for principals and teachers particularly on the rudiments of performance appraisal strategies so that the application of these strategies would be handled at ease.

KEYWORDS: Performance Appraisal Strategies, Management by Objectives, 360 Degree Feedback, Assessment Centre, Job Productivity, Business Studies Teachers.

INTRODUCTION

It is true that education serve as an instrument for societal and human development. Education in Nigerian context is obtained at different levels, one of which is secondary education level. Secondary Education is the education individuals receive after primary school and before the tertiary level. In Nigeria, secondary education is divided into two sections namely: Junior Secondary and Senior Secondary School which aim at preparing the individual for useful living within the society and higher education. Based on the context of this study, junior secondary school cannot be overemphasized and it is one of the main features in Nigerian educational system. According to Awofala and Sopekan (2013), junior secondary school is named as Upper Basic Education (JSS 1 – 3) in the contemporary 9-year Basic Education Curriculum. The curriculum of junior secondary school which span through junior secondary one to three is embedded with worthwhile school subjects such as Business Studies.

Business Studies is one of the core pre-vocational subjects offered in junior secondary schools in Nigeria. Asuquo (2016) defined Business Studies as an integrated subject which exposes students to pre-vocational ideas in business. It covers Commerce, Book-keeping, Office practice, Typewriting and Shorthand. According to Asuquo, Business Studies is meant to educate students in a cluster of occupational skills for specific jobs and equip them with competences for starting a trade of their own. Business Studies is considered as a foundational subject or prerequisite for effective learning and understanding of some senior secondary school subjects like financial accounting, commerce, marketing, office technology etcetera as well as key programmes in tertiary institutions such as Business Education and Business Administration. Ezomonu (2015) maintained that Business Studies curriculum

Performance Appraisal Strategies and Job Productivity of Business Studies Teachers in Public Secondary Schools in Akwa Ibom South Senatorial District

is aimed at giving students knowledge and skills that would enable them to adapt to changes in office technology and develop a broad understanding of business activities, structures and functions of institutions. To achieve this goal, teaching of Business Studies becomes paramount in the public secondary schools. It is consequent upon this that teachers' job in the public secondary schools has become critical issue worthy of consideration (Maclean, 2018).

Teachers constitute an important factor in the implementation of the Business Studies curriculum. The quality of teachers is known to be a key predictor of students' performance. Ayodele and Adegbile (2013) indicated that the development of students through quality education is dependent on the quality of knowledge that the teachers have. A Business Studies teacher is someone, who has been trained professionally in College of Education or Faculty of Education in the University or similar institutions that are engaged in Business Teacher Education programme. Besides, such a person must be certified to teach and should actually be involved in teaching. To be a qualified Business Studies teacher, such an individual must be a registered member of various professional bodies such as Teachers Registration Council of Nigeria (TRCN), Association of Business Educators of Nigeria (ABEN), among others. Ayodele and Adegbile (2013) referred to a Business Studies teacher as one whose teaching role extends beyond the development of cognitive skills to the development of practical skills and morals. The extent to which this can be done depends on the job productivity of Business Studies teachers.

Job productivity of teachers is the ratio of the contribution made by teacher to general development in relation to the cost of education. Job productivity may be evaluated in terms of what the teacher controls and actually do in class room such as teaching, classroom management, mastery of the subject matter, dedication to duty, regularity in school, evaluation, reporting of students' progress and achieving the stated objectives. Getange (2016) explained that job productivity of Business Studies teachers is determined by their level of participation in the day-to-day running of the school, regularity in school, class attendance, and students' level of discipline and proper use of instructional materials to facilitate learning process. Of course, Principals cannot be left out in determining the job productivity of teachers.

School principals are the key players in the coordination of school activities. According to Solomon (2018),it is the duty of the school principal to coordinate all the activities of the school, without which ideal job productivity of Business Studies teachers may not be accomplished. In this regard, the job productivity could be measured through periodic evaluation of the teachers' activities in terms of performance in lesson preparation and presentation, teaching, mastery of subject matter, competence, teachers' commitment to job and extra-curricular activities. If the teachers take care of these factors, their job productivity can be enhanced to an optimum level (Rao and Kumar, 2014). Yet, strategies in the school system to determine job productivity of teachers are sometimes inadequate. No wonder Leigh and Mead (2015) revealed that the quality of teaching has gone down gradually the world over; the skills of teachers have depleted due to poor preparation on the part of teacher and lack of appraisal schemes by the management of educational institutions. Moreover, Leigh and Mead in their suggestion for lifting productivity of teachers have emphasized the need for periodic performance appraisal just as it is in the corporate world.

Performance appraisal is a management tool helpful in motivating and effectively utilizing human resources. Manish and Rajneesh (2014) defined performance appraisal as the human resource management activity used to determine the extent to which the employees are performing the job. Performance appraisal can be either informal, when supervisors think about how well the employees are doing or formal, when there is a system set up by the organization to regularly and systematically evaluate employees' performance. Performance appraisal therefore is a systematic process of planning work and setting expectations, continually monitoring performance, periodically rating performance in a summary fashion and rewarding good performance while poor performance is remedied. According to Kanisa and Makokha (2017), performance appraisal is accorded a lesser role in most organizations especially, educational system.

Secondary schools system in Nigeria and in particular Akwa Ibom State according to Oleforo, Ikpe and Bassey (2015) are grappling with a lot of challenges in the area of performance appraisal of teachers to have sound knowledge of subject matter, delivery of lessons, evaluation and monitoring of students' performance in subject areas. Statistics according to Chief Examiner's Report in Akwa Ibom State Ministry of Education of JSSCE 2010 – 2018 sessions showed that the performance of students who sat for Business Studies in Akwa Ibom South Senatorial District was generally poor (Akwa, 2018). Massive failure of students in Business Studies at this stage of secondary education in Akwa Ibom South Senatorial District is worrisome and it cannot remain unabated. This issue of poor achievement of students seems to arise as a result of poor job productivity of teachers. However, observations by the researchers revealed that laxity on the productivity of Business Studies teachers leads to lapses in attendance to classes, poor lesson preparation, ineffective class control, teaching of obsolete topics, with obsolete techniques, poor mastery of the subject, poor students' evaluation method and so on.

It can be observed that the poor job productivity of Business Studies teachers in Akwa Ibom South senatorial district seems to emanate from inadequate performance appraisal strategies adopted by the Education boards. In this regard, Asuku and Abraham (2019) suggested that performance appraisal strategies suitable for job productivity of Business Studies teachers in secondary schools include management by objectives, 360 degree feedback, and assessment centre.

Performance Appraisal Strategies and Job Productivity of Business Studies Teachers in Public Secondary Schools in Akwa Ibom South Senatorial District

Management by Objectives (MBO) is the appraisal strategy which managers and employees together identify, plan, organize, and communicate goals. After setting clear goals, managers and subordinates periodically discuss the progress made to control and debate on the feasibility. According to Darehzereshki (2013), management by objectives (MBO) appraisal strategy is a process in which principals and teachers jointly set objectives, periodically evaluate performance, and reward according to the results. This strategy emphasized that appraiser and the appraisee lay down standards or target to be achieved. Therefore, appraisee actual performance is measured against the standards or target set at the end of a specific period (Senyah, Coffie and Adu-Pakoh, 2016). Hollmann (2013) pointed out that management by objectives facilitates effective communication between principal and teachers in order to achieve the objectives and targets that have been set.

In the 360-degree appraisal strategy, information is obtained through several sources; it includes the boss, top management, assistants, co-workers, customers, dealers, advisors, and community officials. According to Mukhopadhyay (2016), 360 degree feedback appraisal strategy allows information to be obtained from anyone who interacts with the employee and can provide detailed information about such employee's behaviour. As noted by Muhia (2015), 360 degree feedback gives the most accurate, best possible analysis of teachers and their productivity within the school. Therefore, McNergney, Imig and Pearlman (2020) revealed that the intent of this 360 degree feedback in the school system is to gather information from everyone with knowledge of a teacher's performance to create a complete representation of a teacher's practice and to identify areas for improvement.

An assessment center appraisal strategy is a process where candidates are examined to determine their suitability for specific types of employment. The candidates' personality and aptitudes are determined by techniques including interviews, group exercises, presentations, examinations and psychometric testing. Rajashekar (2018) asserted that assessment centre helps to analyze if the person is a good fit for a role and whether he can handle the responsibilities. The ultimate reason for having an assessment centre in any organization is to gather all relevant information under a standardized condition about an individual's capabilities to perform a given task. According to Hardison and Sackett (2014), the characteristics assessed in assessment center (AC) are assertiveness, persuasive ability, communicating ability, planning and organizational ability, self-confidence, resistance to stress, energy level, decision making, and sensitivity to feelings, administrative ability, creativity and mental alertness among others.

Despite the immense benefits of the above performance appraisal strategies on the job productivity of Business Studies teachers, it seems that government through State Secondary Education Board in Akwa Ibom State still has a lot to do in the application of these strategies such as management by objectives, 360 degree feedback, and assessment centre. Could it be that the appraisers are ignorant of these strategies? It is against this background that this study sought the relationship between performance appraisal strategies and job productivity of Business Studies teachers in public secondary schools in Akwa Ibom South Senatorial District.

STATEMENT OF THE PROBLEM

It has been observed that due to non application of effective performance appraisal strategies such as management by objectives, 360 degree feedback, and assessment centre on Business Studies teachers, there is attendant lapses on the part of the teachers. The consequence of these lapses is evident in the consistent decline in Business Studies students' academic performance commonly observed in Junior Secondary Certificate Examination.

Although, government through State Secondary Education Board is not reluctant in teachers' appraisal in terms of using it for tracking teachers' productivity in service delivery, the indices usually adopted in the appraisal form which include compliance to lesson note, attendance in school, performance of students in their subject areas as well as organizational behaviours may be inadequate. It can be observed that performance appraisal strategies such as management by objectives, 360 degree feedback, and assessment centre strategies may have not been properly applied or could it be that the appraisers are ignorant of these strategies. It is against this background that this study was conducted to determine the relationship between performance appraisal strategies and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District.

PURPOSE OF THE STUDY

The main purpose of the study was to determine the relationship between performance appraisal strategies and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District. Specifically, the study determined the relationship between the application of:
1. Management by Objectives appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District.
2. The 360 degree feedback appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District.
3. Assessment centre appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District.

Performance Appraisal Strategies and Job Productivity of Business Studies Teachers in Public Secondary Schools in Akwa Ibom South Senatorial District

RESEARCH QUESTIONS
The following research questions guided the study:
1. What is the relationship between the application of Management by Objectives appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District?
2. What is the relationship between the application of 360 degree feedback appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District?
3. What is the relationship between the application of assessment centre appraisal strategy and job productivity of teachers in Public Secondary Schools in Akwa Ibom South Senatorial District?

RESEARCH HYPOTHESES
The following null hypotheses were formulated and tested at 0.05 level of significance:

H_{O1}: There is no significant relationship between the application of management by objectives appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District.

H_{O2}: There is no significant relationship between the application of 360 degree feedback appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District.

H_{O3}: There is no significant relationship between the application of assessment centre appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District.

METHODOLOGY
This study adopted correlational research design and was conducted in Akwa Ibom South Senatorial District. The population of this study comprised 63 principals and 177 Business Studies teachers; totaling 240 respondents which were drawn from 63 public secondary schools in Akwa Ibom South Senatorial District (Source: State Secondary Education Board, 2019). The rationale for choosing school principals and Business Studies teachers is that; school principals are administrators or managers of the schools who ought to have hand in the application of performance appraisal strategies while Business Studies teachers are emphatically identified in the dependent variable of this study. The rationale for choosing school principals and Business Studies teachers is that; school principals are administrators or managers of the schools who ought to have hand in the application of performance appraisal strategies while Business Studies teachers are emphatically identified in the dependent variable of this study. Simple random sampling technique was adopted for this study.

This study was carried out with the use of two research instruments captioned: "Performance Appraisal Strategies Questionnaire (PASQ)" for Business Studies teachers and "Job Productivity of Business Studies Teachers Questionnaire (JPBSTQ)" for principals. A 4-point rating scale was used to score the items on both instruments as follows: Very Strong Relationship(VSR), Strong Relationship (SR), Weak Relationship (WR), and Very Weak Relationship (VWR). The instruments were face validated by three experts from the Department of Business Education, University of Uyo, Uyo. The internal consistency of the instruments was determined using Cronbach's Alpha reliability technique and a coefficients index of .74 and .95 were obtained for "Performance Appraisal Strategies Questionnaire (PASQ)" and "Job Productivity of Business Studies Teachers Questionnaire (JPBSTQ)" respectively.Simple linear regression was used in answering the research questions as well as testing the null hypotheses at .05 level of significance. The decision rule for the research questions were determined from the coefficient of r which ranges from + .00 to + 1.00.

Coefficient	+ .91	to	+ 1.00	Very Strong Relationship
	+ .61	to	+ .90	Strong Relationship
	+ .31	to	+ .60	Weak Relationship
	+ .00	to	+ .30	Very Weak Relationship

In testing the null hypotheses, calculated F-value was compared with Table value at .05 level of significance. If the calculated F-value is greater or equal to the Table value at .05 level of significance, the null hypotheses (Ho) is rejected in favour of the alternative hypotheses. But if the calculated F-value is less than the Table value at .05 level of significance, the null hypotheses is upheld.

RESULTS
Research Question 1
What is the relationship between the application of Management by Objectives appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District?

Performance Appraisal Strategies and Job Productivity of Business Studies Teachers in Public Secondary Schools in Akwa Ibom South Senatorial District

Table 1: Regression analysis showing the relationship between the application of Management by Objectives appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District   n = 172

Model	R	R-Square	Adjusted R-Square	Std Error of the estimate	Decision
1	.910	.829	.828	4.966	Very Strong Relationship

Source: Field survey, 2021

Table 1 with R value of 0.910 indicates that the relationship between the application of Management by Objectives appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District is very strong. Additionally, the positive value of the adjusted R square indicates positive relationship. The R square of 0.829 converted to 82.9%implies that there is a very great extent of relationship between application of Management by Objectives appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District.

Research Question 2

What is the relationship between the application of 360 degree feedback appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District?

Table 2: Regression analysis showing the relationship between the application of 360 degree feedback appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District n = 172

Model	R	R-Square	Adjusted R-Square	Std Error of the estimate	Decision
1	.750	.563	.560	7.935	Strong Relationship

Source: Field survey, 2021

Table 2 with R value of 0.750 shows that the relationship between the application of 360 degree feedback appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District is strong. Again, the positive value of the adjusted R square indicates positive relationship. The R square of 0.563 converted to 56.3% implies that there is a great extent of relationship between application of 360 degree feedback appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District.

Research Question 3

What is the relationship between the application of assessment centre appraisal strategy and job productivity of teachers in Public Secondary Schools in Akwa Ibom South Senatorial District?

Table 3: Regression analysis on the relationship between the application of assessment centre appraisal strategy and job productivity of teachers in Public Secondary Schools in Akwa Ibom South Senatorial District n = 172

Model	R	R-Square	Adjusted R-Square	Std Error of the estimate	Decision
1	.830	.688	.686	6.700	Strong Relationship

Source: Field survey, 2021

Table 3 with R value of 0.830 indicate that the relationship between the application of assessment centre appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District is strong. Moreover, the positive value of the adjusted R square indicates positive relationship. The R square of 0.688 converted to 68.8% implies that there is a great extent of relationship between application of assessment centre appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District.

Null Hypothesis 1

There is no significant relationship between the application of management by objectives appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District.

Performance Appraisal Strategies and Job Productivity of Business Studies Teachers in Public Secondary Schools in Akwa Ibom South Senatorial District

Table 4: Regression analysis on the application of management by objectives appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District n = 172

Model	Sum of Squares	df	Mean Square	F cal	Decision
1 Regression	20283.969	1	20283.969	822.603	
Residual	4191.909	170	24.658		Reject H_0
Total	24475.878	171			

Source: Field survey, 2021

Table 4 reveal that the calculated F-value of 822.603 is greater than the Table value of 3.84 at 0.05 level of significance. The relationship is significant. Therefore, the null hypothesis which stated that there is no significant relationship between the application of management by objectives appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District is rejected. This shows that there is significant relationship between the application of management by objectives appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District.

Null Hypothesis 2

There is no significant relationship between the application of 360 degree feedback appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District.

Table 5: Regression analysis on the application of 360 degree feedback appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District n = 172

Model	Sum of Squares	df	Mean Square	F cal	Decision
1 Regression	13770.947	1	13770.947	218.690	
Residual	10704.931	170	62.970		Reject H_0
Total	24475.878	171			

Source: Field survey, 2021

Table 5 reveal that the calculated F-value of 218.690 is greater than the Table value of 3.84 at 0.05 level of significance. The relationship is significant. Therefore, the null hypothesis which stated that there is no significant relationship between the application of 360 degree feedback appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District is rejected. This reveals that there is significant relationship between the application of 360 degree feedback appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District.

Null Hypothesis 3

There is no significant relationship between the application of assessment centre appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District.

Table 6: Regression analysis on the application of assessment centre appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District n = 172

Model	Sum of Squares	df	Mean Square	F cal	Decision
1 Regression	16844.817	1	16844.817	375.258	
Residual	7631.060	170	44.889		Reject H_0
Total	24475.878	171			

Source: Field survey, 2021

Table 6 reveal that the calculated F-value of 375.258 is greater than the Table value of 3.84 at 0.05 level of significance. The relationship is significant. Therefore, the null hypothesis which stated that there is no significant relationship between the application of assessment centre appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District is rejected. This reveals that there is significant relationship between the application of assessment centre appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District.

Performance Appraisal Strategies and Job Productivity of Business Studies Teachers in Public Secondary Schools in Akwa Ibom South Senatorial District

DISCUSSION OF FINDINGS

The finding regarding research question 1 and null hypothesis 1 indicated that there is very strong and significant relationship between the application of management by objectives appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District. This explains that application of management by objectives appraisal strategy is a veritable tool for job productivity of Business Studies teachers. This finding is in line with the findings of Darehzereshki (2013) who maintained that management by objectives (MBO) appraisal strategy is a process in which principals and teachers jointly set objectives, periodically evaluate performance, and reward according to the results. Again, the finding of Hollmann (2013) revealed that management by objectives facilitates effective communication between principal and teachers in order to achieve the objectives and targets that have been set.

The findings on research question 2 and null hypothesis 2 indicated that there is strong and significant relationship between the application of 360 degree feedback appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District. This shows that application of 360 degree feedback appraisal strategy is relevant for job productivity of Business Studies teachers. This finding is in agreement with the finding of Muhia (2015) who posited that the 360 degree feedback give the most accurate, best possible analysis of teachers and their productivity within the school. Similarly, the finding of McNergney, Imig and Pearlman (2020) supported that the intent of this 360 degree feedback in the school system is to gather information from everyone with knowledge of a teacher's performance to create a complete representation of a teacher's practice and to identify areas for improvement.

The findings on research question 3 and null hypothesis 3 indicated that there is strong and significant relationship between the application of assessment centre appraisal strategy and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District. This shows that application of assessment centre appraisal strategy is relevant for job productivity of Business Studies teachers. This finding is supported by the finding of Rajashekar (2018) who maintained that assessment centre helps to analyze if the person is a good fit for a role and whether he can handle the responsibilities. This finding is also in accordance with the finding of Hardison and Sackett (2014) who revealed that the characteristics assessed in assessment center (AC) are assertiveness, persuasive ability, communicating ability, planning and organizational ability, self-confidence, resistance to stress, energy level, decision making, and sensitivity to feelings, administrative ability, creativity and mental alertness among others.

CONCLUSION

This study showed the relationship between performance appraisal strategies and job productivity of Business Studies teachers in Public Secondary Schools in Akwa Ibom South Senatorial District. It revealed that management by objectives, 360 degree feedback, and assessment centre strategies if properly applied by principals and board could go a long way to enhancing job productivity of Business Studies teachers in Public Secondary Schools as well as promoting the students' academic achievement.

RECOMMENDATIONS

Based on the findings of this study, this recommendation was made:
1. Government in conjunction with State Secondary Education Board should provide opportunities for in-service programmes for teachers and principals to update their knowledge and enhance their job productivity.
2. Government through State Secondary Education Board should regularly organize seminars, workshops and conferences for principals and teachers particularly on the rudiments of performance appraisal strategies so that the application of these strategies would be handled at ease.
3. The school principals should ensure that the management by objectives appraisal strategy is applied at regular interval in schools to promote the job productivity of staff. This would guarantee the collective efforts in the setting of relevant objectives for the school activities.
4. The State Secondary Education Board should ensure that the 360 degree feedback appraisal strategy is becoming an integral part of the school administration to boast morale of teachers in the school.

REFERENCES

1) Akwa, E. M. (2018). *Team Teaching Approach and Students' Academic Performance in Business Studies in Public Secondary Schools in Uyo Local Government Area of Akwa Ibom State*. MSc (Ed) Dissertation. University of Uyo, Nigeria.
2) Asuku, M. and Abraham, N. M. (2019).Teacher's appraisal technique practices for enhanced productivity in secondary schools in Bayelsa State, Nigeria.*International Journal of Research and Innovation in Social Science,* 3(8): 535-540.
3) Asuquo, E. E. (2016). Elements of vocational business education. In: E. O. Uko, C. I. Ugboaja, V. S. O. Ibe and J. C. Obunadike (Editors). *Foundations of Technical/Vocational Education and Training (TVET), HI-TECH.* IGM Ventures, Uyo, Nigeria, 118p.

4) Awofala, A. O. A. and Sopekan, O. S. (2013). Recent curriculum reforms in primary and secondary schools in Nigeria in the new millennium. *Journal of Education and Practice*, 4(5): 98-107.

5) Ayodele, S. O. and Adegbile, J. A. (2013). Methods and strategies for effective teaching. Powerhouse Press and Publishers, Ibadan.

6) Darehzereshki, M. (2013). Effects of performance appraisal quality on job satisfaction in multinational companies in Malaysia. *International Journal of Enterprise Computing and Business Systems*, 2(1): 87-96.

7) Esomonu, N. P. (2015). Effects of team-teaching on students' academic achievement in English language comprehensive. *Journal of Research and Method in Education*, 5(2): 06-12.

8) Getange, K. N. (2016). Motivational strategies and teachers' productivity: Lessons of experience form public secondary schools in Kisii County, Kenya. *Journal of Research and Methods in Education,* 6(4): 33-38.

9) Hardison, C. M., and Sackett, P.R. (2014). *Assessment Center Criterion-related Validity: A Meta-analytic Update*. Paper presented at the 19th annual conference of the Society for Industrial and Organizational Psychology, Chicago.

10) Hollmann, R. (2013). Supportive organizational climate and managerial assessment of MBO effectiveness. *The Academy of Management Journal*, 19(4): 560-576.

11) Kanisa, N. O. and Makokha, E. N. (2017). Effect of performance appraisals on organizational performance in public secondary schools in Pokot central sub county. *European Journal of Business and Management,* 9(26):95-101.

12) Leigh, A. and Mead, S. (2015). *Lifting Performance of Teachers:Policy Report.* Progressive Policy Institute, Lagos.

13) Maclean, I. F.(2018). In-service training and teachers' job performance in public senior secondary schools in Rivers State.*International Journal of Scientific Research in Education,* 11(3): 493-520.

14) Manish, K. and Rajneesh, K. S. (2014). Employees performance appraisal and its techniques: A review. *Asian Journal of Advanced Basic Science,* 2(2): 51-58.

15) McNergney, R. F., Imig, S. R. and Pearlman, M. A. (2020).*Teacher Evaluation, Overview and Methods.* Available at https//www.Teacher%20Evaluation%20-%20OVERVIEW,%20METHODS%20Education%20-%20StateUniversity.com .html (Retrieved on 28th May 2020.

16) Muhia, G.G. (2015).*Teachers Perceptions of the Performance Appraisal System Effectiveness in Public Secondary Schools in Naivasha and Gilgil Districts, Nakuru County*. MSc Dissertation. University of Kenyatta.

17) Mukhopadhyay, K. (2016).*360 Degree Appraisal: A Performance Assessment Tool*. Available at https://www.researchgate.net/publication/278673266_360_-_Degree_Appraisal_-_A_ Performance_Assessment_Tool (Retrieved on 2nd June 2020).

18) Oleforo, N. A., Ikpe, U. and Bassey, E. A.(2015). Management strategies and secondary school teachers' job performance in Akwa Ibom South Senatorial District.*Asian Journal of Management Sciences and Education,* 4(2):151-159.

19) Rajashekar, A. (2018). Assessment Centers as a Recruitment Strategy. Available at https://www.ukdiss.com/examples/assessment-centers.php?vref=1 (Retrieved on 8th June 2020).

20) Rao, D. B. and Kumar, D. N. (2014). *School Teacher Effectiveness.* Discovery Publishing House, New Delhi.

21) Senyah, M. M., Coffie, R. B. and Adu-Pakoh, K. (2016).Assessment of the effectiveness of performance appraisal on work productivity: A case study of Kumasi Polytechnic.*Global Journal of Human Resource Management*, 4(3):1-15.

22) Solomon, I. A. (2018). *Influence of Principals' Management Skills on Motivation of Teachers in Public Secondary Schools in Akwa Ibom State.* MSc (Ed) Dissertation. University of Uyo, Nigeria.
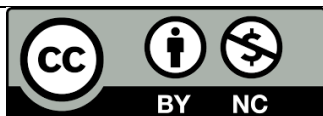
Manager Ethical Behaviour and Employee Affective Commitment

Ekeuwei, Augusta[1], Gina O. Gina Ph.D[2]

[1]Department of Management, Niger Delta University Wilberforce Island, Amassoma
[2]Research Consultant, Niger Delta University Wilberforce Island, Amassoma

ABSTRACT: The influence of manager behaviour on employee positive work behaviour has sought empirical evidence against the backdrop of robust conceptual and theoretical positions on the subject. Considering this debate, this study examines empirical relationship between manager ethical behaviour and employee affective commitment among SMEs operators in Port Harcourt. The study conducted based on positivist philosophy had used the validated and reliable survey instrument to obtain data from a sample of 143 respondents. The data obtained were analyzed using the Pearson Statistic and multiple regression. The co-efficient obtained shows a positive relationship between manager ethical conduct and employee affective commitment. The regression result indicates that up to 68% of the variance in the employee affective commitment construct is predicted by manager ethical behaviour and integrity and accountability components have the highest impact on employee affective commitment. Conclusively, manager ethical behaviour, correlates with employee affective commitment, therefore, it is recommended that manager should show integrity and accountability as a means of attracting commitment through the confidence reposed in managers known for doing the right things

KEYWORDS: Accountability, Affective, Commitment, Empowerment, Ethics, Integrity

INTRODUCTION

Organizations are getting more involved in initiating work modes and practices that will not only activate employee commitment but will deepen employee passion for attaining work goals (McKenzie, Podsakoff & Fetter, 1993; Scheweizer & Koch, 2001; Huei, Mansor & Tat, 2014). The commitment scale according to Allen and Meyer (2000) is considered affective where employees consider as peripheral individual interest and make central the goals of the organization therefore expresses functional behaviour that is critical to goal attainment.

Affective commitment symptomizes a positive psychological disposition to work tasks and goals without consideration for the pecuniary returns (Obada, 2012). Literature suggests that employees self-sacrificial gestures are often initiated as reciprocal norms resulting from either psychological empowerment for tasks and structural configuration at work, resource availability or clarity of vision amongst others (Youseff, 2000; Zangaro, 2001; Tayyeb & Riaz, 2004; Lefkowitz, 2007). Further, ample theoretical evidence suggest that manager ethical behaviour influence individual employee behaviour especially as it relates with commitment to work goals (Hannah et al, 2008; DeWit, 2013; Huang & Peterson, 2017). Ethical behaviour by managers enable their psychological feeling to live in the employee life world thereby understanding their critical perspectives and experiences.

Leadership scholars like Kanungo and Mendoca (1996); Avolio and Locke (2003); O'Shea (2004) have argued that manager transformational attitude result from innate traits that are inclined to having feelings for other peoples experiences. There is a deliberate psychology cross-match that enables common understanding between the leader and the led. This attracts a fastidious adherence to workplace ethics. Collated empirical evidence has linked manager ethical conduct with employee normative commitment in work organizations (Van Knippenberge & Goippenberg, 2000, Brown &Irevino, 2006; Grrenbaum, et al, 2014). While this form of commitment is notably obligatory therefore can be acquired through laid down work rules and regulations, it does not share common conceptual boundaries with affective commitment which is largely psychological. These debates all the same, are within conceptual proposals that require further empirical inquiry. Further search is therefore important in order to burgeon knowledge particularly on the influence of manager ethical behaviour on employee affective commitment among small and medium enterprise (SMEs) operators in Port Harcourt.

LITERATURE REVIEW
Manager Ethical Behaviour
The age long position of Mary Follet (1940) on ethics at work has remained not just a fulcrum of ethical discourse in management but present the reality of ethical conduct in work organizations. Manager ethical behaviour has been conceptually described as a

Manager Ethical Behaviour and Employee Affective Commitment

demonstration of right and fair conduct through personal actions and relationship with others, transferring and initiating same behaviour to subordinates (Brown et al, 2005). Ethical managers provides standard of behaviour templates that guide general behaviour amongst all work members. Kalshoven et al (2011) posits that ethical managers increasingly creates and develop positive shared value that positively and readily initiate work protocols that catalyze goals attainment. Manager ethical behaviour support the emergence of moral asset that model appropriate work behaviour. Ethics according to Mellan (2009) has a philosophical underlay with a unitary focus of doing good. Ethics therefore, is the basis for ensuring and encouraging good conduct. Managers with ethics orientation expectedly instill the needed confidence on work members due to his deliberate commitment to doing good through concrete display of integrity which Basa (2016) observed as a constituent of theoretical composition of manager ethical conduct. Ethics in the thinking of Phathara et al (2017) provides meaningful guidelines and rules of engagement in the organization because they clarify and guide on what is 'right'. Ethics are value oriented therefore set the template for integrity, fairness, honesty, responsibility, devotion, commitment amongst others (Lim, Qing & Shem, 2014). Rilvari et al (2012) further argues that ethical managers while demonstrating ethics, they are inspired morally towards being transparent, empowering members through creation of close relationship framework and eventually, metamorphosing into common community with positive work behaviour. Chong (2009) posits that manager ethical behaviour requires a corporate social attitude for all stakeholders, employees inclusive in order to attract psychological rearmament for commitment by stakeholders that transcend day-to-day responsibilities. Manager ethical behaviour in this wise entrench culture that is targeted at ensuring a positive and extra – role work behaviour.

EMPLOYEE AFFECTIVE COMMITMENT

Employee loyalty to the organization is considered strategic in achieving goals therefore same dosage of vigour has been put into the discourse on employee commitment (Bateman & Straner, 1984; Allen & Meyer, 1990; Peteraf, 1993; Amit & Schoemaker, 1993; Barney et al, 2011). Attainment of goals requires employee willingness to exert effort and undertake roles that optimize potentials at goals for the organization (Sirmon, et al 2011). In defining employee commitment Allen and Meyer (1990) noted that employee commitment is a psychological state with capacity to determine employee relationship with the organization and continued stay with the organization. Beyond defining the concept, Allen and Meyer (1990) were assertive on its multidimensionality with three distinct factors that describes the construct which were mentioned as affective, continuance and normative. This paper has its interest on affective commitment aspect of the employee commitment discourse. For Meyer and Allen (1997) affective commitment represents a state of emotional attachment and identification with the organization hence involvement in the goals of the organization. It is induced by individual psychological connection with the goals and values of the organization thereby willing to continue with it (Uha, 2011). Affective commitment has been further conceptualized by Sheldon (2000) as an attitude or orientation towards the organization that gets the individual employee thoroughly linked with the organization without the instrumental worth considered Affective commitment is expressed through a passionate feeling to align with the organizational goals with a view that they provide satisfaction and means to achieve individual goals. Messner and Schafer (2012) observed that affective commitment is triggered by multiple work place factors like role clarity, goal clarity, peer cohesion, participation amongst others. These influencing factors though noted as plausible, there is imperative need for further expansion of search for predictors of affective commitment in work organizations.

Manager Ethical Behaviour and Employee Affective Commitment

Much of the recent contribution by researchers in the field of organizational behaviour are showing incisive concern for getting employee support through managerial conduct and how they beckon on positive organizational behaviour (Meyer & Herscovitch, 2001; Tayyeb & Riaz, 2004; Sheldon, 2009). Some of the studies had however shown that going by the position of Habib and Allas (2011) on two-way effect of pro-social behaviour, manager ethical behaviour is not likely to correlate with employee affective commitment. The author argues that when managers demonstrate high adherence to ethic protocols, he will not necessarily attract support of all work members especially deviant employees. Ethical behaviour requires that rules and regulations are complied with in addition to showing devotion to organizational responsibilities. Infact, Vits and Gelden (2011) posits that manager ethical behaviour compels obligatory commitment and not necessarily pro-social or extra-role behaviour amongst employees. Kilsby (2012) believed different employees hold different orientation on meaning of work therefore ethical behaviour for those whose work orientation is that of means to end are likely to disregard commitment for more relaxed and passive attitudes. Classical theorists Zhu and Sarkis (2004), Cao and Cao (2007), Mittra and Datta (2014) are more inclined to the fact that ethics at work are compulsory value protocols and procedures that ensure formal conduct and behaviour. In otherwords, where ethics are demonstrably deficient, commitment is likely to be lacking in turn. There is quite dearth of empirical evidence affirming the belief that manager ethical behaviour enlist employee affective commitment. Therefore this study hypothesis thus:

Ho: *Manager ethical behaviour relates significantly with employee affective commitment.*

METHODOLOGY

The research is positivist oriented therefore data collection and analytical approaches are nomothetic. Simply, a quantitative, correlational and cross-sectional survey designs are applicable. The cross-sectional design ensures a snap shot of the respondents,

generating data using the scaled questionnaire instrument. For correlational design, it established the relationship and association between examined variables which in this study is manager ethical behaviour and employee affective commitment. The survey instrument was administered on a sample of 167 respondents from a list of SMEs (production and food processing) drawn from the SMEDAN schedule of SMEs operating within Port Harcourt metropolis. Before the administration of the survey instrument, the managers had invited all employees and encouraged them to participate in the study. This approach has helped to build confidence and they were also convinced about researcher's commitment to research ethics of confidentiality. The process encouraged and enhanced the retrieval of 143 of the survey instrument representing 85.6% success rate.

MEASURES

To measure the manager ethical behaviour, we had relied on Mellan (2009) questionnaire with high psychometric rating. Using all 24 items of the scale, it proved appropriate for the current study. The scale was previously examined for reliability which showed 0.71 by Basa (2016). For this study, the four dimensions on manager ethical behaviour namely, integrity, community orientation; empowerment and accountability have reliabilities Cronbach alphas as 0.73; 0.71; 0.77 and 0.84 respectively. Sample items included: my managers keeps to promises made to employees consistently and my manager ensure that they relate closely and support each other. Responses are on the Likert scale ranging from 5 – Strongly Agree to 1 – Strongly Disagree for Employee Affective Commitment; the Allen & Meyer (1996), 7 item scale for affective commitment in particular was used. This was deployed in Naicker (2008) and had a high reliability alpha of 0.92. Respondents here are expected to respond using the 5 point Likert scale of 5-Strongly Agree to 1 – Strongly Disagree.

RESULTS

Table 1: Descriptive, Correlation and Cronbach alpha Results for Manager Ethical Behaviour and Employee Affective Commitment (EAC)

S/No	Construct	Mean	Std	1	2	3	4	5
1	Integrity	4.01	0.774	(0.73)				
2	Community orientation	3.97	0.627	.561	(0.71)			
3	Empowerment	4.21	0.643	.442	.363	(0.77)		
4	Accountability	3.74	0.721	.610	.318	.506	(0.84)	
5	EAC	3.86	0.602	.422**	.457**	.386**	.633**	(0.81)

** Correlation sig @0.01 level (2-tailed)

Table 2: Regression Results on Examined Variables Manager Ethical Behaviour and Employee Affective Commitment

Variables		β	S.E	t-value	Sig	VIF
Integrity		0.462	0.063	2.661	0.000**	1.182
Community orientation		0.042	0.038	0.470	0.211	1.421
Empowerment		-0.132	0.072	1.209	0.031	1.594
Accountability		0.281	0.073	1.844	0.000**	1.333
R	*.830*					
R²	*.680*					
Adj R²	*.629*					
F	*62.1253*					
Std Error of Estimate	*3.75101*					

Dependent Variable: Employee Affective Commitment

The results indicate all the manager ethical behaviour components relates significantly with the employee affective commitment. As shown, accountability (r=0.633; p<0.01) and community orientation (r=0.457; p<0.01) were positively and significantly related and this was also the case of integrity and empowerment with correlation co-efficient r = 0.422 and r = 0.422 and r = 0.38 with p<0.01 respectively.

The regression analysis was conducted to find out the strength of manager ethical behaviour on predicting employee affective commitment. The results indicate that a strong positive and significant relationship exists between manager ethical practice and affective commitment. It is indicated by R = 0.830. The $R^2 = 0.680$ indicates that up to 68% of the behaviour of the regressand (employee affective commitment) is predicted by the regressor (manager ethical behaviour) while the remaining is out this model. Further, amongst the components of the construct, integrity with $\beta = 0.462\alpha$ t = 2.661 was found to be most important in

explaining the variance in employee affective commitment and this was followed by accountability with $\beta = 0.281$ α t = 1.844. This also suggests that increase in integrity by ethical managers, will also lead to increase in employee affective commitment and same for accountability and community orientation.

DISCUSSION

The primary objective of this study is to examine the empirical relationship between manager ethical behaviour and employee affective commitment. The findings of this study are interestingly epochal in providing support for theoretical composition of manager ethics construct (Mitta &Datta, 2014). The findings of this study contribute to the body of knowledge by showing that manager ethical behaviour has a relationship with employee affective commitment. The results indicate that when employees observe commitment to ethical behaviour by managers showing integrity, equity, fairness and accountability they expectedly display affective commitment to the organization. On the other hand, when employees perceive that manager ethical adherence is low, and do not exemplify virtues of good conduct, their reciprocal intention to support voluntarily is likely to be withdrawn.

This also provides support for the claims by Madi and Irissa (2016) that ethical leader is that leader with premium for moral conviction and values. The findings of this study require a comprehensive template on the personality of managers. When managers personality profile is characteristically profound in ethical practices, they are seen by subordinates as role models therefore will be passionate about the attainment of the goals of the organization and will assist in enhancing the corporate reputation of organizations.

CONCLUSION/PRACTICAL IMPLICATIONS

As part of the continuous search for what organizational aspects and actions are likely to attract employee wholesome commitment to work goals, this study has primarily investigated the empirical relationship between manager ethical conduct and employee affective commitment. Ethical behaviour of managers is examined using such components as integrity, community orientation, empowerment and accountability. The results of this study specifically indicates that managers ethical behaviour will reciprocally attract affective commitment from employees.it means that when managers are inclined to ethical practices it triggers positive psychological orientation laced with passion for attaining work goals therefore the study made a lucid conclusion that manager ethical behaviour correlates with employee affective commitment. The practical implications emerging from the study result is that the study provides empirical evidence on the role of manager ethical behaviour on affective commitment. When managers show integrity and accountability, it will no doubt instill a sense of confidence on employees who see the manager as a role model and mentor. Employees with a feel of empowerment, psychologically translate theirtasks as being meaningful to overall goal and also having the competence to undertake task. As ethically behaved managers promote oneness, a cohesive work climate that attract all member support for goals is also built.The long-term outcome of course, is a passionately committed workforce that undertake work tasks not necessarily for financial benefits but for the love of attaining work goals.

SUGGESTED FOR FURTHER STUDIES

It is commonly known that imperfectness exist in human actions therefore this research study is not an exception. Thus, it is imperative to direct attention to future scientific inquiries. For the measurement of the construct, though attempts have been made to identify the appropriate dimension and measures, we do not claim exhaustiveness. In otherwords, they can be further modified to suit context and perhaps explore and ones. It will also be of interest that the study be conducted in a different work context considering distinct industry factors that are likely to shape outcomes.

REFERENCES

1) Allen, N.J. & Meyer, J.P. (1990).The measurement and antecedents of affective, continuance and normative commitment to the organization.*Journal of Occupational Psychology,* 63, 1-18
2) Allen, N.S. & Meyer, J.P. (2000). Construct validation in organizational behaviour research: The case of organizational commitment in Goffin, R.D. and Helmes, E (Eds) *Problems and Solutions in Human Assessment: Honouring Douglas N. Jackson at Seventy,* Norwell, MA: Kulwer Academic Press.
3) Amit, R. & Schoemaker, P.J.H. (1993).Strategic asset and organizational rent, *Strategic Management Journal,* 14, 33-46.
4) Avolio, B.J. & Locke, E.E. (2003). Contrasting different Philosophies of Leader motivation: Altruism versus Egoism, *The Leadership Quarterly,* 13, 169-191.
5) Barney, J.B., Ketchen, D. Jr. & Wright, M. (2011). The future of resource based theory: Revitalization or decline? *Journal of Management,* 37(5), 1299-1315.
6) Bateman, T. Strasser, S. (1984). A longitudinal analysis of the antecedents of organizational commitment. *Academy of Management Journal,* 21, 95-112.
7) Brown, M.E. & Trevino, L.K. (2006). Ethical leadership: A review and future directions. *The Leadership Quarterly,* 17, 595-616.

8) Cao, S.S. & Cao, G.Z. (2007).The theoretical discussion on driving factors of GSCM. *Value Engineering,* 10, 56-60.

9) Greenbaum, R.L. Quade, M.J., Mawritz, M.B., Kim, J. & Durand, C. (2014).When the customer is unethical: The explanatory role of employee emotional exhaustion onto work-family conflict, relationship conflict with coworkers and job neglect, *Journal of Applied Psychology,* 99, 1188-1203.

10) Hannah, S.T., Avolio, B.J., Lutherans, F. & Harms, P.D. (2008). Leadership efficacy: Review and Future directions. *The Leadership Quarterly,* 19, 669-692.

11) Huang, L. & Paterson, T.A. (2017). Group ethical voice: Influence of ethical leadership and impact on ethical performance, *Journal of Management,* 43, 1157-1184.

12) Huei, T.Y. Mansor, N.N. & Tat, H.H. (2014).Role of OCB and demographic factors in the relationship of motivation and employee performance. *Intangible Capital*,10,425-447.

13) Ihua, S. (2011). Influence of psychological empowerments on affective, continuance and normative commitment: A study in the Indian IT Industry. *Journal of Indian Business Review,* 3(4), 263-282.

14) Kanungo, R.N. &Mendonca, M. (1996).*Ethical Dimensions of Leadership,* Thousand Oaks CA: Sage Publications.

15) Lefkowitz, J. (2007). The role of interpersonal affective regard in supervisory performance: Literature review and proposed causal model. *Journal of Occupational and Organizational Psychology,* 6,67-85.

16) McKenzie, S.B. Podsakoff, R.M. & Fetter, R. (1993).The impact of organizational citizenship behaviour on evaluations of salespersons performance.*Journal of Marketing,* 57, 70-80.

17) Messner, W. & Schafer, N. (2012).*The ICCA Facilitator's Mannual: International Communication and Collaboration Appraisal,* London: Createspace Pub.

18) Meyer, J.P. & Herscovitch, L. (2001). Commitment in the workplace: Towards a general model. *Human Resource management Review,* 11, 299-326.

19) Mitra, S. & Datta, P.P. (2014). Adoption of green supply chain management practices and their impact on performance: An exploratory study of Indian Manufacturing firms. *International Journal of production Research,* 52, 2085-2107.

20) Mohammed, J., Habib, F.Q. & Alias, M.A. (2011). Job satisfaction and organizational citizenship behaviour: An empirical study at higher learning institution. *Asian Academy of Management Journal.* 6(2), 149-165.

21) O'Shea, P.G. (2004). Altruism, In Goethals, G.R., Sorenson, G.J. and Burns, J.M. (Eds), *Encyclopedia of Leadership,* Thousand Oaks CA: Sage Publications.

22) Obada, A.J. (2012). The commitment worker needs a reward: How and what makes it, *Journal of Work Psychological,* 12(4), 166-184.

23) Peteraf, M.A. (1993). The cornerstones of competitive advantage: A resource based view. *Strategic Management Journal,* 14, 179-191.

24) Schweizer, K. & Koch, W. (2011).The assessment of the components of optimism by POSO-E.*Personality and Individual Differences,* 31, 536-574.

25) Sheldon, M.E. (2009). Investment and involvements as mechanisms producing commitment to the organization. *Administrative Science Quarterly,* 16, 143-150.

26) Sirmond, D., Hitt, M.A. & Ireland, R.D. (2011). Resource Orchestration to create competitive advantage: Breadth, depth and life cycle effects. *Journal of Management,* 37(5), 1390-1412.

27) Tayyeb, S. &Riaz, M.N. (2004).Validation of the three component model of organizational commitment in Pakistan. *Pakistan Journal of Psychological research,* 19, 123-149.

28) Van Knippenberg, D. (2000). Work motivation and performance: A social identity perspective. *Applied Psychology: An International Review,* 49(3), 357-371.

29) Youseff, D.A. (2000). Organizational Commitment: A mediator of the relationship of leadership behaviour with job satisfaction and performance in a non-western country. *Journal of Managerial Psychology,* 15(1), 6-28.

30) Zangaro, G.A. (2001). Organizational commitment: A concept analysis, *Nursing Forum,* 36(2), 14-22.

Practice of Main Rights Granting of Road Users by the Police

Muhammad Ali Ma'sum[1], Eko Soponyono[2]

[1,2]Master of Law, Faculty of Law, Universitas Diponegoro

ABSTRACT: This study aimed to discuss the issue of granting the main rights of road users who are escorted by the police. This research used a normative juridical approach used secondary legal data. The results of this study are the main rights of road users based on Article 134 of Law Number 22 of 2009 guided by Article 13 of Law Number 2 of 2002, in the implementation of escort regulated in the decision of KAKORLANTAS POLRI Number: KEP/51/IV/TAHUN 2014 concerning Standard Operational Procedure (SOP) for Traffic Control. In driving, people can ask to be escorted according to the rules. The implementation of the granting of escort permits is the policy of the Indonesian National Police. The National Police of the Republic of Indonesia can provide criteria for community activities that require an escort from the police, and data as well as those that give particular importance to the safeguards provided, so this makes monitoring easier.

KEYWORDS: road users; vehicle escort; police

A. INTRODUCTION

The National Police of the Republic of Indonesia (POLRI) has a role including maintaining and regulating traffic order on the road. Regarding this, there is a need for the role of law enforcement to create security in the country to create a just, prosperous, and civilized society based on Pancasila and the 1945 Constitution of the Republic of Indonesia. Law Number 22 of 2002 concerning the Indonesian National Police, the main tasks are to:

a. Maintain public safety and order.

b. Enforce the law, and

c. Provide protection, shelter, and service to the community.

People feel they have the right to get security and smooth driving on the highway, it is necessary to regulate the main rights of road users, where these regulations can later accommodate road users who have the right to take precedence on the highway so that it will facilitate every activity of the road user while on the highway road and can be escorted by personnel from the Indonesian National Police. So that later the community will also be able to understand every right of other road users. The regulation of the main rights of road users is also needed to provide security and public order when using the highway (Abdussalam, 2014). For example, in the case of a convoy of four-wheeled vehicles or two-wheeled vehicles that are escorted by the police, it is considered disturbing to road users because it interferes with the smooth flow of traffic. Activities like this have the potential to threaten order, security, and peace in society. For this reason, a permit is needed that aims to control escort activities, be it personal escorts or even convoys of vehicles. Permits are things that allow a person or other entity who requests or wants something that according to the laws and regulations must have a permit so that later when an escort is carried out on these activities, police personnel can protect convoy participants and other road users to create orderly traffic.

Police institutions in carrying out their duties cannot always be guided by the laws and regulations made by the legislature because of dynamic community life and often existing regulations are not always able to solve the problems faced by an increasingly diverse community because of this the presence of the police in the community is a very important value. The presence of the police in the community is expected to be able to provide appropriate permits to road users who apply for escorts and are also expected to provide examples of good and correct driving on the highway. Police in the eyes of the community as role models, all their movements are used as examples in community behavior (Khoidin & Sadjijono, 2006).

However, in cases that often occur in vehicle escort activities by the police, it is prone to arbitrariness. Where in carrying out escorting, police vehicles often escort private vehicles for some unnecessary reasons. An example of a case of lack of supervision and procedural applied by permit applicants and permit givers was on November 24, 2017, the artist Dewi Persik used a vehicle escort by the police, without using clear procedures and only using verbal requests to the police who at that time were found on the road. Where at that time Dewi Persik's car used the busway track and the police escorted it until they were left behind. This was what makes crowded jams because the rights of other road users were taken. Another example was in August 2015 the activity of a motorized vehicle convoy (Harley Davidson) in the Special Region of Yogyakarta which drew criticism from the public, because

the convoy activity violated traffic by breaking through a red light at the Condongcatur Ring Road intersection, Sleman, Yogyakarta. And when the convoy of vehicles, which at that time was also escorted by the police, was also confronted by someone who was using a bicycle to cross the road. This was a clash between people's rights with one another and which people get the right to be prioritized on the highway.

This incident made the public assume there's a lack of supervision and responsibility from the Police to achieve community activities that contained elements of security, order, and peace which could be guaranteed by the Police as the permit giver. It causes the public to underestimate the Police escort of convoy activities carried out by the Police because many of the members of the convoy violated traffic that could endanger other road users. It is also undeniable that there is a lack of public knowledge regarding the Road Users Main Rights where the task of the Indonesian National Police is to be able to carry out traffic engineering so that it is orderly and smoothly, including allowing convoys of vehicles to pass red lights (Utomo, 2002).

Based on the background described above, the author was interested in discussing and reviewing: 1) How is the policy formulation regarding vehicle traffic on the highway? 2) How is the implementation of the granting of Main Rights for Road Users and vehicle escorts based on Law Number 22 of 2009 concerning Road Traffic and Transportation?

The journal article was written by Erlyn Indarti with the title "*Profesionalisme Mengemban Fungsi Utama Kepolisian Dalam Penegakan Hukum Di Polda Jawa Tengah* (Professionalism Carrying Out the Main Functions of the Police in Law Enforcement at the Central Java Regional Police)" discussed the demands of a police officer to commit to public service, as a matter agreed upon by all members of the profession continuously. In this case, the public's demand for increasing the professionalism of those carrying out the main functions of the police, including regulating traffic (Indarti, 2014).

Furthermore, there was another article in 2013 written by Kasman Tasaripa entitled "*Tugas dan Fungsi Kepolisian Dalam Perannya Sebagai Penegak Hukum Menurut Undang-Undang Nomor 2 Tahun 2002 Tentang Kepolisian* (The Duties and Functions of the Police in Its Role as Law Enforcer according to Law Number 2 of 2002 concerning the Police)", in which the journal article focused on the discussion of the broad structure of the Police, not only functions concerning the criminal process but includes protectors who provide protection and services to the community and community mentors to ensure public security and order as stated in Law Number 2 of 2002 concerning the Police. And the most important thing is how the Police in carrying out their roles and functions properly so that they can be accepted by the community so that they can maintain security and order by obtaining maximum support from the community (Tasaripa, 2013).

As for another study that examines the government's efforts in enforcing obedience in traffic to realize orderly traffic, in 2013 which was written by Andrea R. Sumampow entitled "*Penegakan Hukum dalam Mewujudkan Ketaatan Berlalu Lintas* (Law Enforcement in Realizing Traffic Obedience)" which examined more deeply the government's efforts in enforcing traffic order by taking action against traffic violations enforced by the traffic police (Sumampow, 2013).

In this article written, of course, there are differences with some of the articles that have been written above. In this article, we focused more on the discussion of the traffic formulation policy towards the granting of the main rights of road users and the escort of vehicles by the police based on Law No. 22 of 2009 concerning Road Traffic and Transportation.

B.   RESEARCH METHOD

The method used in this paper was an empirical juridical approach. The specifications in this study were descriptive-analytical, namely research that described the application of applicable laws and regulations associated with legal theories and practices of implementing positive law concerning the problems studied (Arikunto, 2006). Sources of information can be divided into two, namely sources of knowledge providers who are ready to use, and sources that only provide raw materials (data) that still have to be processed first through certain methods.

C.   RESULT AND DISCUSSION
1.   Formulation Policy about Vehicle Traffic on Highways

Regulations regarding road users and vehicle escort are needed in social life so that road users, whether motorized vehicle users or pedestrians know and understand their rights and obligations while on the highway and to maintain security, smoothness, and public order.

The Government of Indonesia together with the House of Representatives to maintain the security and smoothness of traffic has formed a legal product, namely Law Number 22 of 2009 concerning Road Traffic and Transportation. In its dictum, road traffic and transportation as part of the national transportation system must develop their potential and role to realize security, safety, order, and smooth traffic and road transportation in the context of supporting economic development and regional development. The National Police of the Republic of Indonesia has an important role in realizing the objectives of the enactment of the Law. It is because they have the duty and function as the executor of the Law to regulate and control the roads.

The formation of a legal product, namely Law Number 22 of 2009 concerning Road Traffic and Transportation is a manifestation of the implementation of Law Number 2 of 2002 concerning the Indonesian National Police. And strengthened by the

Practice of Main Rights Granting of Road Users by the Police

Decree of the Head of the Traffic Corps of Police of the Republic of Indonesia or referred to as the Decree of the POLRI KAKORLANTAS, Number: KEP/51/IV/TAHUN 2014 concerning the Standard Operational Procedure (SOP) for Traffic Control.

The National Police of the Republic of Indonesia according to Article 13 has to maintain public security and order, enforce the law, and provide protection, shelter, and services to the community. In achieving this goal in Article 14 point 1, the police implement regulations to achieve their main tasks, including carrying out guards and carrying out all activities to ensure security, order, and smoothness on the highway.

Based on this, the formation of traffic rules and road transportation to create security, order, and smoothness in traffic because this is a legal product, namely Law No. 22 of 2009 concerning Road Traffic and Transportation.

Article 1 number 2 of Law Number 22 of 2009 explains that the notion of traffic is the movement of vehicles and people in the road traffic space, in this article, it is explained that it is not only vehicles, whether motorized vehicles or cars, but pedestrians, including subjects who fill from the road traffic space which has the rights and obligations that have been regulated in this Law and Article 1 point 3 of Law Number 22 of 2009 concerning Road Traffic and Transportation explains that the meaning of Road Transportation is the movement of people and/or goods from one place to another by using a vehicle in the road traffic space.

In road traffic, road users have different needs, this Law regulates the rights and obligations of road users, it also regulates road users who have the main right to get smooth traffic on the highway, which means that the main rights granted to road users are: road users who have the right to take precedence on the road either using an escort from the police or not using an escort from the police based on the interests that have been regulated in the law, this has been regulated in article 134 of Law Number 22 of 2009 concerning Traffic and Road Transportation.

The road users above are road users who get priority on the road to take precedence wherein its implementation the police can escort or use red or blue light signals and the sound of sirens so that the vehicles can run smoothly.

Article 134 above is an explanation of road users who have the main right to take precedence and article 135 regarding procedures for regulating smoothness is a manifestation of Article 14 letters a and b of Law Number 22 of 2009 namely:

a. In carrying out the main tasks as referred to in Article 13, the State Police of the Republic of Indonesia shall be tasked with:
1) Implementing regulation, guarding, escorting, and patrolling the community and government activities as needed;
2) Organizing all activities to ensure security, order, and smooth traffic on the road;

In Article 14 letters a and b above, if there is a submission or request from road users included in the points of article 134 addressed to the police for vehicle escort and the request for submission is received by the police, it becomes an obligation for other road users to give priority to the vehicle escorted by the police. Because in Article 104 of Law Number 22 of 2009 it is explained that:

b. In certain circumstances for the order and smoothness of traffic and road transportation, officers of the State Police of the Republic of Indonesia may take the following actions:
1) stop the flow of Traffic and/or Road Users;
2) instructing Road Users to continue;
3) speed up Traffic flow;
4) slow down the flow of Traffic; and/or
5) divert the direction of traffic flow.

So what is meant by Article 104 of Law Number 22 of 2009 above, in certain circumstances the police can take the above actions aimed at controlling and smoothing traffic. This article also emphasizes that road users are obliged to obey orders given by police officers when making road arrangements. In paragraph 2 it is emphasized again that orders given by police officers as referred to in paragraph 1 must take precedence over orders given by traffic signaling devices. So what it means is that the orders given by traffic signaling devices such as traffic lights can not be enforced while police officers are carrying out traffic regulations. This aims to provide order and smoothness to road users who have primary rights and other road users.

In implementing Law 22 of 2009, the National Police of the Republic of Indonesia has made regulations by issuing the Decree of KAKORLANTAS POLRI, Number: KEP/51/IV/TAHUN 2014 concerning the Standard Operational Procedure (SOP) for Traffic Control. Which contains the procedures for securing traffic and escorting vehicles that have the right to be prioritized on the highway.

Based on the description above, it can be understood that, in carrying out its duties and authorities, the Indonesian National Police is always guided by the principle of legality wherein acting the police must be based on statutory regulations as the basis for every administration of government (Ridwan, 2002). It can be seen that the police in regulating vehicle traffic on the highway are guided by Article 13 of Law Number 2 of 2002 where the task of the police is to maintain security, order, enforce the law, and provide services to the community. In achieving their duties, the police must do some of regulating traffic and escort vehicles. Article 134 of Law Number 22 of 2009 regulates the granting of primary rights to road users wherein its implementation it must be escorted by the police and carry out security on the highway, the implementation rules are contained in the Decree of KAKORLANTAS POLRI, Number: KEP/51/IV/TAHUN 2014 concerning Standard Operational Procedure (SOP) for Traffic Control.

Practice of Main Rights Granting of Road Users by the Police

2. Implementation of the Main Rights Granting to Road Users and Vehicle Escort

Police action is part of government action to realize government goals. The government's objectives include, among others, making and maintaining law or maintaining order and peace (*orde en rust*); realizing the will of the state, and carrying out the public interest (*service piblique*, public service) (Sadjijono, 2010).

The granting of Main Rights to road users is intended for motorized vehicles which have been regulated in Article 134 of Law No. 22 of 2009. The "motor vehicles that have primary rights" are Motorized Vehicles, both two-wheeled vehicles or four-wheeled vehicles or more, which get priority on the road based on the order of the law or get permission from the police which must take precedence over other road users. Article 134 of Law Number 22 of 2009 concerning Road Traffic and Transportation, said:

Road Users who get the main right to take precedence in the following order:

a. Fire fighting vehicles on duty;
b. Ambulances transporting sick people;
c. Vehicles to assist in Traffic Accidents;
d. Vehicles led by State Institutions of the Republic of Indonesia;
e. Vehicles for the leadership and officials of foreign countries as well as international institutions who are state guests;
f. The funeral procession; and
g. Convoys and/or vehicles for certain purposes according to the considerations of the police officers of the Republic of Indonesia.

All the vehicles mentioned above must be prioritized by other road users in road traffic. Vehicles that get the priority, based on Article 135 paragraph (1), must be accompanied by an escort from the Indonesian National Police and/or use red or blue light signals and the sound of sirens.

It is further explained in paragraph 2 that the officers of the State Police of the Republic of Indonesia carry out security if they know that there are prioritized road users. And in paragraph 3 it is added that traffic signaling devices and traffic signs are not applied to vehicles as referred to in Article 134 of Law Number 22 of 2009.

1) Provision of Vehicle Escort

Provision of vehicle escort is carried out by the Indonesian National Police or other institutions that have an escort function such as the Presidential Security Forces, the Indonesian Armed Forces, and the Military Police. However, we often find that the Indonesian National Police generally carry out escorting vehicles, whether it is state activities or community activities.

Traffic Control is an activity of organizing, securing moving on the road to protect human life safety and goods (objects), VVIP/VIP/State Protocol activities, and other community activities continuously during the journey from one place to another by using a motorized vehicle in a state of emergency, safely, orderly, and smoothly.

In obtaining an escort permit, we must meet the criteria for prioritized road users as described in Article 134 of Law No. 22 of 2009. In the field implementation, Mr. Ipda Agus Joko SH, MH grouped 2 types of road users get the main right on the road and or get a vehicle escort by the Indonesian National Police based on the incident, namely:

1) Incidental Vehicles:
a. Fire fighting vehicles carrying out their duties;
b. Ambulances transporting sick people;
c. Vehicles to assist in Traffic Accidents.

Incidental vehicles are vehicles such as those listed above that have the main right to be prioritized on the road, which appears suddenly so that they have not made official notification or permission to the Indonesian National Police to get traffic priority (fire engines and ambulances). Or even obtain written permission for private cars requesting vehicle escort by the Indonesian National Police for assisting in traffic accidents.

The above vehicles have the right to be prioritized on the road only when the vehicle is carrying out its duties such as a fire fighting vehicle that wants to extinguish a fire or other tasks, an ambulance that takes sick people or picks up sick people, and vehicles to assist in traffic accidents (Abdussalam, 2012).

2) Scheduled Vehicles;
3) Vehicles for the leaders of the State Institution of the Republic of Indonesia;
4) Vehicles for the state guests' leaders and officials of foreign countries and international institutions;
5) The funeral procession; and
6) Convoys and/or vehicles for certain purposes according to the considerations of the police officers of the Republic of Indonesia.

A scheduled vehicle is a vehicle that travels on a scheduled basis in which he has obtained the right to be given a vehicle escort by the Indonesian National Police or a vehicle that requests to be escorted according to his needs that has applied for a previous permit and is approved by the Indonesian National Police to be given an escort.

2) Application for a Vehicle Escort Permission by the Indonesian National Police

Practice of Main Rights Granting of Road Users by the Police

In applying for a permit to the Indonesian National Police to request assistance in escorting, it is necessary to first consider the needs of the trip and the place of travel to be addressed, this aims to determine which State Police of the Republic of Indonesia can provide vehicle escort assistance. The following is the procedure for applying for escort assistance, namely:

a. Submit a letter of application to the relevant Indonesian National Police;

For example: Submitting a letter to the Central Java Regional Police Ditlantas addressed to the Director of Traffic (Dirlantas) of the Central Java Police, from the Dirlantas down to the Highway Police Section (PJR).

b. Attach the activities carried out that requires escort assistance;

For example: in the letter of application for escort, the time, place, and need for escorting the vehicle are stated.

After the submission of the letter is received by the Indonesian National Police, it will be checked how the urgency of the escort assistance is given and later will be given an answer if the application for escort assistance is received regarding the procedure for applying for vehicle escort, which is the policy of the police agency which refers to the Decree of the State Minister for Issuance. State Apparatus (Kepmenpan Number: 63/Kep/M/Pan/2003) concerning Public Service Standards.

Based on the description above, it can be understood that police action is any action or action by the police based on their authority in the context of carrying out government functions in the field of maintaining security and public order, providing protection, shelter, and service to the community and enforcing the law. Police actions position the police as legal subjects, meaning as ***dragger van rechten en plichten*** or supporters of rights and obligations, where the police (as an institution and function) carry out various actions based on facts.

The legal action of the police, in this case, gives the main rights to road users as well as escorting the vehicle causing certain legal consequences. The legal consequences resulting from legal action for the police can be in the form of:

a. Some changes to rights, obligations, or powers;

b. Changes in the legal position of an existing person or object;

c. There are certain rights, obligations, authorities, or statuses.

Based on the above, the granting of primary rights must be given to road users who need or need to get the right to be prioritized, this is related to the principle of legal certainty.

3) Types of Vehicle Escort

The State Police of the Republic of Indonesia in carrying out traffic escort classifies the types of escort carried out in several ways, this is contained in the Decree of the National Police Headquarters, Number: KEP/51/IV/TAHUN 2014 concerning Standard Operational Procedures (SOP) for Traffic Escort, which divides into 4 types of escort:

a. VVIP escort, this escort is used to escort the president or vice president, state guests at the level of the president or head of government.

b. VIP escort, this escort is used to escort high-ranking State/Foreign officials, governors, mayors/regents, POLRI or military generals, important documents/state money, and dangerous materials/goods.

c. Escort Candidates for President/Vice President and Candidates for Regional Heads during the General Election.

d. Escorting Community Activities, escorting development processions/parades, pilgrims, tourists, community homecoming, campaign participants, bridal convoys, and funeral attendants.

The types of escort above will be distinguished by the form of escort provided by the Indonesian National Police and requires the number of personnel who carry out escorts and the vehicles used, based on the level of necessity for escorting.

D. CONCLUSION

Based on the descriptions that have been presented in previous chapters, the authors draw the following conclusions:

The main rights granting of road users carried out by the Ditlantas Polda Central Java is guided by Law Number 22 of 2009 concerning Road Traffic and Transportation as stated in Article 134 and Article 135 which regulates the duties of the State Police of the Republic of Indonesia in regulating and main rights granting of road users and based on Law Number 2 of 2002 concerning the State Police of the Republic of Indonesia contained in Article 13 concerning the Main Duties of the State Police of the Republic of Indonesia. The State Police of the Republic of Indonesia in granting the main rights of road users based on Law Number 22 of 2009 and in carrying out escorts based on the Decree of the National Police Headquarters where this is following the main tasks of the Indonesian National Police as stated in Article 13 of the Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia, namely maintaining security and public order, enforcing the law and providing protection, shelter, and services to the community.

The Central Java regional police traffic directorate in providing the main rights of road users in this case is to carry out vehicle escorts and has a Standard Operational Procedure (SOP) in receiving vehicle escort requests and carrying out the escort. The police have the policy to consider accepting or rejecting an application for an escort that has been submitted, this must be following Article 134 of Law Number 22 of 2009 and refers to the Decree of the State Minister for Issuance of State Apparatus

Practice of Main Rights Granting of Road Users by the Police

(Kepmenpan Number: 63/Kep/M/Pan/2003) concerning Public Service Standards. However, in this case, the policy made by the police can create legal uncertainty, because the considerations from the police make the criteria for requesting escorts unclear.

BIBLIOGRAPHY
Book
1) Abdussalam, R. (2012). *Hukum Kepolisian Sebagai Hukum Positif Dalam Disiplin Hukum* (Edisi Revi). Jakarta: PTIK.
2) Abdussalam, R. (2014). *Ilmu Kepolisian Sebagai Ilmu Pengetahuan*. Jakarta: PTIK.
3) Arikunto, S. (2006). *Prosedur Penelitian Suatu Pendekatan Praktek*. Jakarta: Asdi Mahastya.
4) Khoidin, M., & Sadjijono. (2006). *Mengenal Figur Polisi Kita*. Yogyakarta: Laksbang Presindo.
5) Ridwan, H. (2002). *Hukum Administrasi Negara*. Yogyakarta: Raja Grafindo Persada.
6) Sadjijono. (2010). *Memahami Hukum Kepolisian*. Yogyakarta: Laksbang Presindo.
7) Utomo, W. H. (2002). *Hukum Kepolisian Di Indonesia*. Yogyakarta: LPIP.

Journal Article
1) Indarti, E. (2014). Profesionalisme Mengemban Fungsi Utama Kepolisian Dalam Penegakan Hukum Di Polda Jawa Tengah. *Masalah-Masalah Hukum*, *Vol. 43*(No. 3), 348–355.
2) Sumampow, A. R. (2013). Penegakan Hukum dalam Mewujudkan Ketaatan Berlalu Lintas. *Lex Crimen*, *Vol.2*(No. 7).
3) Tasaripa, K. (2013). Tugas Dan Fungsi Kepolisian Dalam Perannya Sebagai Penegak Hukum Menurut Undang-undang Nomor 2 Tahun 2002 Tentang Kepolisian. *Legal Opinion*, *Vol.1*(No. 2).

Law And Provision
1) Undang-Undang Nomor 2 Tahun 2002 tentang Kepolisian Negara Republik Indonesia
2) Undang-Undang Nomor 22 Tahun 2009 tentang Lalu Lintas dan Angkutan Jalan
3) Peraturan Kapolri Nomor 7 Tahun 2006 tentang Kode Etik Profesi Kepolisian Negara Republik Indonesia
4) Keputusan Menteri Negara Penerbitan Aparatur Negara (Kepmenpan Nomor: 63/Kep/M/Pan/2003) tentang Standar Pelayanan Publik
5) Keputusan KAKORLANTAS POLRI Nomor: KEP/51/IV/TAHUN 2014 tentang *Standard Operational Procedure* (SOP) Pengawalan Lalu Lintas
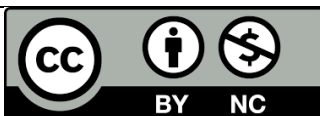
Determination of Factors Causing Auditor Switching: Evidence from Listed Manufacturing Companies in Indonesia

Theresia Trisanti[1], Deden Iwan Kusuma[2], Erlina Herowati[3], Soegiharto[4]

[1,2,3,4] STIE YKPN, Sekolah Tinggi Ilmu Ekonomi YKPN, Yogyakarta Jalan Seturan Yogyakarta 55281. Indonesia

ABSTRACT: This study aims to determine whether audit opinion, public accounting firm reputation, audit delay, and financial distress as moderating variables have an influence on auditor switching. The data used are companies in the manufacturing sector listed on the Indonesia Stock Exchange (IDX) in 2018-2020. The data obtained are in the form of financial statements, the sample selection process is carried out using purposive sampling, hypothesis testing in this study uses smart PLS. The results of the study indicate that audit opinion has a positive effect on auditor switching, while the audit delay variable, the reputation of a public accounting firm does not show an effect on auditor switching. Financial distress as a moderating variable is able to strengthen the relationship between audit opinion and auditor switching but is not able to moderate the relationship between audit delay and the reputation of public accounting firms to auditor switching. The contribution generated from this research is that the results of this research can increase public knowledge about the factors that cause auditor switching in manufacturing sector companies.

KEYWORDS: audit opinion, reputation of public accountant firm, audit delay, company size, financial distress, auditor switching.

INTRODUCTION

The increasing development of public companies will have an impact on increasing the required accounting services. The duty of the auditor is to be able to carry out his duties, functions and obligations optimally so that it will affect the results of the audit opinion expected by the client and of high quality so that it will be useful for the business world and the wider community. If this cannot be fulfilled by an auditor, the company will replace the auditor who is seen as having more independence and high credibility (Hidayat & Wahjoe, 2019). Corporations that have listed their shares on the Indonesia Stock Exchange market are required to report audited financial statements. As stated in the regulations stipulated by the Financial Services Authority (OJK) No. 29/POJK.04/2016, every public listed corporation needs to report an annual report, one of which must contain an audited annual financial report (Ardianingsih, 2014; Hidayat & Wahjoe, 2019). According to (Yanti & Wijaya, 2020) and Ishak et al. (2010) companies that use the services of auditors will get a guarantee, namely a guarantee in the financial statements produced that the financial statements produced are relevant and reliable, so as to provide a high level of trust for all parties related to clients.

Indonesia requires mandatory auditor switching, but in fact many companies in Indonesia do voluntary auditor switching. Many factors can lead to voluntary auditor switching. If the auditor change is carried out by the company, this will raise suspicion from stakeholders. The question arises why the company changes auditors voluntarily (Hidayat & Wahjoe, 2019; Supriyati, 2021).Changes in auditors occur voluntarily, so the causative factors can come from the client side. An auditor or public accountant has a very important task, namely paying attention to the quality of the audit that is born. Independence must be owned by an auditor in maintaining the quality of an audit. Independence is a condition in which a party is not bound by another party in carrying out its duties. If there is a long audit assignment period on a client, then this condition will make the auditor not independent in carrying out his duties. To prevent such events, it is necessary to have an obligation to rotate auditors in the company. Matters related to the obligation to rotate auditors have been regulated in PP No. 20 of 2015 concerning "Practice of Public Accountants" in article 11 paragraph 1. The regulation states that a public accountant can provide audit services on financial information to an entity for a maximum of five consecutive financial years (As'ad & Nofryanti, 2021; Saputri et al., 2021)

The auditor rotation can be carried out either mandatory (mandatory) that is due to regulations from the government or voluntary (voluntary) which occurs when the client changes public accounting firm voluntarily. Dao & Pham (2014) say that auditor rotation that occurs voluntarily can arise when there are certain factors, both from corporations and from auditors outside of official provisions. Voluntary auditor rotation will tend to lead to an increase in audit fees, Moradi et al. (2012) suggest that a decrease in the company's influence on public accounting firm caused by changes in auditors can develop audit quality and independence.

Determination of Factors Causing Auditor Switching: Evidence from Listed Manufacturing Companies in Indonesia

Audit delay is defined as the length of audit completion time measured from the closing date of the financial year to the date of issuance of the audit report (Gaganis et al., 2016). Some researcher concluded audit delay as the time span for completing an annual financial statement audit report, measured based on the number of days required to obtain an independent auditor's financial report on an audit of the company's financial statements from the closing date of the company's books, which is December 31 until the date stated on the independent auditor's report (Soltani, 2002 and Wulandari & Budiartha, 2015)

There are several factors that influence the auditor switching, among others, the most common factors are: audit opinion, reputation of public accounting firm. According to Putra (2014), companies (clients) see the fairness of financial statements through statements or views issued by auditors or commonly referred to as audit opinions. The audit opinion on the financial statements will influence external parties in making decisions. Companies or clients tend to want an opinion in the form of an unqualified opinion (Collier & Gregory, 1999; Jaswadi et al., 2012). Client who received an unqualified opinion would rotate its auditors compared to a client who had received an unqualified opinion, therefore auditor rotation is positively influenced by audit opinion (J. Krishnan & Yang, 2009). On the other hand, some research show different results, they say that auditor rotation is not influenced by audit opinion. This is in line with the research conducted by Bowen et al. (2002), Jackson (2011) and G. V Krishnan (2003)on companies listed on the Teheran Stock Exchange which stated that public accounting firm switching was not influenced by audit opinion.

The next factor that causes auditor rotation is the reputation of the public accounting firm. A public accounting firm means a sole proprietorship, partnership, corporation, or other legal entity engaged in the business of providing services as public accountants. Reputation determines the credibility of a financial report, the reputation of the auditor is shown by the achievements and public trust that the auditor has on the good name that the auditor bears (Lin et al., 2013). A reputable public accounting firm is represented by public accounting firm from the international big-four group. Big-four public accounting firm is a public accounting firm that has a better reputation and expertise compared to auditors other than big-four. Several public accounting firms in Indonesia are affiliated with the four big-four international public accounting firm (Ferrer, 2016; Moradi et al., 2012)

From some of the research on auditor switching that has been presented above, there are differences in results. Differences in the variables, periods, and objects studied resulted in differences in the results of the research that had been carried out. Based on the differences and findings of the phenomena above, researchers are encouraged to carry out research on the effect of audit opinion, public accounting firm reputation, and financial distress as moderating variable on auditor switching. Why do researchers add financial distress variables, this is because if the company experiences financial distress caused by continuous losses operationally. If the company's marketing division continues to fail to meet targets, then your company is threatened with financial distress, either because it fails to carry out operational obligations or fails to satisfy investors in company performance. Financial distress is a condition where the corporation (client) shows that they are experiencing financial difficulties where the total liabilities exceed the available assets. Financial difficulty is a condition of insolvency, namely when the corporation is unable to fulfill its obligations with the results of its operations. The condition in which the corporation is experiencing financial difficulties raises the desire to replace the public accounting firm in the hope of being able to reduce the audit fee of the company. So, it can be said that the corporation will choose public accounting firm that is in accordance with the company's financial condition.

Research by Brahmana (2007) and Hernandez Tinoco & Wilson (2013) show that auditor rotation is affected by financial difficulties. This research is expected to be able to add to the understanding of what factors can lead to a change in auditors in a company. Based on several studies conducted, there are inconsistent results in previous research, researchers are interested in digging deeper into the issue of auditor switching by adding the moderator variable financial distress. It is expected that the moderator variable will affect auditor switching. In accordance with the description above, the formulation of the problem in this research can be summarized as follows:

1. Does the audit opinion have a positive effect on auditor switching?
2. Does public accounting firm reputation have a positive effect on auditor switching?
3. Does audit delay have a positive effect on auditor switching?
4. Does financial distress can moderate the relationship of audit opinion and public accounting firm reputation to auditor switching?

LITERATURE REVIEW

Agency theory using this research, because Agency theory is defined as a relationship or relationship between one party called the principal and another party called the agent. The principal or owner of the company is separate from the management or agent (Jensen & Meckling, 1976). The agent in this case is mandated by the principal to operate and manage the resources owned by the company and is responsible for the results to the principal (Donaldson & Davis, 1991). Agents do not always act to try to maximize the interests of the principal, sometimes agents also try to maximize their own interests. This can lead to agency problems. The principal can limit the difference between his interests and the interests of the agent by conducting monitoring costs that are prepared to set limits on the agent's activities so as not to deviate from his goals and by imposing appropriate incentives for the agent. To

monitor and ensure that the agent's activities are on the right track and act to maximize the interests of the principal, the principal provides auditor services, so that the output from management in the form of financial reports can be said to be reliable (Mgammal et al., 2018).

Agency costs can arise when agency problems occur, the composition of agency costs includes (Jensen & Meckling, 1976):

1. The monitoring expenditures by the principal, namely expenditures made by the principal to monitor the activities of the management.
2. The bonding expenditures by the agent, namely expenditures made by management with the aim of ensuring that management's actions will not cause harm to the principal.
3. The residual loss, namely the level of welfare of the principal and management which decreased after the agency relationship emerged.

There are some experts who have defined financial distress related to agency problem, namely Platt (1995) revealed that financial distress is the initial stage or condition for the first time a decline in company finances before bankruptcy or liquidation occurs. Financial distress according to Senbet and Wang (2010) is a condition that requires companies to pay obligations or debts due but the company cannot pay these obligations. So, it can be concluded that financial distress does not occur when the company has gone bankrupt but will occur before the bankruptcy occurs, therefore financial distress will be very effective if used by the company or stakeholders as a detection of potential bankruptcy in a company. If the company can detect potential bankruptcy, then the management can take actions and re-analyze all activities of the company that are considered to be a factor that causes financial distress or financial crisis before the company experiences a real bankruptcy.

The benefits of financial distress information on several parties concerned to the company according to Gopalan and Xie (2011), namely:

a. Lenders. Benefits for lenders or creditors are in the decision making efforts which companies will be given loans and to monitor loans that have been given,
b. Investors. The benefit for investors on financial distress information is that investors will easily see the signs that the company is bankrupt, so this is used by investors to sell their shares and bonds as quickly as possible.
c. Government. The benefit for the government is that it can detect company bankruptcy more quickly so that the government can take the necessary initial action because the government has responsibility for the running of a business.
d. Accounting. For accountant's financial distress information will be useful in assessing the sustainability of a company's business.

Auditor rotation of public accounting firm by a corporation is called auditor switching. Auditor rotation can occur obligatory (mandatory) or voluntary (voluntary). The mandatory change of auditors is due to the regulations that apply in this case, namely PP No. 20 of 2015 concerning "Practice of Public Accountants". The purpose of mandatory auditor switching is to maintain public trust from possible irregularities, improve service quality, and avoid too close a relationship with the company (Ram & Hassan, 2017). Auditor rotation can also be done voluntarily by the company. Audit opinion, management switching, public accounting firm, size, and client firm size are some of the factors that can cause voluntary auditor rotation (Skousen et al., 2009).

Audit delay is the length of audit completion time measured from the closing date of the financial year to the date of completion of the independent audit report. According to the length of time for completion of the audit conducted, it indicates the time between the date of the financial statements and the date of the audit opinion in the audited financial statements. Worldwide, delays in auditing financial statements have been identified as one of the causes of overall delays in the publication of their annual reports. The only major source of information that investors can trust are audited annual reports (Abdelghany, 2005; Abidin & Ahmad-Zaluki, 2012).

Audit Opinion according to Auditing Standard 700 (SA 700) issued by IAPI, audit opinion is an auditor's statement on the fairness of the financial statements presented by the corporation in all material respects in accordance with applicable standards. An opinion may be given when an auditor concludes that the auditor has obtained reasonable assurance about whether the financial statements are presented in a comprehensive manner, free from material misstatement, whether due to fraud or error. In Auditing Standard 700 (SA 700) there is an unmodified opinion or commonly referred to as an unqualified opinion. In this opinion, qualification or modification of the auditor's opinion is not required, therefore this opinion is often referred to as a "clean opinion". In addition to unmodified opinions, there are also several types of modifications to the auditor's opinion, including qualified opinions, adverse opinions, and disclaimers of opinion (Piyawiboon, 2015; Vanstraelen, 2000).

The reputation of the public accounting firm shows an achievement of public trust achieved by the public accounting firm so that it will form the big name of the public accounting firm. In general, companies assume that auditors from public accounting firm affiliated with big-four have the best quality (Ram & Hassan, 2017). The high reputation of the big-four public accounting firm is due to the big-four public accounting firm having an extensive network, reliable auditors, and having superior experience compared

to non-big-four public accounting firm. Corporations that use audit services from reputable public accounting firms are expected to someday be able to generate attractiveness for stakeholders who want to invest. According to Firsta & Muniarti (2017)clients who have used public accounting firm services from the big-four group tend to be reluctant to change their auditors.

HYPOTHESIS DEVELOPMENT
In determining the reliability and relevance of a company's financial statements requires an auditor. The result of the auditor's search for the financial statements is called the audit opinion. The audit opinion generated by the auditor varies depending on the financial statements and other supporting evidence (Mgammal et al., 2018). This opinion is useful for external parties such as investors in determining their decision to invest. Companies tend to want the resulting opinion in the form of an unqualified opinion. If the corporation obtains an opinion other than an unqualified opinion, the corporation will try to change its auditor in order to produce the desired opinion. Research conducted by Gopalan and Xie (2011), states that auditor rotation is positively influenced by audit opinion. Meanwhile, Senbet and Wang (2010) found that auditor rotation was not influenced by audit opinion. Based on the description above, the formulation of the research hypothesis is as follows.

H_1: Audit opinion has a positive effect on audit switching

Corporations will generally choose a reputable public accounting firm with the aim of convincing users of financial statements that the financial statements provided have been assessed by a reliable party Skousen et al. (2009). Therefore, to establish a reputation in the public accounting firm, the public accounting firm always tries to show good achievements and performance so that it can convince clients to use its services. By choosing the services of an auditor from a reputable public accounting firm, the company is expected to be able to convince and attract the attention of investors. Research conducted by (Ram & Hassan (2017).suggests that public accounting firm switching is significantly affected in a negative direction by auditor reputation. This is in line with what was stated by (Mgammal et al., 2018) who stated that auditor reputation affects auditor switching in a positive direction. Based on the explanation above, the formulation of the hypothesis is stated as follows.

H_2: Public accounting firm reputation has a positive effect on audit switching.

The length of time for completion of the audit can affect the timeliness of the reported financial reports, so that it can have an impact on users of financial statements when they want to make decisions based on the information presented. The high level of complexity and complexity is the cause of an auditor needing extra time to complete the audit process. Research conducted by Brahmana (2007) and Hernandez Tinoco & Wilson (2013) proves that audit delay is able to have a significant and positive effect on auditor rotation. This is in line with the research conducted by Skousen et al., (2009) which showed that audit delay was able to significantly affect auditor switching. Meanwhile, research conducted by Naumann, (2000) suggests that auditor rotation is not affected by audit delay. Based on the explanation above, the formulation of the hypothesis can be stated as follows.

H_3: Audit delay has a positive effect on audit switching.

Moreover, financial statement analysis is a process to identify weaknesses and financial strengths of the company by explaining the relationship of one account with another account contained in the financial statements. Financial statement analysis is used to identify key changes in financial statements and help users of information in evaluating business policies that have been implemented and to predict future company performance. The information produced by this analysis will show an early warning sign of a shift towards success or even failure of a company (Elkamhi et al., 2012). In an effort to determine the company's financial distress, financial ratio analysis can be used. Miglani et al., (2015) argues that the ratio of profitability, leverage, liquidity and cash flow coverage are significant indicators in determining a company's financial distress.

Corporations that are in a financial slump or are threatened with bankruptcy tend to rotate auditors. This condition is caused by corporations that are experiencing financial downturns tend to be unable to pay audit fees that are not low from big-four public accounting firm, so companies are compelled to change the type of public accounting firm from big-four public accounting firm to non-big-four (small) public accounting firm. Research conducted by (Mgammal et al., 2018)found that financial distress is believed to have a positive influence on the switching of public accounting firms. Brahmana (2007) and Hernandez Tinoco & Wilson (2013) suggest the same thing, namely that auditor switching can be positively influenced by financial distress. Keasey et al. (2015) also found that auditor switching is positively affected by financial distress.

H_4: Financial distress strengthens the effect of audit opinion on auditor switching
H_5: Financial distress strengthens the effect of reputation public accountant firms on auditor switching
H_6: Financial distress strengthens the effect of audit delay on auditor switching
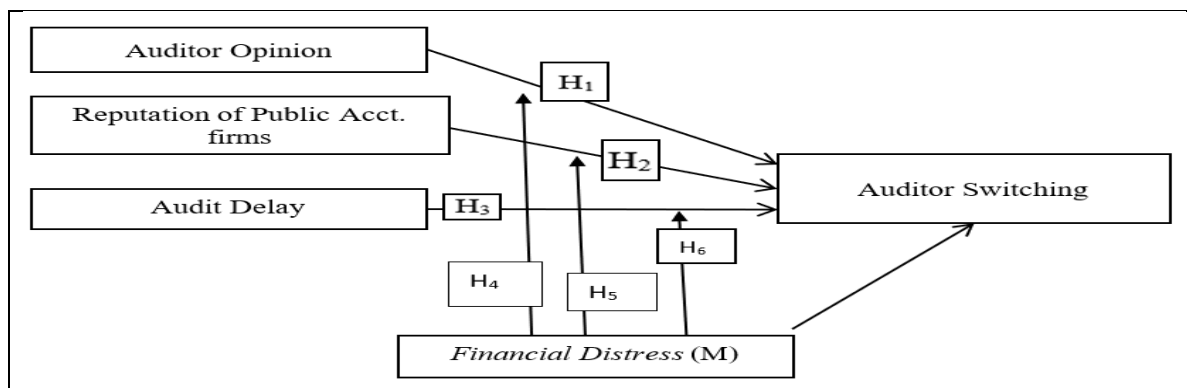
Figure 1. Research Model

RESEARCH METHODOLOGY

Variables that describe or affect the dependent (bound) variable are referred to as independent variables. The independent variables to be used in this research include:

- Audit Opinion. According to Keasey et al. (2015) a statement issued by an auditor when checking the fairness of a financial report is called an audit opinion. This research refers to the research conducted by Brahmana (2007) and Hernandez Tinoco & Wilson (2013) which uses a dummy variable, where for corporations that obtain an unqualified opinion will be given a value of 1 and for corporations that obtain opinions other than an unqualified opinion will be given a value of 0.

- Public accounting firm 's reputation. Research by Brahmana (2007) and Hernandez Tinoco & Wilson (2013) states that auditor reputation is something that determines the credibility of financial statements. This research refers to the research conducted by Brahmana (2007) and Hernandez Tinoco & Wilson (2013) namely to determine the reputation of the public accounting firm measured using a dummy variable, where the company will be given a value of 1 if it is audited by a public accounting firm affiliated with a big-four public accounting firm and given a value of 0 if the corporation is audited by a public accounting firm non-big four.

- Audit Delay. According to Keasey et al. (2015) audit delay is interpreted as the number of days from the closing date of the company's books until the audited financial report is signed by the auditor. This research refers to research conducted by McGee & Yuan, (2012) where the audit delay variable is measured using the number of days the company closes until the report is signed by the auditor.

- Financial Distress. According to Brahmana (2007) and Hernandez Tinoco & Wilson (2013) financial distress is a condition in which a corporation suffers from a financial downturn and is worried that it will go bankrupt. This research refers to research conducted by Baker & Wurgler (2007)where financial distress is measured using the debt-to-equity ratio (DER). The formula for calculating DER is as follows:

$$DER = \frac{Total\ Liabities}{Total\ Equity}$$

Research Finding

Researchers chose the population in the form of manufacturing companies listed on the Indonesia Stock Exchange during the period 2018 to 2020. The sample selection procedure in this study used purposive sampling method.

Table 1. List of Observation

No.	Description	Number of Company
1	Manufacturing companies listed on the IDX during 2018-2020	150
2	Companies that did not profits during year 2018- 2020	(51)
3	Report data is incomplete during 2018- 2020	(60)
4	Financial statements does not use the rupiah currency	(10)
5	Total sample	28
6	Year of observation	3
7	Number of observation (28 x 3 years)	84

Source: IDX (2020)

Determination of Factors Causing Auditor Switching: Evidence from Listed Manufacturing Companies in Indonesia

The following are the results of the PLS Algorithm processing in the research model as follows:
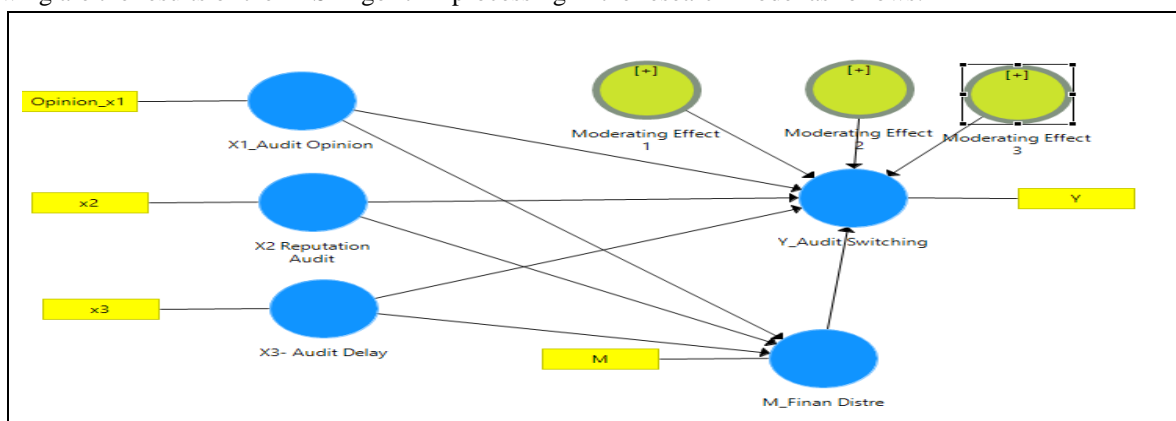
Figure 2. PLS Model Algorithm Processing

The PLS Algorithm calculation results show that the value of R Square is 0.814 shows a structural model that describes the effect of as a whole is in the high category to explain the effect of the moderating variable (Hair et al., 2014; Shackman, 2013).

Table 2. R Square

Variable	R Square	R Square Adjusted
Earning Management	0,829	0,814

Structural Model-Fit evaluation is carried out to determine the relevance of predicting structural models which can be used to test the effect of the moderating variable on the dependent variable and the independent variable. The measure that can be used is the predictive relevance SRMR value, because the two calculation results shows 0,011 two numbers less than 0,1 then the two structural variables have predictive relevance (Hair et al., 2014; Shackman, 2013).

Table 3. Structural Model-Fit

Description	Saturated Model	Estimated Model
Standardized Root Mean Square Residual (SRMR)	0,011	0,015
Chi-Square	132,42	130,01

Path Coefficients in the table below contain the path coefficient values (the numbers are located in the original sample column). All path coefficients in this study are positive as based on the Path Coefficients table, the researcher can test for each path with the results listed in the table below. A positive sign and p value less than 0.05 indicates that the independent variable has a positive effect on the dependent variable.

Table 4. Hypothesis Direct Result

	Influence Between Pathways	Beta (Original Sample)	Sample Mean	T-Statistic	P-value	Meaning
H_1	Audit opinion ➔ audit switching	0,801	0,094	4,424	0,038	Auditor opinion has effect on audit switching
H_2	Reputation public accounting firms ➔ audit switching	0,170	-0,165	1,631	0,426	Reputation public accounting firms has no effect on audit switching
H_3	Audit delay ➔ audit switching	-0,208	-0,217	1,827	0,503	Audit delay has no effect on audit switching

Significant P-value (Sig.) At α = 5%

Based on the PLS analysis that has been carried out, the results of the first hypothesis tests prove that H_1 is acceptable, and the audit opinion is able to influence auditor switching. The results of this research are directly proportional to the research conducted by Mgammal et al. (2018) which suggests that auditor switching is influenced by audit opinion. Mgammal et al., (2018) found the same thing, namely auditor rotation is influenced by audit opinion. The results of this research are in tune with who suggest that auditor

switching is positively influenced by audit opinion. Brahmana (2007) and Hernandez Tinoco & Wilson (2013) same results from this study, namely that audit opinion had an effect on auditor switching. Corporations that utilize the services of a new auditor will obtain an audit opinion that is the same or not much different from the opinion submitted by the previous auditor. This is because the new auditor will seek information to provide an audit opinion through the information contained in the previous auditor (Hernandez Tinoco & Wilson, 2013).

For the second hypothesis (H_2) reputation public accounting firms has no effect on audit switching. From these results, a conclusion can be drawn that H_2 is rejected and public accounting firms reputation is declared unable to influence auditor switching. This is in line with the results of research conducted by Mgammal et al., (2018) which found that auditor rotation was not influenced by public accounting firms reputation. Gopalan and Xie (2011) also found that auditor reputation has not been able to provide a significant influence on auditor switching. Based on these results, it can be concluded that H_3 is rejected, and the audit delay variable has no significant effect on the auditor switching variable. These results are in line with the results of research from Piyawiboon (2015) and Vanstraelen (2000) which found that auditor switching could not be affected by audit delay.

Table 5. Hypothesis Result Specific Indirect Effect

	Hypothesis	Beta (Original Sample)	Sample Mean	T-Statistic	P-value	Meaning
H_4	Financial distress strengthens the effect of audit opinion on auditor switching.	0,791	0,281	6,024	0,000	H_4 is supported and indicates that financial distress strengthening the effect of audit opinion on auditor switching.
H_5	Financial distress strengthens the effect of reputation public accountant firms on auditor switching	-0,405	-0,145	4,201	0,058	H_5 is rejected and indicates that financial distress as moderating has no effect to audit opinion on auditor switching.
H_6	Financial distress strengthens the effect of audit delay on auditor switching	-0,307	-0,201	3,620	0,142	H_6 is rejected and indicates that financial distress as moderating has no effect to audit opinion on auditor switching.

Significant P-value (Sig.) at α = 5%

Moderating variable is a variable that strengthens or weakens the influence of the explanatory (independent) variable on the dependent (dependent) variable. One important feature is that this variable is not affected by the explanatory variable. This variable can be pure moderation or quasi moderation (Chin, Wynne, 1999; Hair et al., 2020; Sarstedt et al., 2014). The calculation results show that the P-value H_4 is 0,000 is accepted, but H_5 is 0,058 and H_6 is 0,142 more than the significance level used at α 0.05, indicating that financial distress as moderating has no effect to audit opinion on auditor switching.

Conclusion for all indirect hypotheses are when a change of auditor occurs due to regulations that limit tenure, the main attention turns to the replacement auditor, no longer to the client. In contrast to the voluntary auditor switching that can occur due to a dispute between the client and the auditor, the mandatory change that occurs is forced separation by regulation. When the client is looking for a new auditor, at that time the information held by the client is greater than the information held by the auditor. This situation is logical because clients will choose auditors who are more likely to agree on their accounting practices. Meanwhile, the auditor may not have complete information about his client. If then the auditor is willing to accept a new client, then this can happen because the auditor already has sufficient information about the new client or the auditor does so for other reasons, such as financial reasons.

CONCLUSION, LIMITATION AND SUGGESTIONS

This research is intended to determine the effect of audit opinion, public accounting firm reputation, audit delay and financial distress as moderating variable on auditor switching. From the overall processing of data analysis in this research, a conclusion as follows: Audit opinion has a positive effect on auditor switching. Corporations that get an opinion other than unqualified will try to change the auditor because, the company already feels that there is no longer a match with its auditor, it is hoped that the change of a new auditor will change the opinion generated in the following year. Public accounting firm reputation and audit delay do not have a positive effect on auditor switching. Corporations that have signed contracts with reputable public accounting firm tend to maintain

using their services and each company chooses public accounting firm that they feel are comfortable, even though they are not from big-four public accounting firm. Audit delay has no positive effect on auditor switching. When an audit delay occurs, the company will not perform auditor switching if the delay does not violate the applicable rules. Financial distress as a moderating variable can strengthen the relationship of audit opinion has a positive effect on auditor switching but is not able to act as a moderating variable for the reputation of the accounting firm and audit delay to auditor switching.

In conducting this research, the researcher found several limitations, the researcher sometimes found it difficult to obtain the desired financial statement data so that at the time of sample selection there were several companies that failed to meet the sample criteria due to the incompleteness of the data. The following are some suggestions that the researcher would like to convey to the next researcher who will examine the same thing, for example using other independent variables that are considered capable of influencing the occurrence of auditor switching, such as: audit fee and management changes.

REFERENCES

1) Abdelghany, K. E. (2005). Measuring the quality of earnings. *Managerial Auditing Journal*, *20*(9), 1001–1015. https://doi.org/10.1108/02686900510625334

2) Abidin, S., & Ahmad-Zaluki, N. A. (2012). Auditor Industry Specialism and Reporting Timeliness. *Procedia - Social and Behavioral Sciences*, *65*, 873–878. https://doi.org/10.1016/j.sbspro.2012.11.213

3) Ardianingsih, A. (2014). Pengaruh audit delay dan ukuran KAP terhadap audit switching : Kajian dari sudut pandang klien. *Jurnal Unikal*, *27*(1).

4) As'ad, M., & Nofryanti. (2021). Pengaruh Opini Audit, Ukuran Kantor Akuntan Publik (KAP) Dan Audit Tenure Terhadap Auditor Switching (Studi Empiris Pada Perusahaan Manufaktur Yang Terdaftar Di Bursa Efek Indonesia Tahun 2015-2019. In *Jurnal Ilmu Akuntansi* (Vol. 19, Issue 1).

5) Baker, M. P., & Wurgler, J. (2007). Investor Sentiment in the Stock Market. In *SSRN*. https://doi.org/10.2139/ssrn.962706

6) Baratta, E. J. (2001). Reference materials for the radionuclide program - Performance evaluation samples. *Accreditation and Quality Assurance*. https://doi.org/10.1007/s007690000242

7) Bowen, R. M., Davis, A. K., & Rajgopal, S. (2002). Determinants of Revenue-Reporting Practices for Internet Firms. *Contemporary Accounting Research*. https://doi.org/10.1506/9728-4YG8-GC3L-FPFA

8) Brahmana, R. K. (2007). Identifying Financial Distress Condition in Indonesia Manufacture Industry. *Journal Business*.

9) Chin, Wynne, N. P. (1999). Structural Equation Modeling Analysis with Small Samples Using Partial Least Square. *Statistical Strategies for Small Sample Research*.

10) Collier, P., & Gregory, A. (1999). Audit committee activity and agency costs. *Journal of Accounting and Public Policy*. https://doi.org/10.1016/S0278-4254(99)00015-0

11) Dao, M., & Pham, T. (2014). Audit Tenure , Auditor Specialization and Audit Report Lag. *Managerial Auditing Journal*, *29*(6). https://doi.org/10.1108/MAJ-07-2013-0906

12) Donaldson, & Davis. (1991). Stewardship Theory or Agency Theory: *Australian Journal of Management*. https://doi.org/10.1177/031289629101600103

13) Elkamhi, R., Ericsson, J., & Parsons, C. A. (2012). The cost and timing of financial distress. *Journal of Financial Economics*. https://doi.org/10.1016/j.jfineco.2012.02.005

14) Ferrer, R. C. (2016). Financial performance, liquidity, financial leverage and the extent of their compliance with IFRS3 business combination between 2006-2010: A test ross' signaling theory. *Academy of Accounting and Financial Studies Journal*.

15) Firsta, & Muniarti. (2017). Pengaruh Ukuran Perusahaan, Umur Perusahaan, Dan Struktur Kepemilikan Terhadap Perataan Laba Pada Perusahaan Perbankan Yang Terdaftar Di Bei Tahun 2011-2014. *Jurnal Ekonomi & Bisnis Dharma Andalas*.

16) Gaganis, C., Hasan, I., & Pasiouras, F. (2016). Regulations, institutions and income smoothing by managing technical reserves: International evidence from the insurance industry. *Omega (United Kingdom)*, *59*, 113–129. https://doi.org/10.1016/j.omega.2015.05.010

17) Gopalan, R., & Xie, K. (2011). Conglomerates and industry distress. *Review of Financial Studies*. https://doi.org/10.1093/rfs/hhr060

18) Hair, J. F., Henseler, J., Dijkstra, T. K., Sarstedt, M., Hair, J. F. ;, Henseler, J. ;, & Dijkstra, T. K. ; (2014). Common Beliefs and Reality about Partial Least Squares: Comments on Rönkkö and Evermann Recommended Citation. *Organizational Research Methods*. https://doi.org/10.1177/1094428114526928

19) Hair, J. F., Howard, M. C., & Nitzl, C. (2020). Assessing measurement model quality in PLS-SEM using confirmatory composite analysis. *Journal of Business Research*. https://doi.org/10.1016/j.jbusres.2019.11.069

20) Hernandez Tinoco, M., & Wilson, N. (2013). Financial distress and bankruptcy prediction among listed companies using accounting, market and macroeconomic variables. *International Review of Financial Analysis*.

https://doi.org/10.1016/j.irfa.2013.02.013

21) Hidayat, R. L., & Wahjoe, D. (2019). Pengaruh Audit Tenure, Audit Switching dan Ukuran Perusahaan Terhadap Kualitas Audit. *E-Proceeding of Management*, *6*(2).

22) Ishak, I., Muhammad Sidek, A. S., & Rashid, A. A. (2010). the Effect of Company Ownership on the Timeliness of Financial Reporting: Empirical Evidence From Malaysia. *UNITAR E-Journal*, *6*(2), 20–35. http://0-search.ebscohost.com.library.vu.edu.au/login.aspx?direct=true&db=aph&AN=55149205&site=eds-live

23) Jackson, S. (2011). Organizational culture and information systems adoption: A three-perspective approach. *Information and Organization*. https://doi.org/10.1016/j.infoandorg.2011.03.003

24) Jaswadi, J., Billington, N., & Sofocleous, S. (2012). CORPORATE GOVERNANCE AND ACCOUNTING IRREGULARITIES: Evidence from the Two-tiered Board Structure in Indonesia. *Asia Pacific Management and Business Application*. https://doi.org/10.21776/ub.apmba.2012.001.01.2

25) Jensen, N., & Meckling, W. (1976). Theory of the firm: Managerial behavior, agency costs, and capital structure. *Journal of Financial Economics*.

26) Keasey, K., Pindado, J., & Rodrigues, L. (2015). The determinants of the costs of financial distress in SMEs. *International Small Business Journal: Researching Entrepreneurship*. https://doi.org/10.1177/0266242614529317

27) Krishnan, J., & Yang, J. S. (2009). Recent trends inaudit report and earnings announcement lags. *Accounting Horizons*. https://doi.org/10.2308/acch.2009.23.3.265

28) Krishnan, G. V. (2003). *Does Big 6 Auditor Industry Expertise*. *1991*, 1–16. https://doi.org/10.2308/acch.2003.17.s-1.1

29) Lin, C., Wu, Y., Kiang, M., Husillos, J., Ghorbanhosseini, M., Finance, M. O. F., Development, E., Kraaijenbrink, J., Groen, A., Master, S. E., Ndamba, R., Accounting, A., Skotarczyk, M. A., Talaja, A., Teng, B., Cummings, J. L., Salvioni, D. M., Bosetti, L., Williams, S. D., … Andriana, D. (2013). Intellectual capital performance of financial institutions in Malaysia. *Journal of Intellectual Capital*. https://doi.org/10.1108/14691930110400182

30) McGee, R. W., & Yuan, X. (2012). Corporate Governance and the Timeliness of Financial Reporting: A Comparative Study of the People's Republic of China, the USA and the European Union. *Journal of Asia Business Studies*, *6*(1), 5–16. https://doi.org/10.1108/15587891211190679

31) Mgammal, M. H., Bardai, B., & Ku Ismail, K. N. I. (2018). Corporate governance and tax disclosure phenomenon in the Malaysian listed companies. *Corporate Governance (Bingley)*. https://doi.org/10.1108/CG-08-2017-0202

32) Miglani, S., Ahmed, K., & Henry, D. (2015). Voluntary corporate governance structure and financial distress: Evidence from Australia. *Journal of Contemporary Accounting and Economics*. https://doi.org/10.1016/j.jcae.2014.12.005

33) Moradi, M., Salehi, M., & Najari, M. (2012). A study of the effective variables on earning management: Iranian evidence. *Research Journal of Applied Sciences, Engineering and Technology*.

34) Naumann, K.-P. (2000). Financial reporting enforcement mechanisms as an element of corporate governance in Germany and reflections on their further development. *European Accounting Review*, *9*(4), 655–672. https://doi.org/10.1080/09638180020024043

35) Panzer, L., & Müller, S. (2015). Earnings quality and gender diversity on German supervisory boards: An empirical analysis. *Problems and Perspectives in Management*.

36) Piyawiboon, C. (2015). Audit Quality, Effectiveness of Board Audit Committee and Earning Quality. *Review of Integrative Business & Economics*. https://doi.org/10.1016/j.tox.2009.12.004

37) Platt, H. D. (1995). Teaching Turnaround Management and Bankruptcy. *Financial Practice and Education*.

38) Ram, B. R., & Hassan, A. N. (2017). Audit quality and audit report lag. *Imperial Journal of Interdisciplinary Research*. https://doi.org/10.1108/ARA-04-2012-0017

39) Saputri, E. R., Setyadi, E. J., Hariyanto, E., & Inayati, N. I. (2021). Pengaruh Audit Tenure, Auditor Switching, Reputasi Auditor, Dan Financial Distress Terhadap Audir Report Lag (Studi Pada Perusahaan Pertambanganyang Terdaftar Di Bursa Efek Indonesia Tahun 2015-2019). *Ratio : Reviu Akuntansi Kontemporer Indonesia*, *2*(2). https://doi.org/10.30595/ratio.v2i2.10374

40) Sarstedt, M., Ringle, C. M., Smith, D., Reams, R., & Hair, J. F. (2014). Partial least squares structural equation modeling (PLS-SEM): A useful tool for family business researchers. *Journal of Family Business Strategy*. https://doi.org/10.1016/j.jfbs.2014.01.002

41) Senbet, L. W., & Wang, T. Y. (2010). Corporate financial distress and bankruptcy: A survey. In *Foundations and Trends in Finance*. https://doi.org/10.1561/0500000009

42) Shackman, J. D. (2013). The use of partial least squares path modeling and generalized structured component analysis in international business research: A literature review. *International Journal of Management*.

43) Skousen, C. J., Smith, K. R., & Wright, C. J. (2009). Detecting and predicting financial statement fraud: The effectiveness of the fraud triangle and SAS No. 99. *Advances in Financial Economics*. https://doi.org/10.1108/S1569-3732(2009)0000013005

44) Soltani, B. (2002). Timeliness of corporate and audit reports. *The International Journal of Accounting*, *37*(2), 215–246. https://doi.org/10.1016/S0020-7063(02)00152-8

45) Supriyati, D. O. D. (2021). Dampak Time Pressure, Audit Switching, Audit Tenure dan Religiusity Terhadap Kualitas Audit. *Tangible Journal*, *6*(1). https://doi.org/10.47221/tangible.v6i1.177

46) Vanstraelen, A. (2000). Impact of renewable long-term audit mandates on audit quality. *European Accounting Review*. https://doi.org/10.1080/09638180020017140

47) Yanti, L. D., & Wijaya, M. D. (2020). Influence Of Auditor Switching , Audit Fee , Tenure Audit and Company Size To Audit Quality. In *eCo-Fin* (Vol. 2, Issue 1).
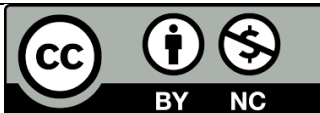
A Study of Perception of Government School Teachers towards No-Detention Policy (NDP)

Dr. Roohi Fatima

Associate Professor, Department of Teacher Training & Non-formal Education (IASE), Faculty of Education
Jamia Millia Islamia, New Delhi 110025

INTRODUCTION

Every society needs well-educated members. Education is the most important responsibility which is given by the society to the teachers for making a far better generation. Teachers play a key role to fulfill the desires and expectations of society. They give their best for the all-around development of children. Teachers are truly nation builders. A student never forgets his teachers. Many educationists, scholars, education commissions gave their contribution to achieving the aims and objectives of the nation as well as society. But to fulfill the needs of a growing population and lack of resources, our nation cannot bear wastage of resources. It is an obligation for the government to provide education to all the children up to class VIII (i.e., between the age of 6 to 14 years). Therefore, if the children do not get promoted to the next class, then new children may not be able to attend that class.

As an important part of Continuous and Comprehensive Evaluation (CCE) under the act of RTE in 2010 the policy of 'No Detention Policy' was implemented to ensure the holistic development of students. The purpose of the No detention policy was to reduce wastage of the country's resources and stagnation of children as well as to reduce the dropout rate. It also provides an environment free from fear, stress, and anxiety to elementary school students as well as allows them to learn and grow in their own space. With the help of these provisions, the no-detention and the development of a progressive and holistic evaluation framework got legal status. It was enunciated in the National Education Policy (1986) and also by the National Curriculum Framework (2005).

After the implementation of the 'No Detention Policy', the competitive attitudes and interest of the students towards their studies have decreased rapidly because they know very well that no one can detain them in the existing class. As for the teachers and parents, they have lost interest in teaching their wards. A horrible situation has been there when the parents did not pay attention to their children and did not bother about whether they are going to school or remained absent even on the day of their test or exam. Generally, it is said that education and learning come down in the schools and they have become the centers for the mid-day meal. For example, the Economic Survey done in 2015-16 pointed out that in the government schools only 42% of children of class V are able to read a text of class II level. Many teachers and educationists have a view that the children do not study and work hard if they do not detain or get an automatic promotion in the next class. It has been observed that the CCE has not been implemented properly and the level of teacher training is not adequate, hence we can say that our education system could not support the policy of no detention. The accountability of the teachers towards achieving the objectives of teaching-learning becomes low when the children are automatically promoted to the next class. The central government asked all the states to share their views on the no-detention policy in 2015. A modification in the No Detention Policy in its current form has been suggested by most of the states. Due to RTE and no-detention policy, not only is 100% enrollment at the primary level a distant dream but a high rate of dropouts of students at the secondary stage has also been observed. The highest dropout rate at the class X level is 17%. These are the main disadvantages of the no-detention policy.

But the picture has another side too. Many people are in favor of the 'No Detention policy' (NDP). They give positive arguments towards this policy. According to them, poor learning outcomes are a result of improper implementation of the RTE and the CCE and inadequate training of teachers rendering them ill-equipped for identifying and improving the weak areas of the child. The reasons for rising dropouts at the secondary level may include less awareness of their parents, economic activities for boys, and domestic work for girls due to lack of interest in education and financial problems. Therefore, the No Detention Policy may not have been responsible alone as a factor for such a high dropout rate. They added, 'No detention Policy' was a positive move as the standard examination evaluated a particular kind of ability of the child and those children who do not have these abilities may fail. Where the child is struggling, continuous and comprehensive Evaluation (CCE) was used for assessments and taking suitable remedial measures so that there is no need for detaining the child in the same class.

A Study of Perception of Government School Teachers towards No-Detention Policy (NDP)

RTE (RIGHT TO EDUCATION) ACT, 2009

A fundamental right of every human being is the right to education. When the creators of our constitution were making this Holy book, they saw a dream of grooming every child. So, they wanted to give the right to education to every citizen of India. But, limited sources were available for a newly independent country. Therefore, the constituent assembly has made a provision for compulsory and free education for all the children up to the age of 14 years within 10 years of proclamation of the Constitution under Article 45 (Directive principles of the state), which is a part of chapter 4 are not enforceable. But it was felt by the educationists, scholars, teachers, and decision-makers that the 21st century is truly an ocean of knowledge and our country cannot lack behind in this race. This century belongs to us and our future generation does need a fundamental right to education. So, there had been an amendment in the Constitution by the parliament, and the Right to Education was made a fundamental right under Article 21A. In 2009, the Right to Education Act was made and it was implemented in 2010. The RTE Act provides that;

➢Every child has a right to free and compulsory education till the completion of elementary education in a neighborhood school.

➢It clarifies the obligation of the government of every state to make an arrangement for the provision of free elementary education and also ensure every child in the age of six to fourteen years gets compulsory admission, attendance, and completion of elementary education. It is called free and compulsory education, here free means that any kind of fee, charge, or expense must not be paid by a child which may affect their right to education. There is a provision for a child who does not go to any school to be admitted to a class that is age-appropriate in any school.

➢In providing free and compulsory education and sharing of financial and other responsibilities between Central and State Governments, this act stipulates the responsibilities and duties of the appropriate government, local authorities, and parents.

➢In this Act, the norms and standards related to pupil-teacher ratios, buildings, and infrastructure, school working days, and teacher-working hours were made.

➢It provides for the appointment of fully trained teachers having appropriate academic qualifications.

➢It also provides that the teachers must be freed from non-educational work, except the election of the local authority, state legislatures and parliament, disaster relief, and population census.

➢This act specifies the most important provisions of the prohibition on

● Mental harassment and physical punishment

● Interviews or screening procedure for admission of children.

● Private tuition by teachers.

● Running of public school without recognition.

● Corrupt practice of capitation fee

➢This Act also provides the all-round development of the child, enhances child's knowledge, talent and potentiality, values mentioned in our constitution, making the child free from fear, anxiety, and trauma through a sensitive system of a child-centered and child-friendly teaching-learning process.

➢It aimed at using a new evaluation system for improving the knowledge and learning of children through Comprehensive and Continuous Evaluation (CCE) in place of the traditional old system of examinations used for evaluating the children.

Genesis of RTE Act 2009 and No Detention Policy- Historical perspectives

At the beginning of the 21st century, the demand for the right to education has grown widely. A democratic government and a welfare state cannot deny the justifiable demand of society. The Right to Education Act had been introduced in 2009 and implemented with effect from April 10, 2010. In Indian history, it is the first time that this right was put in chapter 3 of our constitution forcibly. With the help of this article, children get the entitlement of having a right to an education that is enforced as a fundamental right instead of earlier article 45 under the directive principle of states.

Right to Education means:-

➢In 2002, Article 21-A was inserted in the 86th Amendment in the Indian constitution, which says that it is a fundamental right of all children in the age group of 6 to 14 years to get free and compulsory education.

➢RTE Act 2009 was enacted to provide free and compulsory elementary education to all the children in the age group of 6 to 14 years in a neighborhood school.

➢It mentioned the elementary education system as a combination of two levels, primary level i.e., classes from I to V, and upper primary i.e., classes from VI to VIII.

Need and consequences of No Detention Policy

In 2010, under the act of RTE, the policy of 'No Detention Policy' was implemented as an important part of Continuous and Comprehensive Evaluation to ensure the holistic development of students. The need for this provision was to provide a school environment free from fear, anxiety, and stress to all elementary school children that enable children to grow at their own pace and reduce the dropout rates. The idea was also to reduce wastage of the country's resources as well as the stagnation of children. Under the current provision of the RTE Act, no student can be detained up to class VIII. It was introduced as it was felt by the decision-

A Study of Perception of Government School Teachers towards No-Detention Policy (NDP)

makers that it is very demotivating for a child to compel him/her to repeat a class and they may drop from school without getting elementary education. The main objective of this act is to make learning joyful and remove the fear of examinations among children. The Ministry for Human Resource Development clarified its position on the No Detention Policy, in 2012 by saying that, *The 'no detention' provision is made because examinations are often used for eliminating children who obtain poor marks. Once declared 'fail', children either repeat a grade or leave school altogether. Compelling a child to repeat a class is demotivating and discouraging.*

But after the implementation of the 'No Detention Policy', the competitive attitudes of the students towards their studies decreased rapidly. The students lose their interest in studying. As for the teachers and parents, they felt disappointed. Teachers would lose interest in teaching their students and the parents did not pay attention to their children's study, they get absent from school on and off, even on the day of their test. Many kinds of other problems are faced by the school, such as students missing school due to illness, extended visits to the home of a relative, or habitual long absences without taking permission. Over-aged students who have been admitted due to the provision of the Act, also create a problem for the school administrators such as bullying younger classmates, etc. Students as well as their parents don't realize the importance of education. These are the main disadvantages of the No Detention Policy.

RATIONALE/NEED OF THE STUDY

Teachers cannot fail any student up to class VIII. If a student appeared in any of the *Formative Assessment*, s/he has a right to be promoted to the next class. Even attendance does not matter at all. It is a horrible & undesirable situation especially for the teachers when they know that future generations of India don't have a Minimum Level of Learning (MLL) / competencies to get higher education successfully. So, it is very essential to know what our future builders i.e. teachers (especially working in Government Schools) think about the No Detention Policy. Therefore, a need was felt by the author to check the perception of teachers about the No Detention Policy. Hence, she has chosen this problem i.e. *perception of government school teachers towards the No Detention Policy*, for the necessary study.

Research Questions

The key research questions, which this study aims to reflect upon, are;
1. What do our teachers think about the 'No Detention Policy'?
2. What kinds of problems are faced by the teachers in view of the 'No Detention Policy'?
3. Has the 'No Detention Policy' achieved its objectives successfully?

Objectives of the Study

The following are the objectives of the present study:
1. To study the perception of Government School teachers towards 'No Detention policy'.
2. To study the problems faced by Government School teachers after implementation of 'No Detention Policy.
3. To study the effectiveness of the 'No Detention Policy' in a school environment.

Delimitations of the Study

This study will be delimited to the perception of government school teachers of South Delhi, teaching at upper primary level i.e. (VI-VIII) in the Directorate of Education, and the effectiveness of the 'No Detention Policy.

METHODOLOGY

In the present study, the author used a descriptive survey method to study the perception of the government school teachers towards the No Detention Policy, as it is concerned with the conditions and relationships that exist. It is related to the prevailing practices, prevails and views, attitudes as well as perceptions that are held.

The population of the study

The population of the present study constituted all elementary school teachers working in the government schools of South Delhi.

Sample of the study

In the present investigation, the sample was drawn from the population of government elementary school teachers working in South Delhi under the Directorate of Education, GNCT of Delhi. Looking at the nature of the study, a simple random sampling technique or probability sampling method was used for selecting the required sample of teachers from the District of South Delhi. Ten secondary/elementary schools and 6 teachers from each school were selected, out of 60 teachers, 30 male teachers and 30 female teachers were selected.

Tools and techniques used for data collection

In the present study, to measure the perception of the elementary school teachers working in South Delhi under the Directorate of Education, GNCT of Delhi towards No Detention Policy, a questionnaire was constructed by the researcher. This questionnaire was

A Study of Perception of Government School Teachers towards No-Detention Policy (NDP)

developed after orientation and field group survey/discussion with the targeted population. Every item/question mentioned in the Questionnaire was also discussed with the eminent experts of the research field. The questionnaire has been tried out and tested on 10% of the samples. After a long discussion with the experts of NCERT, and other teacher educators, a questionnaire was weighed and prepared for actual data collection. Hence, a close-ended questionnaire was used to collect data from the target population.

At the top of the questionnaire, the purpose of the questionnaire was clearly mentioned. The questionnaire comprised demographic questions. All the questions were of objective type and mainly based on 'Yes' or 'No' answers. The type of questions on NDP (No detention Policy) ranged from its understanding to the implementation, difficulties or problems faced by the teachers in the implementation of No Detention Policy, and effectiveness of the policy. Valuable suggestions from experienced teachers were also collected and added for betterment and improvement of the 'No Detention Policy.

The procedure of the data collection

Before administration of the questionnaire and rating scale, the purpose of the study was made clear to the sample and the researcher has given clear instructions regarding how to go through the questionnaire. The tool was given to only 6 males and 6 females in each government school. The researcher tried to balance and take views of male and female teachers of the secondary schools in equal ratio. The respondents were assured that their responses would be used for research purposes only and kept confidential.

The procedure of data analysis

After the collection of data, classification and tabulation were done for analysis and interpretation. The responses obtained from the questionnaire were converted into data through tally marks. Each of the objectives is analyzed in detail with the collected data. This analysis was followed by interpretation of data which leads to the findings of the study;

Major findings of the study

The objective wise findings of the present study were as follows:

Objective 1: *To study the perception of Delhi Government school teachers towards 'No Detention policy'.*

The main findings of the study are as follows:-

1. The majority of 32 (53%) out of 60 respondents agreed that a child feels demoralized if he/she is detained in a class.
2. 34 (56%) respondents agreed that a child should be detained if he/she hasn't attained minimum levels of learning at a particular level.
3. The majority of 26 (43%) respondents disagreed that it is never the child but the school system who is responsible for poor performance.
4. The majority of 21 (35%) out of 60 respondents disagreed and 9 (15%) respondents strongly disagreed that the only objective of tests or examinations is to decide who passes and who fails.
5. 23 (38%) respondents disagreed and 21 (35%) out of 60 respondents strongly disagreed that the quality of education has been improved after the implementation of the 'No Detention policy' (NDP).
6. The majority of 28 (46%) respondents agreed and 16 (26%) respondents strongly agreed that the quality of education has been adversely affected after the implementation of the 'No Detention policy' (NDP).
7. The interesting fact is that the majority of 26 (43%) respondents were undecided that the implementation of 'No Detention policy' (NDP) has helped in achieving the goal of universalization of retention whereas 17 (28%) respondents disagreed and 11 (18%) respondents were agreed on this issue.
8. The majority of 35 (58%) respondents agreed and 15 (25%) out of 60 respondents strongly agreed that the tests/exams are necessary for finding the learning gaps of the children and providing the necessary assistance.
9. 27 (45%) out of 60 respondents strongly disagreed and 22 (36%) respondents disagreed that the 'No Detention policy' (NDP) hasn't helped in enrolment / attracting more children into the elementary schools.
10. The majority of 29 (49%) respondents agreed and 6 (10%) respondents strongly agreed that most of the parents are very happy with the 'No Detention policy' (NDP).
11. The majority of 27 (45%) out of 60 respondents strongly disagreed and 22 (36%) respondents disagree that the teachers of secondary level are satisfied after implementation of the 'No Detention policy' (NDP).
12. 33 (54%) out of 60 respondents strongly agreed and 13 (22%) respondents agreed that students are very relaxed and happy with the 'No Detention policy' NDP).

Objective 2: *To study the problems faced by Government School teachers after implementation of 'No Detention Policy*

1. The majority of 42 (70%) secondary school teachers (respondents) disagreed that children fail in the annual examination because they do not receive necessary academic guidance and support.
2. 52 (87%) secondary school teachers (respondents) agreed that children show a lackadaisical (careless) attitude towards their studies.
3. The majority of 53 (88%) out of 60 secondary school teachers (respondents) agreed that if there is an automatic promotion to the next class then students often do not study and work hard.

4.   46 (77%) secondary school teachers (respondents) disagreed that children should be promoted to the next class in spite of failing to achieve a minimum level of competencies.

5.   The majority of 33 (55%) secondary school teachers (respondents) disagreed that children fail in the annual examination because they are incapable of learning.

6.   A very large majority of 55 (92%) out of 60 secondary school teachers (respondents) agreed that children fail in the annual examination because they remain absent from school for a long time.

7.   The majority of 33 (55%) secondary school teachers (respondents) disagreed that they have the freedom to make a decision whether the student should be detained or promoted. Although only a teacher must have to decide whether the student should be detained or promoted. Unfortunately, the present education system doesn't give independence to teachers to do so.

8.   A large significant no. of majority of 57 (95%) secondary school teachers (respondents) were totally agreed that they are facing problems due to implementation of 'No Detention policy' (NDP).

9.   The huge majority of 51 (85%) secondary school teachers (respondents) were strongly agreed that they are facing one or more problems of indiscipline, the tendency of absenteeism, parental non-cooperation, high strength of the class, careless behavior, and declining attention of students towards study, etc.

Objective 3: *To study the effectiveness of the No Detention Policy in the school environment.*

1.   55 (92%) out of 60 secondary school teachers (respondents) strongly disagreed that in the present Indian education scenario, they believe the 'No Detention policy' (NDP) works effectively.

2. The majority of 41 (68%) secondary school teachers (respondents) disagreed that the schools have become only the centers for the mid-day meal, as learning and education are low.

3.   50 (83%) secondary school teachers (respondents) disagreed that the 'No Detention policy' saves resources of the country.

4.   The majority of 54 (90%) secondary school teachers (respondents) strongly agreed that the 'No Detention Policy' should be abolished.

5.   A huge majority of 54 (90%) secondary school teachers (respondents) were strongly agreed and selected one or more one or more reasons such as 'No Detention Policy' is not in the welfare of students, the previous system of evaluation was better and should be reinstated and this policy doesn't allow teachers to detain those students who haven't the minimum level of learning.

6.   Only 06 (10%) respondents found 'No Detention Policy' effective due to one or more reasons such as 'No Detention Policy' has helped in increasing enrolment, it helped in reducing drop-out rate of students and increasing teachers' respect in society.

7.   The majority of 37 (62%) secondary school teachers (respondents) disagreed that the 'No Detention Policy' has helped in achieving the ultimate goals of universalization of Elementary Education (UEE).

8.   39 (65%) secondary school teachers (respondents) agreed that the 'No Detention policy' has helped in enrolment and retention of CWSN (Children with Special Needs).

9.   The majority of 54 (90%) secondary school teachers (respondents) strongly disagreed that the overall quality of education and school environment has improved because of the 'No Detention policy'.

10.   Significantly, a large number of the majority of 53 (88%) secondary school teachers (respondents) strongly agreed that with the 'No Detention policy' the quality of education has been compromised.

DISCUSSION OF RESULTS

This study was planned to find some curious answers related to the 'No Detention policy'. After a long process of study and review of previous research, articles, books, journals, reports, dissertations, thesis, etc. which show some relevance to provide a background to the study, researcher planned research method, selection of the sample, making of research tools and collection of data, its tabulation, interpretation, and analysis of data collected.

Mainly three objectives had been decided earlier:-

1.   To study the perception of Delhi Government school teachers towards 'No Detention policy'.

2.   To study the problems faced by Government School teachers after the implementation of the No Detention Policy.

3.   To study the effectiveness of the No Detention Policy on the school environment.

The responses collected from the sample respondents of both male and female teachers presently working in the Directorate of Education Government of NCT of Delhi (especially South District) show some significant results and give answers to the pre-decided objectives. The main findings of the study may be useful for policymakers, educationists, and teachers as follows:-

This study reveals the *perception of Delhi Government Elementary school teachers towards 'No Detention policy'.* The majority of both male and female teachers show that respondents agreed that a child feels demoralized if he/she is detained in a class and a child should be detained if he/she hasn't attained minimum levels of learning at a particular level. The majority of respondents

strongly agreed that the quality of education has been adversely affected after the implementation of the 'No Detention policy' (NDP) and the tests /exams are necessary for finding the learning gaps of the children and providing the necessary assistance. This study reveals the fact that the majority of respondents agreed that most of the parents are very happy with the 'No Detention policy' and students are very relaxed and happy with the 'No Detention policy'.

The majority of respondents disagreed that it is never the child but the school system who is responsible for poor performance and the only objective of tests or examinations is to decide who passes and who fails. This study is able to open educationists' eyes that the majority of respondents strongly disagreed that the quality of education has been improved after the implementation of the 'No Detention policy'.

On the basis of responses received from the respondents, it reveals the interesting fact that the majority of respondents were undecided about the fact that implementation of the 'No Detention policy' (NDP) has helped in achieving the goal of universalization of retention. Most of the respondents believed that the 'No Detention policy' (NDP) has helped in enrolment and attracting more children into the elementary schools. This study shows that a huge majority of respondents strongly disagree that the teachers of secondary level are satisfied after implementation of the 'No Detention policy' (NDP).

This research study gives an answer to the second objective which is **"*To study the problems faced by Government School teachers after implementation of No Detention Policy* '**as follows:-

The majority of secondary school teachers (respondents) disagreed that children fail in the annual examination because they do not receive necessary academic guidance and support and they strongly disagree children should be promoted to the next class in spite of failing to achieve a minimum level of competencies The respondents were totally disagreed that children fail in the annual examination because they are incapable of learning. Most of them responded that children have enough to learn. A large no. of respondents disagreed that they have the freedom to make decisions whether the student should be detained or promoted. They never have been consulted about the policies. Only the higher authorities decide whether the child should be promoted or not.

The majority of secondary school teachers (respondents) agreed that children show a lackadaisical (careless) attitude towards their studies after implementation of the 'No Detention Policy' and they often do not study and work hard if there is an automatic promotion to the next class. Most of the respondents thought that children fail in the annual examination because students remain absent from school for a long time.

A very large no. of respondents were totally agreed that they are facing problems due to the implementation of the 'No Detention policy' such as problems of indiscipline, the tendency of absenteeism, parental non-cooperation, high strength of the class, careless behavior, and declining attention of students towards study.

This research study gives an answer to the third objective which is "*To study the effectiveness of the No Detention Policy in the school environment"* as follows:-

It is evident from the responses that the majority of secondary school teachers (respondents) strongly disagreed that in the present Indian education scenario, they didn't believe that the 'No Detention policy' works effectively or saves resources of the country. Most of the respondents didn't believe that schools have become only for the mid-day meal, as education and learning are low. All of them work hard to achieve the goals of education.

The majority of respondents disagreed that the 'No Detention policy' has helped in achieving the ultimate goals of universalization of Elementary Education (UEE) and they strongly disagree that the overall quality of education and school environment has improved because of the 'No Detention policy'. It is evident from the responses that the majority of the teachers (respondents) strongly agreed that with the 'No Detention policy' the quality of education has been compromised.

Educational implications and conclusions of the study

The study has implications for policymakers, administrators, curriculum framers, and teachers. The present study's findings can help the authorities implement the 'No Detention policy' in an effective manner. It may help the school administrators to identify the main problem faced by teachers in the actual classrooms and schools in the execution of the No Detention Policy. They may take appropriate steps to solve the problems of students.

From the findings of this study, we may say that there is moderate acceptability among government teachers regarding the No Detention Policy. Teachers are capable of executing the 'No Detention policy' in an effective manner if adequate training, justifiable pupil-teacher ratio, freedom to make decisions, and sympathetic support of the education system are provided to them. Problems faced by the teachers in school daily should be heard sympathetically and rectified by the authorities precisely. They should be involved in each and every step of the decision-making process. Who can deny that the goal of education can only be fulfilled by the teachers ultimately? So the pain they feel should be medicated, the inner voice of the ultimate stakeholder must be heard on a priority basis.

SUGGESTIONS FOR FURTHER RESEARCH

Some suggestions for further educational research are given below:-

 i. The present study was limited to 10 Government secondary schools of the northwest district of Delhi. A similar study can be undertaken for drawing wider generalizations covering large no. of schools.
 ii. There can be a study of follow-up of the implementation of the 'No Detention policy' in schools to know the effectiveness of the policy.
 iii. A study can be undertaken to examine the 'No Detention policy' impact on administrators, teachers, students, and their parents.
 iv. There can also be a comparative study of the implementation of 'No Detention policy' between schools of rural and urban areas, MCD schools and Directorate of education schools, the attitude of male and female teachers or parents towards 'No Detention policy', government and public schools teachers' perception towards 'No Detention policy'.

REFERENCES

1) Asfa M. Yasin (2014) "Quality in Education Versus No Detention Policy" by Professor and Head, Department of Agriculture and Animal Husbandry, PSSCIVE, Shyamla Hills,
2) Dutt Alka (2014), Assistant Professor, Department of Education, S.P.M. College, University of Delhi, Delhi (India) research paper on "Perception of Teachers towards No- detention Policy" in Scholarly Research Journal For Interdisciplinary Studies (SRJIS), VOL. II/X, JAN - FEB, 2014 (www.srjis.com)
3) Gunjan Sharma (2016) an eminent teacher, author, and researcher in the School of Education Studies at Ambedkar University Delhi writes in Economic & Political Weekly (EPW) February 27, 2016 vol. II no. 9 article titled: *Reversing the Twin Ideals of Right to Education: Continuous and Comprehensive Evaluation and No Detention.*
4) Kumar, Prakash (2014) 'No exams, No Detention Policy in schools proves disastrous' article written in Deccan Herald on Aug 03, 2014.
5) Liffy Thomas (2012), article 'No detention policy works' published in 'The Hindu' (Chennai) on May 18, 2012.
6) NCF (National Curriculum Framework, 2005
7) Report of CABE Sub Committee on Assessment on implementation of CCE and no detention provision", 2015, Ministry of Human Resource & Development http://mhrd.gov.in/sites/upload_files/mhrd/files/document-reports/AssmntCCE.pdf
8) Right of Children to Free and Compulsory Education (Amendment) Bill, 2019
9) Right to Education Act (RTE), 2009
10) The National Commission for the Protection of child rights (NCPCR) document.
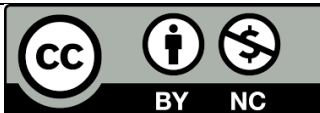
Legal Politics of Environmental Protection and Management in Indonesia

Ayu Qurrota A'yun[1], Muh. Afif Mahfud[2]

[1,2]Faculty of Law, Universitas Diponegoro

ABSTRACT: This paper examines the position of Law No. 32 of 2009 concerning Environmental Protection and Management as a legal product based on the legal ideals of Pancasila and examines the legal politics of the position of Law No. 32 of 2009 concerning Environmental Protection and Management so that it can become a legal product that creates environmental sustainability. This paper uses a normative juridical method. The results of this paper indicate that Law No. 32 of 2009 concerning Environmental Protection and Management has a position under the goals of the Indonesian state, namely to create a good and healthy environment that makes people prosperous. It has been stated in Article 65 that everyone has the right to a good and healthy environment as part of human rights. The legal politics of Law Number 32 of 2009 concerning Environmental Protection and Management in accordance with the provisions of Article 28 H paragraph (1), Article 33 paragraph (3), (4) and (5) of the 1945 Constitution, which is the state's legal policy in managing the environment and use of natural resources.

KEYWORDS: Legal Politics, Environment, Welfare

INTRODUCTION

Indonesia has abundant biodiversity and natural resources. This wealth needs to be protected and managed in an environmentally minded marine, land, and air environment protection and management system. Environmentally minded means that the interests of environmental sustainability become the main thing.[1] Indonesia is also in a very vulnerable position to the impacts of climate change. These impacts include decreased food production, disruption of water availability, the spread of pests and human diseases, rising sea levels, sinking of small islands, and the loss of biodiversity. The availability of natural resources in quantity or quality is not evenly distributed, while development activities require increasing natural resources. Development activities also carry the risk of pollution and environmental damage.[2]

Environmental problems in Indonesia and even in the world are multidimensional problems related to many groups. Environmental problems are very important because the quality of the environment directly affects the quality of human life. Environmental cleanliness is a measure of people's quality of life. A prosperous and peaceful life by having a clean environment is a basic right of every Indonesian citizen as mandated in Article 28 H of the 1945 Constitution of the Republic of Indonesia which reads, Everyone has the right to live in physical and spiritual prosperity, to live and to have a good and healthy environment, and have the right to obtain health services.

A healthy life begins with a healthy environment too. But today, many problems occur due to environmental pollution and destruction. One of the impacts of environmental problems is the damage to public health in the environment. Various kinds of community diseases arise due to environmental pollution.[3] For example, water-borne diseases such as diarrhea, cholera, typhus abdominalis.[4]

The great influence due to the damage or contamination of the environment on health makes the importance of environmentally-minded development. Apart from health, pollution and environmental damage also have an impact on all components around the environment. The environment includes the physical environment and the social environment. The physical environment is everything around humans that is in the form of inanimate objects. The social environment is an environment that has several aspects, including social aspects, psychological attitudes, spiritual attitudes, and so on.

---

[1] Jimly Asshiddiqie, *Green Constitution* (Jakarta: Raja Grafindo Persada, 2009). Hlm. 34.

[2] Muhamad Sadi Is, "Legal Certainty for Environmental Protection," *Jurnal Yudisial* 13, no. 3 (2020): 311–327.

[3] Putu Ary Prasetya Ningrum, "Perlindungan Hukum Lingkungan Terhadap Dampak Perilaku Masyarakat Yang Membuang Sampah Di Sungai," *Pariksa* 5, no. 1 (2021): 60–66.

[4] I Wayan Redi Aryanta, "Pengaruh Pencemaran Lingkungan Terhadap Kesehatan Masyarakat," *Prosiding Seminar Nasional* 978-602–91 (2016): 224–231.

Legal Politics of Environmental Protection and Management in Indonesia

Seeing the complex problems regarding environmental pollution and destruction, Indonesia as a state of the law with a modern system has a function as a means to facilitate the process of social interaction, namely by viewing law as a social control mechanism that is general and operates equally in almost all sectors of people's lives. Bredemeier stated that the main function of a legal system is integrative, meaning to reduce the elements of potential conflict in society and to smoothen the process of social interaction.[5] Legislation exists to provide legal certainty for the entire community, so to ensure legal certainty against problems of environmental destruction and pollution, the community must be able to contribute to the protection and management of the environment. The government has prepared a special environmental law to ensnare the destroyers and polluters of the environment, namely Law Number 4 of 1982 concerning the Environment and Law Number 23 of 1997 concerning environmental management and has been refined by Law Number 32 of 2009 concerning Environmental Protection and Management.

Pancasila as a legal ideal (*rechtsidee*) is the source of all sources of national law. The formation of statutory regulation is the embodiment of the values contained in Pancasila as the legal ideals of the Indonesian nation. The task of the legislators is to implement the values of Pancasila into the content of the law, not to normative Pancasila with the law.

Laws and regulations that are influenced by the direction of political policies from legislators will produce political products through a sequence of laws and regulations which meet the aspirations of all Indonesian people. Law Number 32 of 2009 concerning Environmental Protection and Management must be able to realize its policy directions philosophically, juridically, and sociologically so that it can become a legal product that creates the welfare of citizens in the protection and management of the environment and natural resources in Indonesia. So here the author was interested in studying more deeply about the legal politics of Law Number 32 of 2009 concerning Environmental Protection and Management to realize environmental welfare and preservation. Based on the description above, this paper will specifically discuss issues regarding; What is the position of Law No. 32 of 2009 concerning Environmental Protection and Management as a legal product based on the legal ideals of Pancasila? How is the legal politics of Law No. 32 of 2009 concerning Environmental Protection and Management in realizing environmental welfare and protection?

RESEARCH METHOD

The approach method in this study used a normative juridical approach. The research used descriptive-analytical, which described the norms studied and associated with theories, and opinions of legal experts. The source of data in this study was sourced from library research, which research was conducted based on books, literature related to the problem to be studied. The type of data collected was in the form of secondary data obtained from the literature consisting of primary legal materials, secondary legal materials, and tertiary legal materials. Data processing began after all the required data was completely fulfilled. The collected data were sorted based on their relevance and usefulness in this research. After the data was grouped according to its purpose and use, then it was processed and described accurately. The data analysis method used in this research was descriptive qualitative analysis, namely analyzing data by describing the symptoms or phenomena and facts obtained in the field objectively to answer research problems.[6]

DISCUSSION

1. Law No. 32 of 2009 concerning Environmental Protection and Management position as a legal product based on the legal ideals of Pancasila

Indonesia is a legal state that has civil law characteristics with the characteristics of written legal regulations (codified law) and the main source of law in state administration, as an antinomy to the common law system centered on jurisprudence (Judge made law). Codification is important in the characteristics of civil law.[7] These written regulations are known as statutory regulations (*wettelijke regeling*). The Black's Law Dictionary defines it as a legal regulation that comes from the law, in addition to the constitution or judicial decisions.[8] Law is the normative life of the state and its citizens. The law determines and regulates how the relationship is carried out and what the consequences are. The law provides guidelines for behavior, whether it is prohibited, required, or permitted. This normalization is carried out by making a general framework and then further elaborated in various forms of existing laws and regulations.[9]

As a source of Indonesian legal order, Pancasila is contained in the highest provision, namely the Preamble to the 1945 Constitution, which was later concretized or described in the articles of the 1945 Constitution and the regulations below. Pancasila as the basis of the state is the source of all sources of Indonesian law. With this source of law, Hans Klasen formulated a legal

---

[5] Esmi Warasih, *Pranata Hukum Sebuah Telaah Sosiologis* (Semarang: Badan Penerbit Universitas Diponegoro, 2011).

[6] Suteki and Galang Taufani, "Metode Penelitian Hukum (Filsafat, Teori, Dan Praktik)," ed. 3 (Depok: Rajawali Pers, 2020), 176.

[7] Fais Yonas Bo'a, "Pancasila Sebagai Sumber Hukum Dalam Sistem Hukum Nasional," *Jurnal Konstitusi* 15, no. 1 (2018): 27–49. Hlm. 27.

[8] Azwad Rachmat Hambali, Rizki Ramadani, and Hardianto Djanggih, "Politik Hukum PERMA Nomor 1 Tahun 2020 Dalam Mewujudkan Keadilan Dan Kepastian Hukum Terhadap Pemidanaan Pelaku Korupsi" 5, no. 36 (2021): 200–223.

[9] Warasih, *Pranata Hukum Sebuah Telaah Sosiologis*.

Legal Politics of Environmental Protection and Management in Indonesia

system in the form of a pyramid building known as *stufenbautheory*. This legal view is then adopted in the Indonesian legal system, where legal norms are placed in a tiered, layered, and grouped system. In the sense that these legal norms must be sourced from higher legal norms, and higher legal norms must be sourced from higher legal norms, and so on until a norm of the state's highest legal source, namely Pancasila. Thus, Pancasila as the source of all sources of law is placed at the top of the pyramid, which is likened to a flowing spring that feeds and animates the norms under it.[10]

Pancasila as a legal ideal (*rechtsidee*) is the source of all sources of national law. In other words, statutory regulation is nothing but the embodiment of the values contained in Pancasila. The task of the legislators is to implement the values of Pancasila into the content of the law. However, in practice, there are still problems in the formation of laws and regulations in Indonesia. In general, the issue of rigidly forming laws and regulations in Indonesia has been regulated in Law Number 12 of 2011 jo. Law Number 15 of 2019 concerning the Establishment of Legislation. In this regulation, statutory regulations are defined as written regulations that contain legally binding norms in general and are established or stipulated by state institutions or authorized officials through the procedures stipulated in the laws and regulations (Article 1 point 2).[11]

According to Burkhadt Krem as quoted by Attamimi, the formation of laws and regulations includes activities related to the content or substance of regulations, methods of formation, as well as processes and procedures for establishing regulations. Each part of the activity must meet its requirements so that the legal product can apply properly, both juridically and politically, and sociologically. Therefore, according to Krems, the formation of laws and regulations is not a mere juridical activity, but an interdisciplinary activity. This means that every activity of forming laws and regulations requires the assistance of these sciences so that the resulting legal products can be accepted and receive recognition from the community.

In the explanation of the 1945 Constitution of the Republic of Indonesia Article 1 paragraph 3, it is expressly stated that the Republic of Indonesia is a state of law. Eine Rechtstaat, "a state based on law, a state governed by law". It means that the law is not a product formed by the highest institutions of the state alone. Rather, it underlies and directs the actions of the Institute. Law is the basis and guide for all aspects of social, national, and state activities. The Indonesian people both in political, economic, social, cultural, defense and security life as well as in legal life (in a narrow sense) must always be guided by the institution, namely the law.[12]

The process of making laws as a form of legal development is a series of events that begin with planning, proposing, discussing, and ratifying, all of these processes are carried out by actors who in a modern democratic system are called the executive (the president and his line ministries) and the legislature (DPR). In a democratic system of law formation, the process of the formation of the law has a bottom-up type, which requires that the legal material that is intended is a reflection of the values and will of the people.[13]

Making laws and regulations, and realizing the values contained in legal ideals into legal norms, really depends on the level of awareness and appreciation of the legislators. The absence of awareness and appreciation of these values will create a gap between legal ideals and legal norms that are made. Therefore, in the Republic of Indonesia, which has the legal ideals of Pancasila as well as the State's Fundamental norm, every regulation made should be colored and flowed by the values contained in the legal ideals.[14]

The legal ideals under the objectives of the State of Indonesia have been stated in Law Number 32 of 2009 Article 65 which states that everyone has the right to a good and healthy environment as part of human rights. Indonesia's environmental law enforcement system, which results in court decisions against perpetrators of environmental pollution and environmental law products can achieve legal ideals and realize democratic values for all Indonesian people.[15]

2. The legal politics of Law No. 32 of 2009 concerning Environmental Protection and Management in realizing environmental welfare and protection

Moh. Mahfud MD argued that legal politics is an official policy direction or line that is used as a foothold and a way to make and implement laws to achieve the goals of the nation and state.[16] The official policy in force and currently in effect in Indonesia is Law Number 32 of 2009 concerning Environmental Protection and Management. Padmo Wahyyono argued that legal politics is a basic policy that determines the direction, form, and content of the law to be formed.[17]

Moh. Mahfud MD stated that legal politics is a legal policy that will be or has been implemented nationally by the Indonesian

---

[10] Ahmad Ainun Najib, "Pergeseran Peran Partai Politik Dalam Mewujudkan Produk Hukum Yang Berdasarkan Pancasila," *Nurani Hukum* 2, no. 2 (2020): 1.

[11] Warasih, *Pranata Hukum Sebuah Telaah Sosiologis*.

[12] Ibid.

[13] Muhammad Reza Maulana, "Upaya Menciptakan Produk Hukum Berkualitas Konstitusi Melalui Model Preventif Review," *Jurnal Konstitusi* 15, no. 4 (2019): 774.

[14] Warasih, *Pranata Hukum Sebuah Telaah Sosiologis*.

[15] A Y Pawestri, "Cita Hukum Dan Demokrasi Dalam Sistem Penegakan Hukum Lingkungan Indonesia," *Fairness and Justice: Jurnal Ilmiah Ilmu Hukum* 17 (2019): 96–111.

[16] Moh Mahfud MD, *Politik Hukum Di Indonesia*, Cetakan ke. (Jakarta: Pers, Rajawali, 2014).

[17] Padmo Wahyono, "Politik Hukum Nasional" makalah (1966): Jakarta.

Legal Politics of Environmental Protection and Management in Indonesia

government. This Legal Policy consists of, first, the development of the law with the core of making and updating legal materials so that they are following the needs. Second, the implementation of existing legal provisions, including the affirmation of the function of the institution and the guidance of law enforcers. So according to Moh Mahfud MD, legal politics includes the process of making and implementing laws that can show the nature and direction in which the law is built and enforced.[18] When talking about legal policies, the 1945 Constitution as a basic norm is the main basis, including in the management of the environment and natural resources. Law Number 32 of 2009 concerning Environmental Protection and Management has complied with the provisions of Article 28 H paragraph (1), Article 33 paragraph (3), (4), and (5) of the 1945 Constitution, which is the state's legal policy in environmental management and use of natural resources. Article 28 H paragraph (1) states that "everyone has the right to live in physical and spiritual prosperity, to have a place to live, and to have a good and healthy living environment and have the right to obtain health services". Article 33 paragraph 4 of the 1945 Constitution "The national economy is organized based on economic democracy with the principles of togetherness, efficiency, justice, sustainability, environmental insight, independence, and by maintaining a balance of progress and national economic unity". Article 33 paragraph (5) states that further provisions are regulated in law.

From the provisions of Article 28 H paragraph (1), Article 33 paragraph (3), (4) and (5) of the 1945 Constitution, 5 important things become legal state policies in environmental management and utilization of natural resources, namely:[19]

a. Environmental management and utilization of natural resources must be placed within the framework of recognizing, protecting, and fulfilling the human rights of every citizen to a good and healthy environment. In other words, the human right to a good and healthy environment cannot be sacrificed due to the implementation of development and utilization of natural resources;

b. Environmental management and utilization of natural resources are the responsibility of the state, where through the state's right to control, the state makes rules and policies for the use of the environment and natural resources; The welfare of the people becomes the philosophical and sociological basis for all activities and activities of environmental management and utilization of natural resources for the welfare of the people;

c. Environmental management and utilization of natural resources is a means to achieve sustainable development with an environmental perspective, in the sense that the objectives of environmental management and utilization of natural resources include not only the welfare of the people but also aspects of environmental sustainability and national economic progress.

d. There is a delegation of further regulations regarding environmental management by law.

Thus, Law Number 32 of 2009 concerning Environmental Protection and Management states that a good and healthy environment is a human right and a constitutional right for Indonesian citizens. Therefore, the State and the government, and all elements of Indonesian society are obliged to protect and manage the environment to realize the welfare of the Indonesian people.

Thus, Law Number 32 of 2009 concerning Environmental Protection and Management was born as a policy in environmental protection and management. Philosophically, Law Number 32 of 2009 concerning Environmental Protection and Management views and respects the importance of the right to a good and healthy environment for citizens.

Associated with the opinion of Moh. Mahfud MD that the policy directions of Law Number 32 of 2009 concerning Environmental Protection and Management which are used as the basis for achieving the goals of the nation and state are as follows:

a. That a good and healthy environment is a human right of every Indonesian citizen as mandated in Article 28 H of the 1945 Constitution of the Republic of Indonesia

b. Whereas the national economic development as mandated by the 1945 Constitution of the Republic of Indonesia is carried out based on the principles of sustainable development and is environmentally minded.

c. That the spirit of regional autonomy in the administration of the government of the Unitary State of the Republic of Indonesia has brought about changes in the relationship and authority between the Government and regional governments, including in the field of environmental protection and management.

d. That the declining quality of the environment has threatened the sustainability of human life and other living creatures, so it is necessary to carry out serious and consistent environmental protection and management for environmental protection and management by all stakeholders.

e. That increasing global warming results in climate change that exacerbates the decline in the quality of the environment, therefore it is necessary to protect and manage life.

f. That in order to better guarantee legal certainty and provide protection for everyone's right to get everyone's environment to get a good and healthy environment as part of the protection of the entire ecosystem, it is necessary to reform Law

---

[18] MD, *Politik Hukum Di Indonesia*.

[19] Dani Amran Hakim, "Politik Hukum Lingkungan Hiup Di Indonesia Berdasarkan Undang_undang Nomor 32 Tahun 2009 Tentang Perlindungan Dan Pengelolaan Lingkungan Hidup," *Fiat Jurnal Ilmu Hukum* 9, no. 2 (2015).

Number 23 of 1997 concerning Environmental Management.

Based on the content of the preamble contained in Law Number 32 of 2009 concerning Environmental Protection and Management, if the law is analyzed juridically, the regulations established by the state aim to overcome legal problems by considering existing regulations, which will be changed, or which will be functioning in ensuring legal certainty and a sense of community justice. So the basis for the realization of Law Number 32 of 2009 concerning Environmental Protection and Management aims to provide legal certainty and provide protection for everyone's right to a good and healthy environment as part of the protection of the entire ecosystem, and this goal has become the basis the realization of Law Number 23 of 1997 in the preamble of the letter (f).

With this goal to be achieved, there must be authority holders to be able to discipline this Law by the Government and regional governments, as well as aiming to create a regional autonomous economy spirit in the administration of the government of the Unitary State of the Republic of Indonesia. This has been written in the preamble to the letter (c) of Law Number 23 of 1997.

If a law is analyzed sociologically, then the law must be able to meet the needs of the community in terms of the development of problems, the needs of the community, and the state. So the basis for the realization of Law Number 32 of 2009 concerning Environmental Protection and Management aims to provide solutions to the declining quality of the environment which has threatened the sustainability of human life and other living things, so it is necessary to protect and manage the environment, conscientiously and consistently, by all stakeholders. In this case, it has been written in the preamble to the letter (d) of Law Number 23 of 1997.

Thus, the Ius Constituendum (direction of legal formation) related to Law Number 32 of 2009 concerning Environmental Protection and Management is quite responsive through legislation in the environmental sector. In order to realize the creation of environmental protection and management, Law Number 32 of 2009 concerning Environmental Protection and Management states 6Ps, namely planning (*Perencanaan*), utilization (*Pemanfaatan*), control (*Pengendalian*), maintenance (*Perawatan*), supervision (*Pengawasan*), and law enforcement (*Penegakan hukum*).[20] The direction of the formation of this law will guide the formation of laws and regulations so that they are following the national objectives, namely the management and protection of the environment.

CONCLUSION

Based on the description above, it has been explained that Indonesia as a legal state that has a modern system has a legal source, namely Pancasila. Pancasila as a legal ideal is the source of all sources of national law. The process of forming the law is an embodiment of the values contained in the legal ideals of the Indonesian state, namely Pancasila. Law No. 32 of 2009 concerning Environmental Protection and Management has a position under the goals of the Indonesian state, to create a good and healthy environment that makes people prosperous. It has been stated in Article 65 that everyone has the right to a good and healthy environment as part of human rights.

The legal politics of Law No. 32 of 2009 concerning Environmental Protection and Management is a directive or official policy line that is used as the basis and method for making and implementing laws to achieve the goals of the nation and state. These legal politics includes the process of making and implementing laws that can indicate the nature and direction in which the law is built and enforced. Law Number 32 of 2009 concerning Environmental Protection and Management has complied with the provisions of Article 28 H paragraph (1), Article 33 paragraph (3), (4), and (5) of the 1945 Constitution, which is the state's legal policy in environmental management and use of natural resources. Legislation in the environmental field has a function to realize the creation of good and healthy environmental protection and management. Law Number 32 of 2009 concerning Environmental Protection and Management states 6Ps, planning (*Perencanaan*), utilization (*Pemanfaatan*), control (*Pengendalian*), maintenance (*Perawatan*), supervision (*Pengawasan*), and law enforcement (*Penegakan hukum*).

RECOMMENDATION

Political law and legislation in Indonesia must be carried out in a straight line based on the ideals of the Indonesian state law, Pancasila. To create legislation that has fair content material following the interests of the community, to be able to reduce the birth of legislation that is not responsive and aspirational and does not reflect the values of Pancasila.

Law No. 32 of 2009 concerning Environmental Protection and Management must as well as maintain legal politics that have sought the basis of footholds, directions to realize the goals of the Indonesian state which expects the realization of welfare and environmental sustainability of the community.

BIBLIOGRAPHY

1) Aryanta, I Wayan Redi. "Pengaruh Pencemaran Lingkungan Terhadap Kesehatan Masyarakat." *Prosiding Seminar Nasional* 978-602–91 (2016): 224–231.

---

[20] *Undang-Undang Republik Indonesia Nomor 32 Tahun 2009 Tentang Perlindungan Dan Pengelolaan Lingkungan Hidup*, 2009.

Legal Politics of Environmental Protection and Management in Indonesia

2) Dani Amran Hakim. "Politik Hukum Lingkungan Hiup Di Indonesia Berdasarkan Undang_undang Nomor 32 Tahun 2009 Tentang Perlindungan Dan Pengelolaan Lingkungan Hidup." *Fiat Jurnal Ilmu Hukum* 9, no. 2 (2015).

3) Fais Yonas Bo'a. "Pancasila Sebagai Sumber Hukum Dalam Sistem Hukum Nasional." *Jurnal Konstitusi* 15, no. 1 (2018): 27–49.

4) Hambali, Azwad Rachmat, Rizki Ramadani, and Hardianto Djanggih. "Politik Hukum PERMA Nomor 1 Tahun 2020 Dalam Mewujudkan Keadilan Dan Kepastian Hukum Terhadap Pemidanaan Pelaku Korupsi" 5, no. 36 (2021): 200–223.

5) Is, Muhamad Sadi. "Legal Certainty for Environmental Protection." *Jurnal Yudisial* 13, no. 3 (2020): 311–327.

6) Jimly Asshiddiqie. *Green Constitution*. Jakarta: Raja Grafindo Persada, 2009.

7) Maulana, Muhammad Reza. "Upaya Menciptakan Produk Hukum Berkualitas Konstitusi Melalui Model Preventif Review." *Jurnal Konstitusi* 15, no. 4 (2019): 774.

8) MD, Moh Mahfud. *Politik Hukum Di Indonesia*. Cetakan ke. Jakarta: Pers, Rajawali, 2014.

9) Najib, Ahmad Ainun. "Pergeseran Peran Partai Politik Dalam Mewujudkan Produk Hukum Yang Berdasarkan Pancasila." *Nurani Hukum* 2, no. 2 (2020): 1.

10) Ningrum, Putu Ary Prasetya. "Perlindungan Hukum Lingkungan Terhadap Dampak Perilaku Masyarakat Yang Membuang Sampah Di Sungai." *Pariksa* 5, no. 1 (2021): 60–66.

11) Pawestri, A Y. "Cita Hukum Dan Demokrasi Dalam Sistem Penegakan Hukum Lingkungan Indonesia." *Fairness and Justice: Jurnal Ilmiah Ilmu Hukum* 17 (2019): 96–111.

12) Suteki, and Galang Taufani. "Metode Penelitian Hukum (Filsafat, Teori, Dan Praktik)." edited by 3, 176. Depok: Rajawali Pers, 2020.

13) Wahyono, Padmo. "Politik Hukum Nasional" makalah (1966): Jakarta.

14) Warasih, Esmi. *Pranata Hukum Sebuah Telaah Sosiologis*. Semarang: Badan Penerbit Universitas Diponegoro, 2011.

15) *Undang-Undang Republik Indonesia Nomor 32 Tahun 2009 Tentang Perlindungan Dan Pengelolaan Lingkungan Hidup*, 2009.

The Ideology of Cultural Preservation in the Legong Sambeh Bintang Dance in Bangle Village, Karangasem

Ni Nyoman Manik Suryani

Dance Department, Faculty of Arts, Indonesia Institute of the Arts Denpasar & Jl. Nusa Indah, Denpasar, Bali, Indonesia.

ABSTRACT: The purpose of this publication is to announce the results of research on the ideology and performances of the Legong Sambeh Bintang dance. The Legong Sambeh Bintang is a traditional Balinese dance that is preserved by the Bangle Villager. However, not all people in Bali preserve the Legong Sambeh Bintang dance. The questions are: 1) What is the form of the Legong Sambeh Bintang Dance in Bangle Village?; 2) Why do people in Bangle Village preserve the Legong Sambeh Bintang dance?. This article has been completed based on qualitative research. All the primary data has been collected through interviews with informants and observations in Bangle village. The data collection is completed by the data collected through a literature study on the ideology and art of Balinese dance. The totality of the data in the study was analyzed qualitatively by using aesthetic theory and the theory of power relations of knowledge. The results of the study show that : 1) the form of the Legong Sambeh Bintang dance is a delicate princess dance which is traditionally classified as *wali* art and non-representational art. This Legong show can be danced by up to 50 female dancers with uncomplicated movements and Balinese clothing that has a design pattern like the rays of the stars in the sky to be able to build the representation of many nymph; 2) The Bangle Villager preserves the Legong Sambeh Bintang dance because it is closely related to the perfection of spiritual practice through the Village Ngusaba Ceremony in their cultural heritage, aesthetic taste, and social comfort in Bangle Village. Ideologically, the great interest of the local people in always carrying out the Ngusaba Desa ceremony perfectly and seeking entertainment that can build social comfort has resulted in the sustainability of the Legong Sambeh Bintang Dance in Bangle Village.

KEYWORDS: The Ideology of Cultural Preservation, Legong Sambeh Bintang Dance, Bangle Village, Karangasem

I. INTRODUCTION

Bali is one of the provinces in Indonesia that is very well known throughout the world.[1] This situation cannot be separated from the admiration of tourists and the research interest of researchers from various parts of the world towards the culture and panorama of Bali. In the midst of the admiration of tourists while traveling in Bali, not a few experts agree with the terms Thousand Temples and Island of the Gods for Bali. Some of them even agree that Bali is called the island of love, in the midst of many tourists choosing Bali as a wedding venue and artists choosing Bali as the location for recording romance drama films.

Drama, dance, and music are types of performing arts that have social functions but are quickly disappearing.[2] As a manifestation of art that is shown to meet the needs of actors, meet the needs of the audience, or be presented to the gods, the Balinese performing arts are a type of Balinese art that quickly disappears if it is not supported by the arts community and technological accuracy. Various variants of traditional Balinese performing arts always seem to accompany religious ceremonies at temples, wedding ceremonies, funeral ceremonies, and social entertainment organized by Balinese people, which have attracted the attention of many parties from outside the island of Bali. One of the unique characteristics of Balinese culture, which is internationally known, is its performing arts elements.[3]

Based on their choreography, performing arts can be classified into non-representational performing arts and representational performing arts.[4] When *baris* dance, *rejang* dance, *gabor* dance, *pendet* dance, *sekarjagat* dance, and all types of Balinese performing arts are performed without a story, they are non-representational performing arts. On the other hand, Balinese performing arts, equipped with stories such as *gambuh, arja, barong,* and *calonarang,* are classified as representational performing arts.

Based on the level of sacredness and function, the classification of Balinese performing arts is divided into *wali* art, *bebali* art, and *balih-balihan* art. *Rejang* dance is classified as a *wali* art in traditional Balinese performing arts, which means it is sacred because it has a main function in ceremonial offering activities at temples.[5,6] *Bebali* arts such as *gambuh* dance can be known as traditional Balinese performing arts, which are classified as sacred because they have a complementary function to ceremonial offerings at

temples.[7] *Janger* dance, *joged bumbung*, and *drama gong* are traditional Balinese performing arts that have the main function of entertaining the audience. They are classified as *balih-balihan* arts.

The beauty of traditional Balinese performing arts, among others, is based on the rhythmic and expressive movements of traditional Balinese dances, the melodious sound of *gamelan* music, and even a narrative expressed through drama. Traditional Balinese performing arts are not only staged for aesthetic needs but also socially necessary for the practice of cultural values and are sacred in a series of ceremonies for the practice of Hindu religious values. The peculiarities of traditional Balinese performing arts are also built on the basis of Hindu religious values and cultural values in customs.[8] As the performance of the Legong Sambeh Bintang dance reflects Hindu religious values and cultural values in customs in Bangle Village, Karangasem like the variety of movements, costumes, and choreography in the form of the Legong Sambeh Bintang dance, it looks different from the Legong dance in general in Bali. The characteristics of the Legong Sambeh Bintang dance in Bangle Village, Karangasem as a sacred dance seem to have a similar function to the *Rejang* dance at the temple. The Legong Sambeh Bintang dance performance in Bangle Village is identical to *Ngusaba Desa* at *Pura* Desa. The *Ngusaba Desa* at *Pura* Desa is always celebrated by the people of Bangle village in order to request a successful harvest and prevent disease outbreaks that can disturb the people. Every time the *Ngusaba Desa* is held at the *Pura* Desa during the *umanis kuningan* day, the Legong Sambeh Bintang dance is seen to always accompany the series of religious and cultural ceremonies. Thus, the Legong Sambeh Bintang dance is sacred to the people of Bangle Village, Karangasem in *Ngusaba Desa* at *Pura* Desa.

The phenomenon of the Legong Sambeh Bintang dance in Bangle Village, Karangasem, indicates the practice of the ideology of cultural preservation. It is interesting to know that the Legong Sambeh Bintang Dance is known as a traditional Balinese dance that has been preserved by the Bangle villager in Karangasem. However, it turns out that not all Balinese know and preserve the Legong Sambeh Bintang dance in the context of the *dewa yadnya* at the temple. The problems related to the phenomenon of the Legong Sambeh Bintang Dance in Bangle Village, Karangasem can be formulated as follows : 1) What is the form of the Legong Sambeh Bintang Dance in Bangle Village, Karangasem?; 2) Why do people in Bangle Village preserve the Legong Sambeh Bintang Dance in Karangasem?.

II. LITERATURE REVIEW

Sasolahan Legong Dedari at Pura Luhur Catur Kanda Pat Sari Pengideran Dewata Nawa Sanggha; there had been a reconstruction of *Legong Dedari* after the phenomenon of loss of money in the *banjar*, population conflicts and deaths of residents due to epidemics.[5] *Legong Dedari* was reconstructed in the context of the *piodalan* ceremony at Pura Luhur Kanda Pat Sari Pengideran Dewata Nawa Sanggha. The *Legong Dedari* dance is sacred, so every dancer is required to attend a purification ceremony so that the dance can neutralize the epidemic and conflict that is happening in the people in Banjar Pondok. The *Legong Dedari* dance was again preserved at Pura Luhur Kanda Pat Sari Pangideran Dewata Nawa Sanggha after the residents of Banjar Pondok wanted to live in harmony and peace again. In connection with the *Sasolahan Legong Dedari* at Pura Luhur Catur Kanda Pat Sari Pengideran Dewata Nawa Sanggha on the Ideology of Cultural Conservation in the Legong Sambeh Bintang Dance Performance in Bangle Village, Karangasem, it can be seen that there are similarities in the research focus, namely discussing sacred dance in traditional Balinese culture. However, the *Sasolahan Legong Dedari* at Pura Luhur Catur Kanda Pat Sari Pengideran Dewata Nawa Sanggha did not analyze the sacred dance in Karangasem while the Ideology of Cultural Conservation in the Legong Sambeh Bintang Dance Performance in Bangle Village, Karangasem analyzed the sacred dance in Karangasem.

Traditional *Legong* Dance Training is Superior Moderate Aerobic Training on Physical Fitness Improvement Among Young Girls; the performance of the *Legong* dance had trained a significant increase in physical fitness and showed better results than aerobic exercise.[9] It was seen that aerobic capacity increased significantly in AG and DG with a difference in the mean and Cohen d effect size of 0.36 mL/kg/min and 0.68, respectively. Back and leg muscle strength increased significantly in DG and AG with a mean difference of 5.55 kg and 6.67 kg and effect sizes 0.69 and 0.77. Equilibrium improved significantly in DG and AG with a mean difference of 21.26 seconds and an effect size of 1.05. All significant values were reported at $P < 0.05$. There was no significant increase in arm muscle strength, body fat percentage, and flexibility in both groups ($P > 0.05$). The relationship between Traditional *Legong* Dance Training is Superior Moderate Aerobic Training on Physical Fitness Improvement Among Young Girls with the Ideology of Cultural Conservation in the Sambeh Bintang Legong Dance Performance in Bangle Village, Karangasem lies in the unit of analysis that discusses *Legong* dance in Bali. However, Traditional *Legong* Dance Training is Superior Moderate Aerobic Training on Physical Fitness Improvement Among Young Girls did not use qualitative data analysis techniques, while the Ideology of Cultural Conservation in Sambeh Bintang Legong Dance Performance in Bangle Village, Karangasem lies in the unit of analysis that discusses *Legong* dance using qualitative data analysis techniques.

Cultural Preservation in the *Wali Krama Murwa* Dance on the *Usaba Sambah* Tradition in Pasedahan village, Karangasem; as a sacred art, the wali dance type functions as the executor of the *yadnya* ceremony and must be danced by *krama murwa* as the local people in the form of dance.[6] The *Pendet Lanang* dance, the *Pendet* dance, and the *Rejang Lilit* dance serve to please the gods and have the meaning of blessing prosperity for the local people. The relevance of research on the *Wali Krama Murwa* Dance in the *Usaba Sambah* Tradition in Pasedahan Village, Karangasem with the Ideology of Cultural Conservation in the Legong Sambeh

The Ideology of Cultural Preservation in the Legong Sambeh Bintang Dance in Bangle Village, Karangasem

Bintang Dance Performance in Bangle Village, Karangasem is in the similarity of the object of the research material, which is classified as traditional Balinese dance. However, in *Wali Krama Murwa* Dance on the *Usaba Sambah* Tradition in Pasedahan Village, Karangasem does not analyze the ideology of cultural preservation, while in the Ideology of Cultural Conservation in the Legong Sambeh Bintang Dance Performance in Bangle Village, Karangasem analyzes the ideology of cultural conservation.

The Meaning of the Performance *Rejang Tegak* Dance For The People of Busungbiu Village, Buleleng, Bali, Indonesia in the Global Era; the *Rejang Tegak* dance is staged in the form of a dance without character, which is influenced by structure and story.[10] This can be seen in the style of presentation, the structure of the show, make-up, costumes, and the musical instruments accompanying the show. The people of Busungbiu Village in Buleleng still preserve the *Rejang Tegak* Dance because it has been interpreted as a means of ceremony, strengthening social relations and the cultural identity of the local people. The similarity between the meaning of the performance of *Rejang Tegak* Dance for the People of Busungbiu Village, Buleleng, Bali, Indonesia in the Global Era and the ideology of cultural conservation in the Legong Sambeh Bintang Dance Performance in Bangle Village, Karangasem, namely using qualitative methods. However, in The Meaning of the Performance : *Rejang Tegak* Dance For The People of Busungbiu Village, Buleleng, Bali, Indonesia in the Global Era, it does not analyze traditional Balinese dance forms in Karangasem, while in the Ideology of Cultural Conservation in the Legong Sambeh Bintang Dance Performance in Bangle Village, Karangasem, it analyzes the traditional Balinese dance forms in Karangasem.

Renteng Dance in Saren Village, Nusa Penida as a Source of Inspiration for the Creation of Ceremonial Dance in Bali; the people of Saren Village present *Renteng* Dance in the form of non-representational art or show without using a story.[11] This can be seen from the manner of presentation, the structure of the show, the make-up of clothes and the music that accompanies the performance, which does not represent a certain story scene. The existence of the *Renteng* dance is the source of the creation of ceremonial dances in Bali because it has a unique appearance that is easy to imitate, in accordance with aesthetic tastes and beliefs. In relation to the *Renteng* Dance in Saren Village, Nusa Penida as a Source of Inspiration for the Creation of Ceremonial Dance in Bali, it can be seen that there are similarities in the focus of the research with the ideology of cultural conservation in the Legong Sambeh Bintang Dance Performance in Bangle Village, Karangasem, namely analyzing sacred dances as traditional Balinese dances. The difference, in the *Renteng* Dance in Saren Village, Nusa Penida as a Source of Inspiration for the Creation of Ceremonial Dance in Bali, it does not analyze the sacred arts in *Pura* Desa, while in the Ideology of Cultural Conservation in the Legong Sambeh Bintang Dance Performance in Bangle Village, Karangasem, it analyzes a type of sacred art at Pura Desa.

Dance Theory as a Practice of Criticism; theory is an example of a text that discusses the meaning of aesthetic criticism and its manifestations.[12] In accordance with the views of Foucault, Butler, and Bourdieu on criticism in the social sciences, in order to determine the ideological position and philosophical meaning, it must be further developed based on the practice of criticism in contemporary dance. The relationship between Dance Theory as a Practice of Criticism and the Ideology of Cultural Preservation in the Legong Sambeh Bintang Dance Performance in Bangle Village, Karangasem lies in the similarity of material objects to the art of dance. The difference, in Dance Theory as a Practice of Criticism, there is no explanation of traditional Balinese dance, while in the Ideology of Cultural Conservation in the Legong Sambeh Bintang Dance Performance in Bangle Village, Karangasem, there is an explanation of a traditional Balinese performing art.

III. RESEARCH METHOD

The paper on the ideology of cultural preservation in the Legong Sambeh Bintang Dance Performance in Bangle Village, Karangasem can be completed after a field study is carried out in Bangle Village, Karangasem. This research design uses a cultural studies perspective based on the constructivist paradigm. The operation of the application of this constructivist paradigm in the data search process is assisted by a synchronic approach and a semiotic approach. The synchronic approach has helped in providing direction in constructing data collection priorities starting from the relation of fixed structure, standard structure, until cultural system of the Legong Sambeh Bintang Dance institution. Meanwhile, the semiotic approach has been fundamentally useful in sorting and constructing data integrity in the midst of traditional taboos that are still strongly institutionalized.

A trip to a place has a motive.[13] The research, which was conducted only in Karangasem, was based on the fact that the Legong Sambeh Bintang dance only existed in Bangle village. This research on the ideology of cultural preservation in the Legong Sambeh Bintang Dance Performance in Bangle Village, Karangasem is formally centered on the ideology of cultural conservation in Bangle Village, Karangasem. The object of this research is the Legong Sambeh Bintang Dance in Bangle Village, Karangasem. This paper can be completed to the application of qualitative methods. A qualitative method is a method of processing and looking for data quality.[14] Some of the main data in the research has been successfully collected by interviewing the artists and the leaders of Bangle villager as key informants, primary informants, and additional informants. Some of the main data points from this study were also collected through observations around the *Pura* Desa in Bangle Village, Karangasem. In relation to data analysis, the data collection obtained through literature studies of Balinese dance and ideology is positioned as a complement to all primary data. This data search process was also assisted by the use of instruments such as photo cameras, tape recorders, and interview guidelines.

Data analysis is the phase of sorting and grouping data in order to obtain a basis for drawing conclusions.[15] The totality of the data obtained was analyzed qualitatively by using the theory of power relations in knowledge and the theory of aesthetics. According to Foucault, the power of knowledge relations theoretically explains the existence of potential power from a combination of knowledge relations and the need for the existence of power that requires strengthening knowledge relations.[16] This theory plays a very important role in reducing all data that is not related to the ideology of cultural preservation, displaying any qualitative data related to the ideology of cultural preservation, and verifying every qualitative data related to the ideology of cultural preservation in the form of the aesthetics of the Legong Sambeh Bintang dance. While aesthetics in theory refers to the quality of the intrinsic beauty of a nomen or object.[17] This theory is very helpful in displaying every qualitative data related to the beauty of the Legong Sambeh Bintang dance form, reducing all qualitative data that is not related to the beauty of the Legong Sambeh Bintang dance form, and verifying every qualitative data about the beauty of the Legong Sambeh Bintang dance form, which is in line with the ideology of cultural conservation in Bangle Village, Karangasem.

IV. RESULTS AND DISCUSSIONS

Research on the Ideology of Cultural Conservation in the Legong Sambeh Bintang Dance Performance in Bangle Village, Karangasem has succeeded in revealing the form of the Legong Sambeh Bintang dance in Bangle Village, Karangasem and the ideology of cultural conservation behind the performance of the Legong Sambeh Bintang dance in Bangle Village, Karangasem. The description of the explanation is ideologically and aesthetically related to the existence of the Legong Sambeh Bintang Dance in Bangle Village, Karangasem, and can be listened to as follows.

A. *The Form Of The Sambeh Bintang Legong Dance In Bangle Village, Karangasem*

The Legong Sambeh Bintang dance is a delicate princess dance that is staged en masse. Mass dance is classified as a non-representational performing art because it does not use stories. Every *umanis kuningan* day, there are up to 50 Balinese girls who always perform this storyless performance art. All the Legong Sambeh Bintang dancers are girls from Bangle Village who were chosen by local traditional leaders for the wali art performance at *Pura* Desa. As stated by I Ketut Puger on December 5, 2010 in Bangle Village :

"..from the beginning the Legong Sambeh Bintang dance was sacred, danced by the girls..but if they weren't able to do it at the temple, ..they weren't allowed either...".

Emancipation actions are needed to create another balance for overcoming distrust, adversity, and subaltern powerlessness in changing fate, as many women experience.[18] Based on the informant's statement above, it can be explained that the Legong Sambeh Bintang dance has long emancipated girls as dancers who have an important position in the religious activities of the people in Bangle Village. This dance has become a form of emancipation for girls in Bangle Village in the context of socially performing arts in traditional cultural structures that are ideally oriented to the patrilineal system. The patrilineal system has been known as the best support system for the preservation of traditional Balinese culture. However, it should be noted that not all girls in Bangle Village can be emancipated by dancing the Legong Sambeh Bintang. In addition to being able to dance the Legong Sambeh Bintang well, those who are selected as actresses are required not to be menstruating and able to not show the character of children during the *Ngusaba Desa* ceremony as follows.

Figure 1. Legong Sambeh Bintang dancer
(Doc. Suryani, 2011)

The Ideology of Cultural Preservation in the Legong Sambeh Bintang Dance in Bangle Village, Karangasem

Similar to the *Rejang* dance in general in Bali, the Legong Sambeh Bintang dance in a series of *Ngusaba Desa* ceremonies at *Pura* Desa has the main function of ceremonial offerings. The series of ritual forms in *Ngusaba Desa* are complementary to the performance of the Legong Sambeh Bintang dance. Therefore, the readiness of the dancers in staging the complete structure of the Legong Sambeh Bintang performance has a greater influence than the completeness of the ceremony in determining the totality of the implementation of *Ngusaba Desa* at *Pura* Desa Bangle, Karangasem.

The Legong Sambeh Bintang dance is sacred to the people in Bangle Village because it has relevant symbols to invite the gods to come to the *Pura Desa*. The Legong Sambeh Bintang dance is purified because it has been designed with a series of symbols representing the sky. As stated by I Ketut Puger on December 5, 2010 in Bangle Village :

> "…we mean *legong* as a princess dance, *sambeh* we mean as irregular, the *bintang* is related to the cloth that sparkles like starlight. So, the *Legong Sambeh Bintang* dance means a princess dance with an appearance like the irregular rays of the stars in the sky…".

Reviewing the statements of the informants above, it can be seen that the form of the Legong Sambeh Bintang dance has a reflection of the sky to entertain and inspire the audience. Reviewing the *Usana Bali Lontar*, it can be understood that the aesthetics of the Legong Sambeh Bintang dance, which is in accordance with the expectations of the local people in Bangle Village, tries to build a representation of the nymph through the variety of movements, expressions, and clothing attributes worn by the dancers.

As a traditional Balinese dance in Bangle Village, the Legong Sambeh Bintang Dance has an uncomplicated movement structure. In the movement structure of the Legong Sambeh Bintang Dance, it is found that the *ngelo* and *nyalud* movements have a major contribution to the distinctive characteristics of the *wali* art performances for *Ngusaba Desa* at *Pura* Desa Bangle, Karangasem. In addition, there are several movements in the *agem*, *tandang*, and *tangkep* groups that are often repeated in the structure of the Legong Sambeh Bintang dance. The Legong Sambeh Bintang dance uses the right and left *agem* movements as high as the earlobe, with the condition that the foot position has a distance and body position according to the type of *agem*. The away movement in the Legong Sambeh Bintang dance is seen in the form of *ngegol*, or right and left hip movements, *ngumbang* or walking movements accompanied by right and left head movements as well as foot stomping, *ngelikas* or leg movements to the side and hand movements following the position of the crossed legs. *Tangkep* in the Legong Sambeh Bintang dance is manifested in the form of a smiling expression in order to appreciate the sweet characteristics of the ceremony. The Legong Sambeh Bintang dance displays a movement as a transition of all types of movements in the main art structure as a sacred offering at *Pura* Desa. Procedurally, the structure of the Legong Sambeh Bintang dance performance can be seen as follows.

No.	Structure Period Name	Information
1.	*Pepeson*	Moving forward, walking hand in hand with both hands in front of the chest. Then make a *nyalud* movement, right *ngembat*, slowly take the *sampur*, then throw it to the right side according to the beat of *Gong Ngumbang*. Walk forward slowly to the rhythm of the *Gamelan*.
2.	*Pengadeng*	The line of dancers was split into two lines, one on the right side of the stage and the other on the left side of the stage. The movements used are still the same but continue to repeat until the *Gamelan* ends and the dance stops.
3.	*Pengecet*	Form a circular formation, but the movement still occurs as a repetition of the first movement.
4.	*Pekaad*	Return to the initial position, then the dancer exits the stage.

(Matrix 1. Structure of the Legong Sambeh Bintang Dance Performance, 2022)

The Ideology of Cultural Preservation in the Legong Sambeh Bintang Dance in Bangle Village, Karangasem

The performance structure of the Legong Sambeh Bintang dance performance is embellished with make-up and dancer costumes. Through the choice of costumes and make-up, they can also change the original character to emphasize a character that is presented. The importance of the role of costumes in the Legong Sambeh Bintang dance performance was stated by I Wayan Jejel on January 3, 2011 in Bangle Village :

"…in the past, this dance only used make-up, only using white strokes on the forehead. However, the dancers use eyebrow pencils, powder, blush ...".

Through the statements of the informants above, it can be seen that the dancers use white brushes, eyebrow pencils, powder and red cheeks for make up. The Legong Sambeh Bintang dancers also appear to be wearing rouge on their cheeks, using blue eye shadow and wearing red lipstick to beautify their faces. Besides that, the beauty of the performance of the Legong Sambeh Bintang dance is also influenced by the use of costumes. The costumes of the Legong Sambeh Bintang dancers appear to have special characteristics to build the representation of some nymphs. The dancers use headdresses made of coconut leaves, accompanied by flowers, puring leaves, and cassava stems arranged together with imitation flowers to make an nymph's crown. Nymph costumes are made based on a combination of *songket* cloth, *kancan* cloth, *prada* cloth, colorful scarves, *stagen*, and silver bracelets engraved with traditional Balinese culture as dance outfits for staging when *Ngusaba Desa* at *Pura* Desa.

This *wali* art performance in *Ngusaba Desa* in Bangle Village, Karangasem, is embellished by the melodious sound of the *terompong beruk gamelan* music. The beauty of the sound of the *gamelan* music of *terompong beruk* is composed of the sounds of *kendang lanang* music, the sound of *kendang wadon* music, the sound of music from *balaganjur ceng-ceng*, the sound of music from bamboo flutes, the sound of music from the *terompong*, the sound of coconut shells, the sound of music from *reong*, the sound of music from *kajar*, the sound of music from *ugal*, and the sound of music from *gongs* seem to always accompany the performance of the Legong Sambeh Bintang dance at *Pura* Desa.

The Legong Sambeh Bintang dance is the sacred base of the Legong Sambeh Bintang dance as a *wali* art. As a non-representational art that is sacred to Hindus in Bangle Village, it is always staged in the middle *jaba* section to complete the *Ngusaba Desa* ceremony at *Pura* Desa. The middle *jaba* of *Pura* Desa has become the stage for the performance of the Legong Sambeh Bintang dance in the *Ngusaba Desa*. For the totality of the sanctity of the place and the ceremony of *Ngusaba Desa*, the dancers of Legong Sambeh Bintang are also required not to be in a state of mourning.

In the village of *Ngusaba Desa* at *Pura* Desa, the Legong Sambeh Bintang dance is performed during the *mendak tirta* phase or the ceremonial phase of seeking holy water. This *mendak tirta* phase begins with Hindus, among woman who dance and offer *canang sari* at the *Pura* Desa, then continues with the search for holy water outside the *Pura* Desa. The Legong Sambeh Bintang dance was finished when the series of woman had returned to the *Pura* Desa with holy water, the woman had finished offering the *banten perani* and *pejati* at the *Pura* Desa, and the Hindus, especially the men, had finished offering the *canang sari* and had formed a circle formation to dance at the temple.

B. ***The Ideology Of Cultural Preservation Behind The Stage Of The Legong Sambeh Bintang Dance At Bangle Village, Karangasem***

A traditional culture is socially institutionalized and managed because it has a social function.[19] The performance of the Legong Sambeh Bintang dance is sacred to foster social commitment and meet the needs of the Bangle indigenous people regarding spirituality through traditional ceremonial offerings. The sustainability of the Legong Sambeh Bintang dance is a testament to the achievements of the local people in fostering cultural integrity for social integration amidst the social dynamics of Karangasem.

Ideologically, the Legong Sambeh Bintang dance is preserved by the people because it does not conflict with traditional cultural systems and is in accordance with their taste for beauty. The Legong Sambeh Bintang dance has become a mediation of the expression of beauty for local girls, which has been recognized by cross-generational traditional leaders in the Bangle people to be useful for realizing the purpose of the ceremony in the form of *Ngusaba Desa* at *Pura* Desa. The performance of the Legong Sambeh Bintang Dance at the *Pura* Desa also plays a role in maintaining and strengthening the belief of Hindus in Bangle Village as *Ngusaba Desa* participants towards the gods. The Legong Sambeh Bintang dance has become a special choice for girls in Bangle Village to show devotion to *Ida Sang Hyang Widhi*. The Legong Sambeh Bintang dance is also recognized as a medium to express a conformist sense of beauty for girls, considering the vital function of this dance in spiritual activities, educating both actress and participants in the *Ngusaba Desa* ceremony, Karangasem. Therefore, the expression of a sense of beauty by the girls through the Legong Sambeh Bintang Dance is something that the local people glorifies because it not only has aesthetic value but also contains religious and social meaning for them and has positive implications for the social image of the people in Bangle Village, Karangasem. As for the commodification of culture, some of it is carried out by preparators to build positive social impacts.[20]

The strong social relations behind cultural practices are built on religious meaning.[21] The sustainability of the Legong Sambeh Bintang dance in Bangle Village cannot be separated from the strong belief of Hindus in Bangle Village towards the perfection of spiritual practice through the *Ngusaba Desa* ceremony. During the ceremony in Bangle Village, it can be seen that the Legong Sambeh Bintang dance has a central position in the completion of the *Ngusaba Desa* ceremony. People in Bangle Village also

view this *wali* art as important for the development of their daughter's intelligence apart from the formal learning process at school. The great interest of farmers in preventing pests through *Ngusaba Desa* also has an impact on the sustainability of the Legong Sambeh Bintang dance in Bangle village, Karangasem. As stated by a farmer named I Nengah Wati, 70th, on December 21, 2010 regarding Ngusaba Desa :

> "….the people of this village are poor. Most of us who support our families by farming often fail to harvest because of pests... Our family is often hungry and sick. I was confused…until one day, we participated in offering offerings in a ceremony at *Pura* Desa. I was surprised that after participating in the ceremony at *Pura* Desa, our harvests gradually improved. Since then, we have always participated in that *Ngusaba*…".

The practice of *Ngusaba Desa*, accompanied by the Legong Sambeh Bintang dance, can be understood as a social way to respond to the crisis caused by poverty. Based on the statements of the informants above, it can be seen that farmers who are experiencing harvest problems have benefited after participating in *Ngusaba Desa*. The farmers are increasingly convinced that *Ngusaba Desa* plays a major role in the fulfillment of their requests for protection from the threat of pest outbreaks. The reduced threat of pest outbreaks after attending *Ngusaba Desa* is a miracle for farmers in Bangle Village, Karangasem. Hindus in Bangle Village believe that every miracle is a blessing from the ruler of supernatural powers that must be grateful for, such as through the implementation of *Ngusaba Desa*.

Ngusaba Desa is one of the cultural heritage sites in Bangle Village. The great respect of the indigenous people for their cultural heritage also has an impact on the unmarginality of the Legong Sambeh Bintang dance in Bangle Village, Karangasem. As a form of respect in relation to *Ngusaba Desa*, a fine of 100 kg of rice is still applied to every family who has a daughter or is selected but does not meet the requirements to dance this traditional Balinese art. The great desire of the Hindus for their requests to be granted by the gods and the wish of the Hindus for the gods at *Pura* Desa to be happier also resulted in the reconstruction of the Legong Sambeh Bintang dance in the village of Bangle, Karangasem every *umanis kuningan* at *Pura* Desa.

C. *Discussion*

The Legong Sambeh Bintang dance in *Ngusaba Desa* is a synthesis of the gap between factual problems, local people's needs, and issues of ideological meaning in social development in Bangle Village. Dance is an example of a text whose manifestation is constructed based on philosophical meaning.[12] Ideologically, the orientation of cultural preservation becomes a strong social reference as the total basis for manifest performance in spiritual, aesthetic, and social contexts. This cannot be separated from the consideration of the benefits of ceremonies in the form of *Ngusaba Desa* at *Pura* Desa.

The Legong Sambeh Bintang dance has become a medium for expressions of beauty for local girls who have been recognized by traditional leaders across generations in Bangle people. Hindus in Bangle Village believe that every miracle is a blessing from the ruler of supernatural powers that must be grateful for, such as through the implementation of *Ngusaba Desa*. The performance of the Legong Sambeh Bintang Dance at the *Pura* Desa also plays a role in maintaining and strengthening the belief of Hindus in Bangle Village as *Ngusaba Desa* participants towards the gods. The great desire of the Hindus for their requests to be granted by the gods and the wish of the Hindus for the gods at *Pura* Desa to be happier also resulted in the reconstruction of the Legong Sambeh Bintang dance in Bangle village, Karangasem every *umanis kuningan* at *Pura* Desa. The sustainable reconstruction of the Legong Sambeh Bintang dance in Bangle Village has become a cause of social comfort in the midst of the prosperity crisis in the society in Bangle Village, Karangasem.

In the practice of the ideology of cultural preservation in Bangle village, it can be seen that the Legong Sambeh Bintang dance in Bangle village is enculturated because it is also influenced by social aesthetic tastes and the strong belief of Hindus in Bangle Village towards the perfection of spiritual practice through the *Ngusaba Desa* ceremony. The sustainability of the Legong Sambeh Bintang dance cannot be separated from the social's efforts to fight for cultural capital in their cultural heritage. The sustainability of the Legong Sambeh Bintang dance is a testament to the achievements of the local people in fostering cultural integrity for social integration in the midst of social dynamics in Karangasem.

The Legong Sambeh Bintang dance is a delicate princess dance that is staged en masse. Mass dance is classified as a non-representational performing art because it does not use stories. The Legong Sambeh Bintang dance is sacred to the people in Bangle Village because it has relevant symbols to invite the gods to come to the *Pura* Desa. In addition to being able to dance the Legong Sambeh Bintang well, the girls who were selected as actresses were required to not be menstruating and not be able to show the character of children during the *Ngusaba Desa* ceremony. In *Ngusaba Desa*, the series of ritual forms in *Ngusaba Desa* are complementary to the performance of the Legong Sambeh Bintang dance.

As a non-representational art that is sacred to Hindus in Bangle Village, it is always staged in the middle *jaba* section to complete the *Ngusaba Desa* ceremony at Pura Desa. In *Ngusaba Desa* at *Pura* Desa, the Legong Sambeh Bintang dance is performed during the ceremonial phase of seeking holy water. As a traditional Balinese dance in Bangle Village, the Legong Sambeh Bintang Dance is unique because it has an uncomplicated movement structure. The performance of the Legong Sambeh Bintang

dance performance structure is embellished with make-up and dancer costumes. This *wali* art performance when *Ngusaba Desa* is embellished by the melodious sound of the *terompong beruk gamelan* music. All the aesthetic elements of the Legong Sambeh Bintang dance that seem to be in line with the expectations of the local people in Bangle Village have tried to build a representation of the nymph through the variety of movements, expressions and clothing attributes worn by the dancers.

The phenomenon of the representation of some nymphs in the Legong Sambeh Bintang dance in Bangle Village, Karangasem has similarities to the representation of nymph in *Legong Dedari* at Pura Luhur Kanda Pat Sari Pengideran Dewata Nawa Sanggha. The representation of the performances of these two dances has implications for the level of social comfort. As the reconstruction of the *Legong Dedari* dance performance at Pura Luhur Kanda Pat Sari Pengideran Dewata Nawa Sanga has influenced the increase in harmony in society after some of them lost relatives and money due to a disaster. Likewise, the creation of comfort in the people in Bangle village has a relationship with the completion of the Legong Sambeh Bintang dance performance in *Ngusaba Desa* at *Pura* Desa.

To perform the Legong Sambeh Bintang dance, the dancers need physical fitness in addition to preparing for the ceremony. Actually emphasized that the performance of the *Legong* dance could significantly improve physical fitness.[9] That *wali* art is believed to have the meaning of blessing prosperity for the local people.[6] The Legong Sambeh Bintang dance is staged in the context of *Ngusaba Desa* at *Pura* Desa, aimed at pleasing the gods and asking for blessings to be able to face the crisis of prosperity.

As a non-representational art form, the Legong Sambeh Bintang dance is performed without relying on a particular story. Non-representational art forms that are sacred can be seen from the appearance of the form, the structure of the performance, make-up, costumes, and musical instruments accompanying the performance, which have aesthetic meaning, strengthen the function of ceremonial facilities, cultural identity, and social relations of the actors.[10,11] The strength of social relations between the followers of *Ngusaba Desa*, the beauty and uniqueness of the identity of the ceremony, as well as the completeness of the ceremony, are influenced by the existence of the Legong Sambeh Bintang dance.

CONCLUSIONS

Based on data analysis, it can be concluded that the Legong Sambeh Bintang dance in Bangle Village, Karangasem, is a mass women's dance that can be classified as *wali* art and non-representational art. This uncomplicated traditional Balinese dance performance is staged by up to 50 girls in Balinese costumes that contain the meaning of starlight in the sky to be able to build a representation of the nymphs in heaven when *Ngusaba Desa* at *Pura* Desa.

The indigenous people in Bangle Village performs the Legong Sambeh Bintang dance in a sustainable manner because it is associated with perfecting spiritual practices, cultural heritage, aesthetic tastes and social comfort. Ideologically, the Legong Sambeh Bintang dance is preserved by the local people because of the great interest of the indigenous people in organizing *Ngusaba Desa* perfectly, the great respect for cultural heritage, and the interest in seeking entertainment that can build social comfort.

REFERENCES

1) Pradana, G. Y. K., Parwati, K. S. M. 2017. Local-Wisdom-Based Spa Tourism in Ubud Village of Bali, Indonesia. Russian Journal of Agricultural and Socio-Economic Sciences, 8(68), 188-196.
2) Soedarsono. 1999. Seni Pertunjukan Indonesia di Era Globalisasi. Universitas Gadjah Mada Press.
3) Pradana, G. Y. K. 2018. Implications of Commodified Parwa Shadow Puppet Performance For Tourism in Ubud, Bali. Journal of Business on Hospitality and Tourism, 4(1), 70-79. DOI: http://dx.doi.org/10.22334/jbhost.v4i1.103.g111.
4) Kusumastuti, E. 2006. Laesan Sebuah Fenomena Kesenian Pesisir : Kajian Interaksi Simbolik antara Pemain dan Penonton. Harmonia : Journal of Art Research and Education, 7(3), 1-10.
5) Linggih, I N., Muka, I K. 2021. Sasolahan Legong Dedari di Pura Luhur Catur Kanda Pat Sari Pengideran Dewata Nawa Sanggha (Kajian Teo-Estetik). Mudra Jurnal Seni Budaya, 36(1), 81-95.
6) Haes, P. E. R. 2021. Pelestarian Budaya dalam Tari Wali Krama Murwa pada Tradisi Usaba Sambah di desa Pasedahan, Karangasem. Ideas : Jurnal Pendidikan, Sosial dan Budaya, 7(3), 101-106.
7) Formagia, M. C. 2000. Gambuh : Dramatari Bali. Yayasan Lontar.
8) Pradana, G. Y. K. 2012. Diskursus Fenomena Hamil di Luar Nikah dalam Pertunjukan Wayang Joblar. Electronic Journal of Cultural Studies, 1(2), 11-27.

9) Griadhi, I P. A., Adiatmika, I P. G., Tirtayasa, I K. 2021. Traditional Legong Dance Training is Superior Moderate Aerobic Training on Physical Fitness Improvement Among Young Girls. Journal of Physical Activity and Health, 18(7), 826-831.

10) Ruspawati, I. A. W., Ruastiti, N. M. 2019. The Meaning of the Performance Rejang Tegak Dance For The People of Busungbiu Village, Buleleng, Bali, Indonesia in the Global Era. Asia Life Sciences, 28(2), 255-280.

11) Ruastiti, N. M., Indrawan, A. A., Sariada, I K. 2021. Renteng Dance in Saren Village, Nusa Penida as a Source of Inspirations for the Creation of Ceremonial Dance in Bali. Harmonia, Journal of Arts Research and Education, 21(2), 232-245.

12) Klein, G. 2021. Dance Theory as a Practice of Critiqiue. Revista Brasileira de Estudos da Presenca, 1(1), 1-17.

13) Pradana, G. Y. K. 2019. Sosiologi Pariwisata. STPBI Press.

14) Berg, B. L., Lune, H. 2018. Qualitative Research Methods For The Social Sciences. Pearson.

15) David, L. A. 2018. Qualitative Media Analysis. Sage Publications.

16) Crampton, J. W., Elden, S. 2016. Space, Knowledge and Power : Foucault and Geography. Routledge.

17) Murphy, P., Fuente, E.D.L. 2014. Aesthetic Capitalism. Brill.

18) Pradana, G. Y. K., Ruastiti, N. M. 2022. Imitating The Emancipation Of Hindu Female Characters In Balinese Wayang Legends. International Journal of Social Science, 5(1), 643-656. https://doi.org/10.53625/ijss.v1i5.1307.

19) Pradana, G. Y. K. 2021. Aplikasi Filosofi Tri Hita Karana Dalam Pemberdayaan Masyarakat Tonja di Denpasar. Jurnal Abdi Masyarakat, 1(2), 61-71. DOI : https://doi.org/10.22334/jam.v1i2.10.

20) Pradana, G. Y. K., Arcana, K.T.P. 2020. Hasil Pengelolaan Homestay Bercorak Budaya Tradisional Bali Ditengah Pengaruh Perkembangan Trend Millennial di Sektor Pariwisata. Jurnal Ilmiah Hospitality Management, 11(1), 1-12.

21) Pradana, G. Y. K., Suarka, I N., Wirawan, A.A.B., Dhana, I N. 2016. Religious Ideology of The Tradition of The Makotek in The Era of Globalization. Electronic Journal of Cultural Studies, 9(1), 6-10.
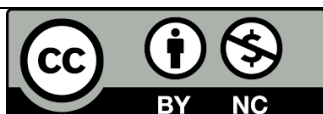
Determinants of Vietnamese Farmers' Intention to Adopt Ecommerce Platforms for Fresh Produce Retail: An Integrated TOE-TAM Framework

Vu Hoang Linh[1], Phan Duc Hieu[2], Nguyen Ngoc Minh Chau[3], Nguyen Duc Thang[4], Trinh Quynh Anh[5]

[1]Ph.D., Department of Marketing, Faculty of Marketing, National Economics University, Hanoi, Vietnam
[2,3,4,5]National Economics University, Hanoi, Vietnam

ABSTRACT: The application of e-commerce platforms for retailing agricultural products has been increasingly adopted for several benefits namely market expansion and connection, brand establishment, price improvement as well as the motivation for farmers to actively ameliorate their farming practices, product quality and package. However, this retail method is still lagging far behind in Vietnam - despite the need for digitalization to solve persistent problems, namely the imbalanced supply, demand and accompanied price loss in the traditional distribution channel. Thus, this research aims to investigate the factors that impact the Vietnamese farmers' intention to adopt e-commerce platforms for fresh produce retail. The paper applies the integrated Technology Acceptance Model and Technology-Organization-Environment framework. Through an online survey, a sample of 344 farmers who produced fruits and vegetables across Vietnam was drawn to confirm the hypotheses of this study. The results showed that there are positive relationships between three factors "Perceived usefulness" (PU), "Perceived Ease of use" (PEOU) and "Intention to Adopt" (INT). Among the variables, technological context (TC) is positively associated with both PU and PEOU, and organizational context (OC) impacts PU positively. Moreover, the environmental context (EC) is shown to positively influence the intention to adopt e-commerce platforms for fresh produce retail. Findings are valuable to the development of e-commerce platforms and policies to promote Vietnamese farmers' intention of using e-commerce platforms to retail agricultural products.

KEYWORDS: farmer, e-commerce platforms, fresh produce, retail, structural equation model, technology acceptance model (TAM), technology-organization-environment framework (TOE)

I. INTRODUCTION

Agriculture is considered as the backbone of the rural economy and plays a pivotal role in sustainable development (World Bank, 2008). According to Vietnam General Statistics Office (2022), the agricultural sector was the employer to about 14.2 million people, a third of Vietnam's workforce, and contributed 13.97% to the country's GDP growth rate.

Despite growth and resilience, the agricultural sector is still facing internal and external challenges. Externally, COVID-induced domestic travel restrictions and border congestion have exacerbated supply chain disruption, especially for perishable foods namely fruits and vegetables, which are time-and-temperature-sensitive. Internally, deficiencies in Vietnamese farmers' farming practices have also been pinpointed. Specifically, Vietnamese farmers are likely to mass-produce certain kinds of agricultural products after positive market responses from the latest season without actively finding outputs. The excessive supply of seasonal fruits and vegetables, and the serious loss in produce prices has thus been a persistent problem throughout the years. Accompanied with this spontaneous mass production, the characteristics of small-scale and scattering lead to the great variation in product quality while making economies of scale unattainable. This also marks down the prices for agricultural products and puts more onerous pressure on governmental officials, local cooperatives, and relevant factors to deal with the surplus, not to mention the opportunity for export. Therefore, ensuring a comprehensive transformation of the agricultural systems into sustainable, productive, and inclusive food systems would be of great necessity (Le Minh Hoan, 2021).

Along with the advancement of Information & Communication Technologies (ICT), the use of e-commerce platforms in the retailing process emerges as one of the promising innovative solutions (Baoukaris, et al., 2002) This is consistent with Vietnamese policies' agenda in national modernization. Also, the contemporary context is favorable to this method. The demand shift towards digital commerce is probably to last for years. In Vietnam, the proportion of unique online purchasers was the highest in Southeast Asia, at 41% (Google, Temasek, Bain & Company, 2021).

Determinants of Vietnamese Farmers' Intention to Adopt Ecommerce Platforms for Fresh Produce Retail: An Integrated TOE-TAM Framework

Stated by the Food and Agriculture Organization (FAO), e-commerce platforms have proved to be highly beneficial in the consumption of fresh produce. They establish direct interaction between producers and consumers, which shortens the waiting time for fresh produce consumption thereby reducing post-harvest wastage. Participation in Agri e-commerce also makes way for farmers to be active in market research as well as standardizing product quality and packaging. Also, farmers can enjoy e-commerce platforms' logistics systems and supportive regional branding to gain price and cost advantages, which subsequently creates opportunities to export (James & Kennechi, 2019).

Although the application of e-commerce platforms has demonstrated its benefits and been facilitated by practical governmental plans, e-commerce platforms as well as the end consumers, it continues to experience a lack of farmers' proactivity to join e-commerce platforms. Only approximately 5 million households have joined e-commerce platforms with most of the participation being government-induced, whereas the proposed goal is 15 million (Duy, 2021). Furthermore, the number of existing literatures focusing on the ecommerce platforms as an agricultural retail channel in the special context of pandemic is modest, which raises the need for further studies to clarify the determinants of farmers' intention to retail fresh produce by this method.

As a result, the authors conducted the study "Determinants of Vietnamese Farmers' Intention to Adopt Ecommerce Platforms for Fresh Produce Retail". The factors that affect the farmer's intention to adopt e-commerce platforms for fresh produce retail and the extent to which they are affected have been analyzed and the dimension of impact has been determined. The study provides evidence as a reference to incentivize the application of e-commerce from the perspective of policy, and sheds light on new research directions in the future.

II. LITERATURE REVIEW AND THEORETICAL FRAMEWORK

A. Technology Acceptance Model

TAM is a theoretical model derived from Fishbein and Ajzen's Theory of Reasoned Action (TRA) in 1975 that illustrates how users accept and adopt technology [12]. This is one of the popular theories that model the intention towards technology use. The origins of the TAM structure include Perceived Ease of Use and Perceived Usefulness, which contribute to determining Intention to Use Behavior and Actual Use.

A variety of studies using the TAM model survey the intention of adoption technology toward business operations (Awa, et al., 2015; Triposakul, 2018). Correspondingly, technology adoption behavior of expanding modern distribution channels and the information technology utilization in farming and livestock have employed TAM model for research (Ifinedo, 2011; Karim & Qi, 2021; Liu, et al., 2021).

B. Technology-Organization-Environment Framework (TOE)

Tornatzky and Fleischer's Technology-Organization-Environment (TOE) model has been widely applied in IT adoption studies (Aboelmaged, 2014), as e-commerce or e-business tools (Hong & Zhu, 2016). According to TOE, all factors that influence the choice of a firm to embrace a technology can be divided into three categories: the technological context (TC), the organizational context (OC), and the environmental context (EC). The study applies the TOE framework as a new contribution to understanding farmers' intention to adopt e-commerce platforms.

Several studies have used the TOE framework to examine the application of information technology in organizational operations to achieve efficient business performance (Gangwar, et al., 2015; Awa, et al., 2017), in addition, the model is applied in the application of information technology to manage data information systems (Giampietri & Trestini, 2020).

C. E-commerce and online retail via e-commerce platforms

E-commerce refers to business transactions between a company and other companies (B2B); between a company and a consumer or consumers (B2C) conducted over computer networks. In the industrial revolution 4.0, e-commerce has gained great popularity owing to its contributions to economic growth.

According to NAICS (2012), retail is the final step of the distribution process in which retailers sell their merchandise to the ultimate consumers. There are two distinct retail models, namely the traditional retail model and the online retail model, based on the Internet. The traditional retail model mainly operates in the physical form where the suppliers interact directly with the customers in brick-and-mortar stores, while the online retail model allows customers to access online information about products, orders, and payment methods. The traditional retail model is currently influenced greatly by the increasingly popular application of the Internet into business. Online retailers are assumed to achieve greater economies of scale because they can simultaneously serve hundreds or thousands of customers. Moreover, the online business does not require to use several physical infrastructures, making the online retail business model highly scalable (Enders & Jelassi, 2000).

D. Main determinants

    a) Technological context

Determinants of Vietnamese Farmers' Intention to Adopt Ecommerce Platforms for Fresh Produce Retail: An Integrated TOE-TAM Framework

TC concerns internal and external factors that are technologically relevant (Oliveira & Martins, 2011). They impact indirectly through cognitive variables of PEOU and PU. PEOU and PU are the intermediaries of the relationship between TC and the adoption of social media by individual and household retailers (Huong, et al., 2020). The more favorable the technology context is, the easier it is for people to adopt the technology and get more benefits when applying social networking in business.

H1. Technological context has a positive effect on PU.

H2. Technological context has a positive effect on PEOU.

b) Organizational context

OC relates to the businesses' characteristics and resources, including farm size, top managers' support, non-farming income, and training courses. The role of these characteristics is substantial in the decision-making process of applying and implementing innovation (Oliveira & Martins, 2011).

H3. Organizational context has a positive effect on PU.

H4. Organizational context has a positive effect on PEOU.

c) Environmental context

EC includes the role of government policies, competitors, commercial partners, and customers in impacting the decision-making behavior (Kamath & Liker, 1994). Tornatzky & Fleischer (1990) stated that the organization's innovation trends are shaped by opportunities and threats from the environment. There is a strong correlation between business households' decisions to use e-commerce platforms such as peer pressure, the pace of technical transformation, market volatility, and customer pressure. The impact of consumer readiness was discussed.

H5. Environmental context has a positive effect on Intention to adopt.

d) Perceived usefulness

Davis (1989) defined PU as the extent to which an individual reckons that adopting a particular technology would facilitate job performance. A technology perceived as highly useful is the one that users suppose that a good use-performance relationship exists. As a result, if someone is positively impressed when using a certain system, they may reckon that their work performance has increased to some amount, and their intention will shift in a positive manner.

H6. Perceived usefulness has a positive effect on Intention to adopt.

e) Perceived ease of use

PEOU is interpreted as the level to which the usage of a novel technology is believed not to take much effort (Davis, 1989). Among research on the application of new technologies including e-commerce, the role of PEOU is demonstrated as one of the two most important determinants of the intention to adopt new technology (Chen & Tan, 2004).

H7. Perceived ease of use has a positive effect on Intention to adopt.
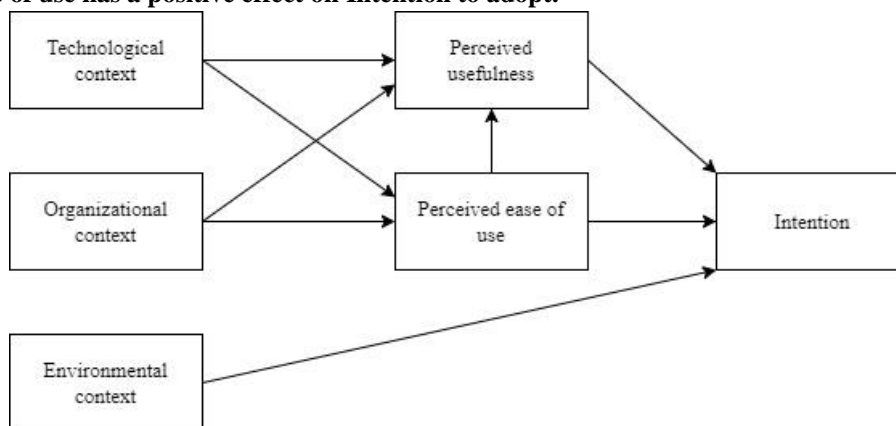
Figure 1. Proposed Research Model
Source: Authors, 2022

III. RESEARCH METHOD

A survey was conducted by sending online questionnaires to farmers and households selling agricultural products around the country of Vietnam from January 15, 2022, to January 29, 2022. The authors created a structured questionnaire to obtain respondents' opinions and feedback towards fresh produce retail through e-commerce platforms. Respondents were invited to illustrate their agreement level to measure each variable through a five-point Likert scale (from 1 = "strongly disagree" to 5 = "strongly agree"). In total, 370 questionnaires were completed. 26 responses were eliminated from the analysis because of improper completion. Finally, the analysis was carried out with 344 questionnaires.

In addition, the authors conducted 5 in-depth interviews with a farmer, two e-commerce platform officers and two experts to explore the insights into farmers' intention to retail their products on e-commerce platforms.

Determinants of Vietnamese Farmers' Intention to Adopt Ecommerce Platforms for Fresh Produce Retail: An Integrated TOE-TAM Framework

IV. DATA ANALYSIS AND RESULTS

A. Sample descriptive statistics

54.9% of 344 respondents were men and the age group was between 36-45 years old on average. Most of them completed the upper-secondary school level (88.6%), which indicated that most farmers are well-educated. The average farm size was 0.34 hectares. Most of the respondents claimed that they intended to adopt E-commerce platforms for agricultural product retail (79.8%).

B. Measurement model

To assess the validity of the measurement model, the authors used Cronbach's Alpha to estimate the internal consistency, the convergent, and the discriminant validity of the measurement items. The closeness in relationships of the tested items in one group could be revealed in the test (Cronbach, et al., 2004). In this study, six latent variables and 34 observable variables in total are involved. To be regarded as observed variables, factor loadings should be above 0.5 (Hair, et al., 2010). The result of the scale reliability test satisfies Cronbach's Alpha with the values lying between the range of 0.759-0.913. This demonstrates that the observed variables are adequate and correspond to their constructs. Thus, the good reliability of all constructs is confirmed.

The confirmatory factor analysis (CFA) using AMOS 20 was utilized to assess the measurement model (Arbuckle, et al., 2014). The parameters with an associated p level < 0.05 were deemed significant. The model fit was tested using fit indices such as the Chi-square on the degree of freedom (CMIN/DF); the Goodness of fit index (GFI); the Comparative fit index (CFI); the Tucker-Lewis coefficient (TLI); the Root mean square error of approximation (RMSEA), the Test of close fit (PCLOSE). For model to be fit, the recommended respective value of $\chi2$ should be under 3. The value of CFI, GFI, NFI and TLI should be above 0.9 and RMSEA value must be lower than 0.08 (Gefen, et al., 2000). Meanwhile, PCLOSE must be more than 0.05 (Hu, et al., 1999).

From **Table 1**, the measurement model demonstrated good fit with the obtained data, so the structural model testing using SEM proceeded. **Figure 2** shows the result of the measurement model.

Table 1. Summary of Goodness of Fit Indices for Measurement Model

Model fit Indices	CMIN/DF	GFI	CFI	TLI	RMSEA	PCLOSE
Model	1.129	0.912	0.990	0.989	0.019	1.000

Source: Investigated by authors in 2022
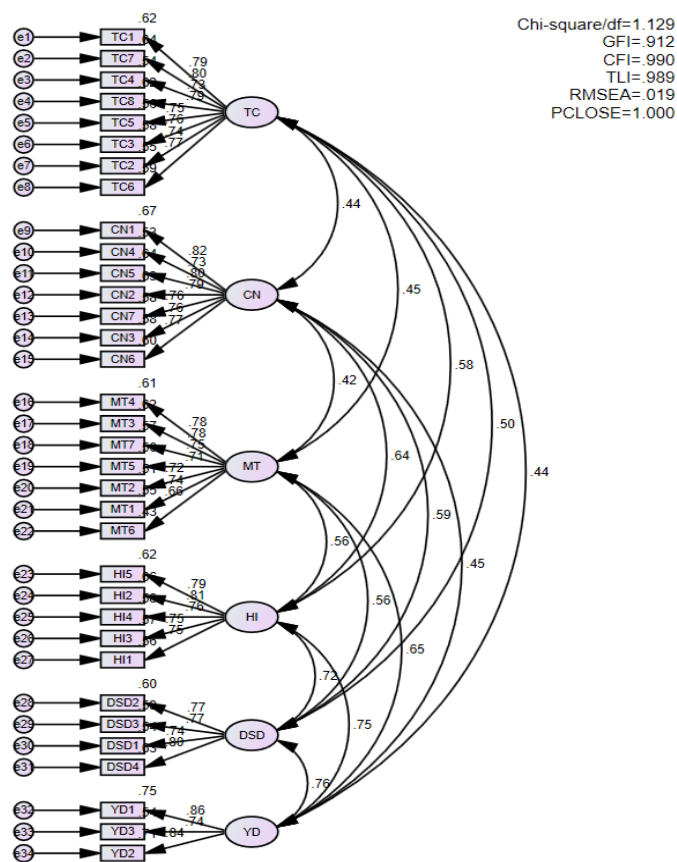
Figure 2. Measurement Model
Source: Investigated by authors in 2022

C. Structural model

The hypothesized conceptual research model was tested using SEM. **Table 2** displays the goodness of fit for the model. Because the specified standards are satisfied by all the values of goodness of its indices, the model is regarded as fit for further analysis. **Figure 3** depicts a structural model.

Table 2. Summary of Goodness of Fit Indices for Structural Model

Model fit Indices	CMIN/DF	GFI	CFI	TLI	RMSEA	PCLOSE
Model	1.222	0.905	0.983	0.982	0.025	1.000

Source: Investigated by authors in 2022
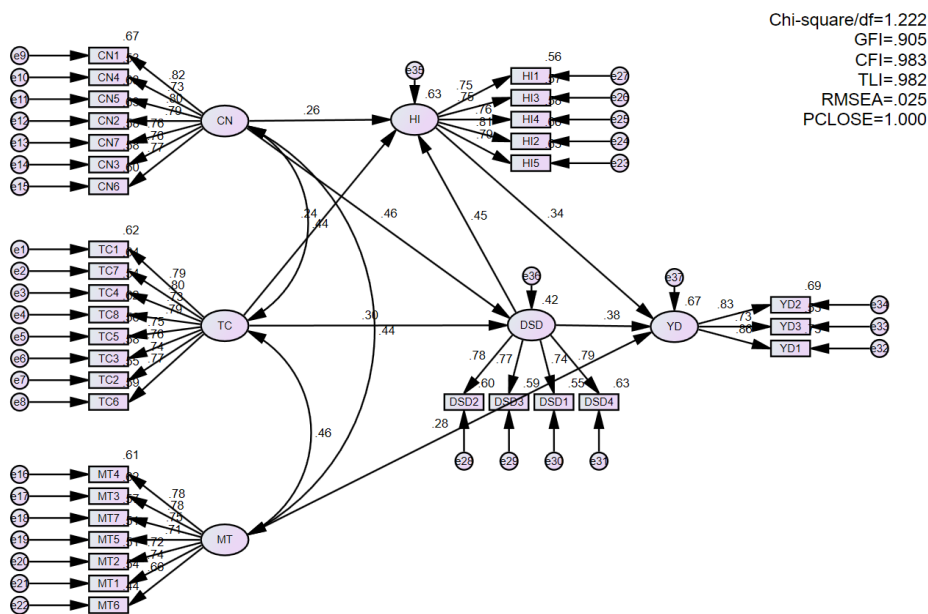
Figure 3. Structural Model
Source: Investigated by authors in 2022

The properties of the structural model including beta coefficient, standard error, critical ratio and the results of hypotheses are given in **Table 3**. The significance level is set at 0.05. Squared multiple correlation R^2, which is the testimony of the model strength, is reported in **Table 3**. The research model explained 67%, 63.1%, and 41.7%, of the variance in INT, PU, and PEOU, respectively.

Table 3. Summary of Testing of Hypothesis

	Estimates (β)	Unstandardized Regression weight	S. E	CR	P	Squared Multiple correlation	Results
PEU ← TC	0.457	0.471	0.064	7.367	***	0.417	Supported
PEU ← OC	0.297	0.331	0.066	5.029	***		Supported
PU ← TC	0.263	0.262	0.057	4.578	***	0.631	Supported
PU ← OC	0.241	0.260	0.057	4.592	***		Supported
PU ← PEU	0.448	0.431	0.064	6.770	***		Supported
INT ← EC	0.285	0.297	0.050	5.897	***	0.670	Supported
INT ← PEU	0.379	0.353	0.069	5.151	***		Supported
INT ← PU	0.339	0.328	0.071	4.648	***		Supported

Source: Investigated by authors in 2022

Determinants of Vietnamese Farmers' Intention to Adopt Ecommerce Platforms for Fresh Produce Retail: An Integrated TOE-TAM Framework

The results of hypothesis testing are shown in Table 3, where beta coefficients represent the proportional relevance of each antecedent of responsible consumption. All proposed relationships are proven to be valid.

All three determinants of intention to adopt e-commerce platforms for produce retail are significant with distinct beta coefficients, contributing various weights to the variance of intention to apply e-commerce platforms into fresh produce retail activities.

The most influential factor impacting the intention to adopt e-commerce platforms for produce retail is perceived ease of use (β=0.379; p<0.05). This supports H7 stating that Perceived ease of use positively affects INT. The second important antecedent of intention to adopt e-commerce platforms is perceived usefulness (β=0.339; p<0.05). So H6, namely perceived usefulness positively influences INT, is backed up. The third factor is the economic context (β=0.285; p<0.05), which supports hypothesis H5.

Regarding the antecedents of PEU, both TC and OC have p<0.05 with β=0.457 and 0.297 respectively. Thus, H2, technological context positively impacts PEU, and H4, organizational context exerts a positive influence on PEU, are supported.
Concerning the antecedents of PU, both TC and OC have p<0.05 with β=0.263 and 0.241 respectively. Therefore, H1 stating that the effect of technological context on PU is positive and H3, the organizational context has a positive effect on PU, are supported.

V. RECOMMENDATIONS

From the research results, the authors put forward several recommendations as follows. For farmers in general, they should be more active in participating in the e-commerce platforms for product retail due to their various benefits, especially to keep up with the current trend of digital transformation. Before participating, farmers may consult with experienced groups and experts to acknowledge the ease of use as well as the benefits that e-commerce retail can reap. Moreover, despite the availability of e-commerce-relevant training courses, farmers should take the initiative in selecting standard ones to effectively learn and apply this retail practice.

For farmers who have been using e-commerce platforms, sharing personal experience can be of great reference value to other farmers and officials. This can help relevant factors find solutions to the technical difficulties so that farmers can effectively apply this retail method. Also, sharing first-hand experience can expand the social network of users, together with profitable business relationships. Altogether, this facilitates the application of e-commerce platforms in agriculture, which subsequently paves the way for the acceleration of digital transformation in other industries.

For e-commerce platforms, it is recommended that they update contemporary trends and innovations to provide farmers with timely updated and efficient services. Instructions should be available and accessible both online and offline, because perceived ease of use was proven to be the most influential factor in farmers' intention in this study. In addition, farmers' participations are, as shown, determined by environmental factors, which raises the need to promote users' evaluation and peer-initiated invitations. E-commerce platforms should also focus on disseminating their preeminence of fresh produce retailing on social media so that more farmers can acknowledge the need to join them.

For the government, they should act as the leading force with practical and specific supportive policies. While governmental orders are necessary to get farmers involved in e-commerce platforms, positive stimulation is recommended instead of authoritarian enforcement, since this is likely to be counter-productive in promoting the participation of farmers. Furthermore, local authorities and cooperatives, who directly interact with farmers, should have sufficient knowledge, a sense of responsibility and patience in assisting the residents, particularly the middle-aged and above, in e-commerce operations. Close assessment and companion with farmers should also be maintained to make timely support and policy modifications. Besides, the government needs to continue bolstering the infrastructure, namely Internet penetration, logistics systems and professional training courses and the like.

CONCLUSIONS

In this study, the determinants of farmers' intention towards adopting e-commerce in fresh produce retailing were analyzed by the integrated TOE and TAM model. Emerging among the findings are notable insights that enrich literature about e-commerce platforms adoption. From the results, three factors directly affect farmers' intention to accept e-commerce platforms as a retail channel for agricultural products. Specifically, the perception about ease of use and usefulness respectively exerts the most considerable positive influence on the intention of farmers towards retailing fresh produce through e-commerce platforms. Also, the environmental context is another important factor when finding solutions to encourage Vietnamese farmers to contribute to the Agri-ecommerce development. Meanwhile, the impacts of technology and organization contexts on perceived ease of use and perceived usefulness suggest that not only the farmers themselves but also the e-commerce platforms are critical to this retail channel adoption.

The main limitation of this research lies in the sample size which can be improved to represent the Vietnamese farmers' population. Yet, this study enriches the extant literature on the intention of farmers towards adopting e-commerce platforms as a retail channel for fresh produce. The authors hope future studies can achieve a sample size that is sufficient to establish the findings' generalizability. Also, in-depth direct interviews are of great value to offer more meaningful insights.

Determinants of Vietnamese Farmers' Intention to Adopt Ecommerce Platforms for Fresh Produce Retail: An Integrated TOE-TAM Framework

REFERENCES
1) Aboelmaged, M. 2014, Predicting e-readiness at firm-level: an analysis of technological, organizational and environmental (TOE) effects on e-maintenance readiness in manufacturing firms, International Journal of Information Management: The Journal for Information Professionals, vol. 34, no. 5, pp. 639-651.
2) Arbuckle, J. L. 2014, Amos (Version 23.0) [Computer Program], Chicago: IBM SPSS.
3) Awa, H. O., Ojiabo, O. U., & Emecheta, B. C. 2015, Integrating TAM, TPB and TOE frameworks and expanding their characteristic constructs for e-commerce adoption by SMEs, Journal of Science & Technology Policy Management, vol 6, no. 1, pp. 76–94.
4) Awa, H. O., Ojiabo, O. U., & Orokor, L. E. 2017, Integrated technology - organization - environment (T-O-E) taxonomies for technology adoption, Journal of Enterprise Information Management, vol 30, no. 6, pp. 893–921.
5) Baourakis, G., Kourgiantakis, M., & Migdalas, A. 2002, The impact of e-commerce on agro-food marketing: The case of agricultural cooperatives, firms and consumers in Crete, British Food Journal, vol. 104, no. 8, pp. 580-590.
6) Chen, L., & Tan, J. 2004, Technology adaptation in e-commerce: key determinants of virtual stores acceptance, European Management Journal, Vol. 22 No. 1, pp. 74-86.
7) Cronbach, L. J., & Shavelson, R. J. 2004, My Current Thoughts on Coefficient Alpha and Successor Procedures, Educational and Psychological Measurement, vol 64, no. 3, pp. 391–418.
8) Davis, F. 1989, Perceived usefulness, perceived ease of use and user acceptance of information technology, MIS Quarterly, vol 13, no. 2, pp. 319-340.
9) Duy, V. 2021, Đưa 5 triệu hộ sản xuất nông nghiệp lên sàn là đột phá trong kinh tế số, Vietnamnet, 2021.
10) Enders, A., & Jelassi, T. 2000, The converging business models of Internet and bricks-and-mortar retailers, European Management Journal, vol 18, pp. 542-550.
11) Gangwar, H., Date, H., & Ramaswamy, R. 2015, Understanding determinants of cloud computing adoption using an integrated TAM-TOE model, Journal of Enterprise Information Management, vol 28, no. 1, pp. 107–130.
12) Gefen, D., Straub, D. W., & Boudreau, M. C. 2000, Structural Equation Modeling and Regression: Guidelines for Research Practice, Communications of the Association for Information Systems, vol 4, no. 7, pp. 1-70.
13) Giampietri, E., & Trestini, S. 2020, Analysing farmers' intention to adopt web marketing under a technology-organisation-environment perspective: A case study in Italy, Agricultural Economics (Zemědělská Ekonomika), vol 66, no. 5, pp. 226–233.
14) Google, Temasek, Bain & Company 2021, EConomy SEA.
15) Hair, J. F., Black, W. C., Babin, B. J., & Anderson, R. E. 2010, Multivariate Data Analysis: A Global Perspective.
16) Hong, W., & Zhu, K. 2016, Migrating to internet-based e-commerce: factors affecting e-commerce adoption and migration at the firm level, Information & Management, vol. 43 no. 2, pp. 204-21.
17) Hu, L. T., & Bentler, P. M. 1999, Cutoff Criteria for Fit Indexes in Covariance Structure Analysis: Conventional Criteria versus New Alternatives, Structural Equation Modeling, vol 6, pp. 1-55.
18) Huong, D. T., Ngoc, L. T. M. & Mai, N. P. 2020, Intergrating TAM and TOE Models in Researching Social Media Adoption in Businesses in Vietnam, VNU Journal of Science: Economics and Business, vol 36, no. 1, pp. 86–95.
19) Iacovou, C. L., Benbasat, I., & Dexter, A. S. 1995, Electronic Data Interchange and Small Organizations: Adoption and Impact of Technology, MIS Quarterly, vol 19, no. 4, pp. 465–485.
20) Ifinedo, P. 2011, Internet/e-business technologies acceptance in Canada's SMEs: An exploratory investigation, Internet Research, vol 21, no. 3, 2011, pp. 255–281.
21) James, J., and Kenechi, O. 2019, E-commerce in agriculture: new business models for smallholders' inclusion into the formal economy.
22) Kamath, R. R., & Liker, J. K. 1994, A second look at Japanese product development, Harvard Business Review, vol 72, no. 6, pp. 154–170.
23) Karim, M. T., & Qi, X. 2021, From physical to virtual store: Factors that spur Bangladeshi manufacturers/retailers to introduce multi-channel retailing, Journal of Asia Business Studies, vol 15, no. 2, pp. 240–256.
24) Liu, M., Min, S., Ma, W., & Liu, T. 2021, The adoption and impact of E-commerce in rural China: Application of an endogenous switching regression model, Journal of Rural Studies, vol 83, pp. 106–116.

25) Anh, N. L. 2021, Minister Le Minh Hoan: Connecting agricultural products is connecting people.
26) North American Industry Classification System (NAICS) Canada 2012, Retail trade 2012, no. 44-45.
27) Oliveira, T., & Martins, M. F. 2011, Literature Review of Information Technology Adoption Models at Firm Level, The Electronic Journal Information Systems Evaluation, vol. 14, Iss. 1, pp. 110-121.
28) Vietnam General Statistic 2022, Press release socio-economic situation in the fourth quarter and 2021.
29) Tornatzky, L. G., & Fleischer, M. 1990, The processes of technological innovation.
30) World Bank 2008, "World Development Report: Agriculture for Development", The World Bank Group.
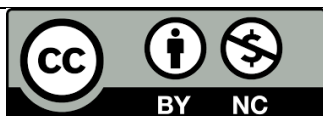
The New Uniform Policy of the Security Unit in an Effort to Apply Management Motivation and Rewards to Increase the Defense and Economic Resilience of the Indonesian State: Literature Study

Jihan Marha[1], Guntur Eko Saputro[2], Hikmat Zakky Almubaroq[3]

[1,2,3] Faculty of Defense Management, the Republic of Indonesia Defense University, Bogor

ABSTRACT: The role of security unit officers (Satpam) is very important in the sociological efforts of police functions that develop in the social life system to maintain security and order in their respective regions. There needs to be a management of motivation and rewards given to security unit as an effort to improve performance in maintaining national security and defense. The purpose of this study is to analyze how the new uniform policy of the security unit is in an effort to apply management motivation and rewards to increase the defense and economic resilience of the Indonesian state. Qualitative research methods and data collection techniques in the form of Literature Studies and Library Research. The results of the study explain that the new uniform policy of the security unit provides a common identity with the police which has an influence on performance in maintaining the defense and economic resilience of the Indonesian state.

KEY WORDS: Motivation and reward management, Performance, Security unit (Satpam), Defense and economic resilience

INTRODUCTION

Every country has the duty and obligation to protect every citizen in an effort to maintain national defense and security. According to Fitri & Soehari (2019), national security is one of the important foundations that will support developments in other sectors. One of the main conditions for progress in a country can be measured by its security conditions and situation (Sudahnan, 2011). If a country already has a good security system, then every policy that will be formed by other sectors becomes easier to implement and realize quickly, precisely and safely. The government has made efforts to maintain and improve defense which is currently stated in the fourth paragraph of the 1945 Constitution as well as in the Decree of the People's Consultative Assembly of the Republic of Indonesia No. IV/MPR/1999 concerning Outlines of State Policy 1999-2004 concerning Defense and Security, in addition to the IV Amendment to the 1945 Constitution Chapter XII concerning State Defense and Security, Article 30 paragraph (1).

The state apparatus who has the duty and authority to maintain the security of the Indonesian state is not only carried out by the police, but is the joint responsibility of all Indonesian people who have a role in creating a safe, comfortable and well-organized environment (Rahardi, 2013). Reflecting on the State of Indonesia, which has thousands of islands and a population that continues to grow. Police officers with a number that is not proportional to the situation will be overwhelmed if they have to regulate and manage it themselves. One of the organizations that can directly assist the duties and authorities in maintaining security and public order is the security unit or known as the Satpam. The regulation of the head of the state police of the Republic of Indonesia Number 24 of 2007 states "that the Security Unit is a form of independent security tasked with assisting the National Police in the field of administering security and public order, limited to the working environment".

The role of security unit officers is very important in the sociological efforts of the police function that develops in the social life system to maintain security and order in their respective regions. The strategic environmental situation, both in the political and economic settings, has an equally serious impact on the security and defense of social life.

Achieving the vision, mission and goals in the organization of the security unit must also have good and directed human resources because of their very vital role in this matter. There needs to be special attention given by the government and in particular by the Indonesian National Police (Polri) to conduct guidance and improve the performance of security units in an effort to improve state security, especially in the community. As stated in the 1945 Constitution Number 24 Article 1 concerning the Guidance of Security Units are all efforts, activities and work to guide, encourage, direct, mobilize including activities of

coordination and technical guidance of Security Units, to actively participate in creating, maintaining and improving order and security for themselves and their families. work environment in the form of self-defence and security.

Based on this, there is a need for management of motivation and rewards given to security units as an effort to improve performance in maintaining national security and defense. Motivation has a very important role in influencing a person's performance in carrying out their duties. The higher the motivation possessed by the security unit, the higher the awareness of the responsibilities imposed on his work. One of the government's efforts to provide motivation and rewards for security unit officers is by establishing a policy of the Head of the Indonesian National Police (Kapolri) Regulation Number 4 of 2020 concerning Security Swakars regarding the change in the new uniform color of the security unit.

This will also provide economic welfare for security unit officers which will have an impact on the economic resilience of the Indonesian state. Economic resilience is resilience that can be reflected in an economy where independence and competitiveness are formed to realize just and equitable people's welfare.

LITERATUR REVIEW
Motivation and Reward Management

According to Simamora (2015), human resource management is the development, provision of remuneration, and assessment and management of both individuals and groups within organizations. It means that resource management focuses on career development, performance appraisal as well as providing salaries and wages to employees who are earned from their hard work in carrying out their responsibilities in the company. This is known as motivation and reward management. **Motivation** is a driving force that makes a person willing to mobilize abilities, both in the form of skills or expertise, energy and time to carry out various kinds of work that are their responsibility and fulfill their obligations to achieve the goals that have been set. by the organization (Yunita, 2021). According to Dallu (2019), stating the basis of the word motivation is a motive which means because or the reason someone does something.

Reward is one of the important elements in motivating someone to be able to contribute optimally and express the best innovation ideas to improve the company's development both financially and non-financially. It is concluded that motivation and reward management is one of the efforts made by an organization to provide encouragement to improve performance as well as to maximize the ability of employees or members to realize the goals of the organization. Robbins (2007) defines motivation as, *"The Process by which person efforts are energized, directed and sustained attaining a goal."*

Davis (2004) stated that job satisfaction is the match between an expectation and the rewards obtained by employees from a company that is also in accordance with the work given. Based on this, job satisfaction can be determined by the reward it receives for the services provided. The results of research conducted by Nur (2020) The performance of permanent employees is more directed to the quality of work which refers to the knowledge and abilities possessed by employees and is intellectually oriented and the application of mastery of knowledge possessed by employees when completing tasks from superiors. The existence of motivation can stimulate employees to move their energy and thoughts in realizing a goal of the organization (Ashari, 2016). The factors that can affect motivation and rewards for employee performance or achievements can be a leader's strategy in running an organization Herzberg in Andriani & Widiawati (2017).

1. **Motivational factors**, the driving force in improving an achievement that has an intrinsic nature, which comes from a person's self.
   a. **Achievements/achievements**
      The success obtained from one's efforts and hard work will give a sense of enthusiasm again in achieving the next goal or target.
   b. **Recognition of others**
      Attitudes that arise as a result of clarity and acknowledgment by others of what the employee has achieved.
   c. **Opportunity to grow**
      The opportunity to develop will provide intrinsic motivation within oneself, with the opportunity it will make a person enthusiastic to achieve the expected target.
   d. **Progress in career**
      The existence of a hope to pioneer a work professionalism and a better career will make employees try to pursue that career.
   e. **The challenges at work**
      When the work done has a good impact and is also liked by employees, it will create a good impetus to complete the task as well as possible.
   f. **Responsibility**
      This responsibility will raise an attitude of concern for work that is considered important to be completed immediately, so it is very important that someone is given responsibility and trust in carrying out their duties.

2. **Hygiene Factors (Maintenance),** These factors arise from the extrinsic nature, which appears or comes from outside a person.

   a. **Status in the organization (Involvement)**

   The clarity of this status will make a person raise his own motivation to participate in the organization. This status is an acknowledgment and clarity of position in the organization.

   b. **Relationship with superiors**

   A good relationship will make people excited and obedient to one's orders or superiors.

   c. **Relationship with coworkers**

   Having good co-workers is a motivation in itself because of the factor of cooperation or relationships with good co-workers.

   d. **Administration System**

   Easy administration will help someone easy in carrying out their duties because it is well-systematic, so this will cause motivation to work.

   e. **Education and Training (Development)**

   Education and training become a separate motivation from outside the intrinsic factor because the guarantee and certainty of the results of the training and education become a good motivation for those who carry it out.

   f. **Reward System**

   Someone will be motivated by the rewards they know, the higher the rewards or rewards that will be obtained, the higher the motivation of the person in working. The guarantee and certainty of the benefits obtained will make someone try hard to achieve the reward.

Performance

According to Mangkunegara in Yenni (2019) performance is a word that comes from the word work performance or actual performance which is the result of work in the form of quality and quantity that has been achieved by a person in carrying out his duties and obligations in an organization. Performance is also a Monday in completing tasks with predetermined limits (Iqbal, 2015). Meanwhile, according to Veithzal in Chrisnanda (2017) performance is a real behavior that is shown by everyone as a work achievement produced by employees in accordance with the role given by an organization. It can be concluded that performance is an achievement or result achieved by a person in carrying out a task and *responsibility* given to an organization or company in both qualitative and quantitative forms.

The factors that affect performance according to Hermawan & Rahadi (2021) there are six external factors such as: management behavior, environment, job design, feedback, remuneration (wages/salaries) as well as work assessments. There are four performance indicators Mangkunegara in Halim & Andreani (2017) as follows:

1. Quality of work, indicators in this case see how well a person is in completing a job in accordance with predetermined standards.
2. Quality of work, shows how long it takes to complete the job.
3. Implementation of tasks, indicators that show how accurate and no one's mistakes are in completing their tasks.
4. Responsibility, an indicator shown by awareness of one's obligations towards the work he has given.

METHODS

The method of writing scientific articles using qualitative research methods and data collection techniques in the form of Literature Studies and Library Research. This literature study was obtained from various articles in the 2010 to 2021 period, both reputable and unreputed, and a review of literature books in accordance with theory, especially in the scope of motivational management and human resource rewards. In addition, references are obtained from several documents, news, annual reports and others. Journals analyzed from several journals with the keywords "Management", "Motivation", "Reward", "Performance" and "Security Unit". All scientific articles cited are sourced from Mendeley and Google Scholar.

Qualitative research, literature review must have good consistency with methodological assumptions. This means that it must be done in an inductive way so that it will not cause the questions asked by the researcher. One of the methods used in this method is to conduct exploratory research. Furthermore, it will be discussed in depth in the section entitled "Related Literature" or Literature Review (Review of Literature), as the basis for formulating hypotheses which will later become the basis for making comparisons with the results or findings that can be disclosed in the study (Hapzi Ali, 2013).

RESULTS AND DISCUSSION

The motivational factors that are formed within the security units in Indonesia are currently manifested in government regulations regarding the uniform use policy. This policy is contained in the regulation of the head of the state police of the Republic of Indonesia Number 24 of 2007 regarding the change in the color of the new uniform of the security unit. The use of the security

The New Uniform Policy of the Security Unit in an Effort to Apply Management Motivation and Rewards to Increase the Defense and Economic Resilience of the Indonesian State: Literature Study

unit uniform, which originally consisted of a white top and dark blue subordinates, was changed to a light brown top and dark brown subordinates accompanied by a pangkan mark on their shoulders. This rule applies at the end of 2020 as stated in the Regulation of the Head of the Indonesian National Police.

The three levels of rank found on the shoulders of this security unit have meaning in the level of implementing ranks, namely:

1. Execution power with one triangle
2. Intermediate executive rank with two triangles
3. The rank of the main executor with three triangles

According to the Head of the Public Information Bureau (Karopenmas) of the Public Relations Division, Porli stated that the use of brown color is considered as a symbol of warmth, modesty, honesty and usefulness. It is hoped that with the use of brown color, the Indonesian State security unit can give the impression of nurturing and protecting the community. In addition, brown is also the color of earth elements such as the color of stones, soil and wood which is expected by the security units to give the impression of being social to maintain the safety and comfort of the Indonesian people. According to the district regulation above, the use of security unit uniforms is the same as the use of police uniforms by wearing daily service clothes (PDH), with the following details:

1. A light brown short-sleeved shirt and wears a five-button shoulder cloth and a sleep collar.
2. Trousers or skirt with a length of 5 cm below the knee dark brown.
3. Shoes and socks are black.
4. There is a monogram and a nameplate.

The change in uniform color was also accompanied by an increase in the number of uniforms, which initially numbered 4 to now number 5 consisting of PDH, Special Field Service Clothing (PDL Sus), One Field Service Clothing (PDL Satu), Daily Civil Clothing (PSH), and Complete Civilian Clothing (PSL).

This change in official attire was carried out with the aim of managing motivation and awards given by the state to security units in an effort to improve their performance. As according to Gibson (1996), which defines motivation as, "...the concept we use when we describe the forces acting on or within an individual to initiate and direct behavior". Herzberg's theory, motivation and reward management can be done with two factors, namely motivational factors and maintenance factors. This policy is one of the strategies carried out by the government in terms of these factors, as described below:

1. Motivational Factor

a. Recognition of others

According to Siagian, S (2009) this recognition is one of the factors that influence a person in developing his career. An attitude that arises as a result of an acknowledgment of others from the achievements that have been realized. This change in official attire was carried out as an acknowledgment that the security unit is also part of the state apparatus in maintaining the security and defense of the Republic of Indonesia. The Head of the Public Information Bureau (Karopenmas) of the National Police's Public Relations Division stated *"There is an emotional closeness between the Police and the security unit, fostering pride in the security unit as a developer of limited police functions. Glorifying the profession of the security unit, and adding to the performance of the police function in the community,"*

b. Opportunity to grow

Caroline (2014)also mentions that there is a positive influence between career development on employee performance. The opportunity to move up to a higher rank will create motivation that is formed within the Security Unit to achieve the desired target. There is an openness of training that can be done to be able to move up in certain positions. The promotion per level of the executive rank is calculated from the minimum length of work of 4 years. Security units wishing to be promoted to intermediate executives have worked for at least 2 years and passed the Gada Pratama level competency test.

c. Responsibility

This sense of responsibility will bring up an attitude of concern for the work that is important to complete. The change in official attire is expected to create a sense of responsibility in carrying out duties to maintain national security and defense. The function of wearing official clothes, which are almost similar to police clothes, is expected to add to the deployment of police functions in the midst of society (Damayanti & Sumaryati, 2013) .

2. Hygiene Factors (Maintenance)

a. Status in the organization (Involvement)

This organizational status is very important for recognition and clarity in an organization. This Security Unit carried out professional restoration with more serious responsibilities. This change in official attire was made to

become an identity as a part of the police force that helps in bringing order to the general public, maintaining peace and maintaining national security.

b. Relationship with coworkers

This policy change was made to increase the emotional closeness between the police and the security units. With the similarity of clothes, it will create a sense of togetherness in accepting the same burden and responsibility, so that it will increase motivation to work together to maintain the security of the Indonesian state.

c. Reward System

According to Fitri & Soehari (2019), rewards will encourage someone to do something more efficiently than before. One of the functions of this policy is as a reward for the performance carried out by the security unit organization so far. This is done to create a sense of pride in carrying out their duties. In addition, as one of starts of the security unit profession which is very vital in maintaining order in the community.

Management of Motivation and Rewards That Affect Performance

Performance is the art of completing tasks with predetermined limits (Iqbal, 2015). According to Sagala in Yunita (2021), performance is a real behavior and is shown by a person as a work achievement from what he produces in accordance with the role given by the company. If a person's behavior provides work that is in accordance with predetermined standards, then the performance is classified as good, and if on the contrary, the performance can be said to be not or not good (Damayanti & Sumaryati, 2013).

According to Halim & Andreani (2017) motivation and compensation have a positive and significant influence on employee performance. In addition, motivation is the basic driving force that will move a person to devote all his energy because of a goal (Chrisnanda, 2017). The management of motivation and rewards carried out by the National Police in making new policies related to new uniforms for security units has an influence on their performance in maintaining national defense and security. The task that was originally only owned by the National Police is now working hand in hand with the security unit which is considered closer to the community, so the role of the security unit is also very important in maintaining national defense and security. "Security units as assistants carrying out police functions in their work environment are directed to carry out security service activities for the benefit of a company so that there is no risk that harms the company,..." (Hasan, 2002) Security units can work directly with the community and monitor community activities directly. One of the objectives of the establishment of this new policy is to improve the performance of the security unit in carrying out their duties and authorities.

As stated by the Karopenmas Bureau, the policy of changing the uniform to become the same as the Indonesian National Police's uniform was carried out to provide duties and authority to the security unit in assisting the National Police in maintaining national defense and security. The public will also be more obedient and respect the profession of the security unit. This increase in performance will provide benefits to a person's career which will lead to increased welfare in his life. Having good abilities and being able to be competitively superior will create independence in building a better economy. Realizing the country's economic resilience by paying attention to every citizen in building their welfare.

CONCLUSION

The policy in the regulation of the head of the state police of the Republic of Indonesia Number 24 of 2007 regarding the change in the color of the new uniform of the security unit. The use of the security unit uniform, which originally consisted of a white top and dark blue bottoms, was changed to a light brown top and dark brown subordinates accompanied by pangkan marks on their shoulders. This change in official attire was carried out with the aim of managing motivation and awards given by the state to security unit as an effort to improve their performance.

The security units are expected to give their best performance with the authority and recognition given by the police. This also gives the security unit authority in the community because it has one of the same identities as the police, namely the identity in uniform. The similarity of one identity with the police also means that the security unit has one of the same powers and duties as the police, namely maintaining the security and defense of the Indonesian state. This increase in performance will provide benefits to a person's career which will lead to increased welfare in his life. Having good abilities and being able to be competitively superior will create independence in building a better economy. Realizing the country's economic resilience by paying attention to every citizen in building their welfare.

REFERENCE

1) Andriani, M., & Widiawati, K. (2017). Penerapan Motivasi Karyawan Menurut Teori Dua Faktor Frederick Herzberg Pada PT Aristika Kreasi Mandiri. *Journal Admistrasi Kantor*, *5*(1), 83–98.
2) Ashari, M. S. (2016). *Pengaruh Motivasi dan Disiplin Kerja Terhadap KInerja Karyawan pada PT PLN (Persero) Unit Pelayanan Transmisi SULSERBAR*. 123.

3) Caroline, O. and W. S. (2014). Influence of Career on Employee Performance in The Public University, A Case of Kenyatta University. *Social Sciens Management and Enterpreneurship*, *1*(2), 1–16.

4) Chrisnanda, D. (2017). *Pengaruh Motivasi Kerja terhadap Kinerja Karyawan di PT Mas Sumbiri*.

5) Dallu, A. S. (2019). Analisis Faktor – Faktor Yang Mempengaruhi Kinerja Pegawai Pada Kantor Satuan Polisi Pamong Praja Dan Pemadam Kebakaran Provinsi Sulawesi Barat. *Jurnal Ilmiah Ilmu Manajemen*, *1*(2), 193–207.

6) Damayanti, A. P., & Sumaryati, S. (2013). *Kinerja Karyawan Perusahaan Daerah Air Minum (Pdam) Surakarta*. *2*(1), 155–168.

7) Davis, N. (2004). *Human Behavior at Work*. McGraw Hill.

8) Fitri, D. P., & Soehari, T. D. (2019). Peningkatan Kinerja Melalui Disiplin, Motivasi Dan Lingkungan Kerja Pada Satuan Reskrim. *Akademika*, *8*(02), 183–194. https://doi.org/10.34005/akademika.v8i02.324

9) Gibson, et al. (1996). *Organizational Behavior, Structure, Process, 8th Edition* (Alih Bahas). Binarupa Akasara.

10) Halim, & Andreani, F. (2017). Analisis Pengaruh Motivasi Dan Kompensasi Terhadap Kinerja Karyawan Di Broadway Barbershop Pt Bersama Lima Putera. *Jurnal Komunikasi*, *5*(1), 1–8.

11) Hapzi Ali, N. L. (2013). *Metodologi Penelitian (Petunjuk Praktis untuk Pemecahan Masalah Bisnis, Penyusunan Skripsi, Tesis, dan Disertasi)*. Deepublish.

12) Hasan, A. (2002). Majalah Asosiasi Management Security Indonesia (AMSI),. *Edisi No. 01 Oktober*.

13) Hermawan, R., & Rahadi, D. R. (2021). Analisa Lingkungan Kerja dan Peningkatan Kinerja Karyawan melalui Motivasi: Studi Literatur. *Tirtayasa Ekonomika*, *16*(1), 118. https://doi.org/10.35448/jte.v16i1.10090

14) Iqbal, N. (2015). Effect of Leadership Style on Employee Performance. *Arabian Journal of Business and Management Review*, *5*(5), 1–6. https://doi.org/10.4172/2223-5833.1000146

15) Nur, E. (2020). *Analisis Kinerja Karyawan Tetap dan Karyawan Kontrak (Studi Kasus pada PT. Bank Sulselbar Cabang Jeneponto)*. Program Studi Manajemen Fakultas Ekonomi dan Bisnis Universitas Muhammadiyah.

16) Ketetapan Majelis Permusyawaratan Rakyat Republik Indonesia No. IV/MPR/1999 tentang Garis-garis Besar Haluan Negara 1999-2004 tentang Pertahanan dan Keamanan.

17) Peraturan kepala kepolisisan negara Republik Indonesia Nomor 24 Tahun 2007.

18) Peraturan Kepala Kepolisian Republik Indonesia (Kapolri) Nomor 4 Tahun 2020 tentang Pengamanan Swakars.

19) Rahardi, P. (2013). *Profesionalisme dan Reformasi Polri*. Laksbang Mediatama.

20) Robbins, J. (2007). *Perilaku Organisasi terjemahan Diana Angelica*. Salemba Empat.

21) Saputro, G. E., Mahroza, J., & Tarigan, H. (2020). THE IMPACT OF THE MILITARYEXPENDITURE AND SECURITY EXPENDITURE STRUCTURE ON THE SECURITY STABILITY. Jurnal Pertahanan: Media Informasi Ttg Kajian & Strategi Pertahanan Yang Mengedepankan Identity, Nasionalism & Integrity, 6(3), 328.38

22) Saputro, G. E., Tarigan, H., & Rajab, D. D. A. (2021). the Role of Defense Economic in Economic Growth. Jurnal Pertahanan: Media Informasi Ttg Kajian & Strategi Pertahanan Yang Mengedepankan Identity, Nasionalism & Integrity, 7(2), 330. https://doi.org/10.33172/jp.v7i2.123939)

23) Saputro, G. E. (2021). Implementation of Economic Policies Facing Covid 19 in Supporting Nonmilitary Defense. International Journal of Social Science and Human Research, 04(04), 634–642. https://doi.org/10.47191/ijsshr/v4-i4-1140)

24) saputro, g. e. (2021). Pengaruh Stabilitas Makro Ekonomi, Stabilitas Keamanan Dan Pertumbuhan Industri . universitas borobudur

25) Saputro, G. E., & Meirinaldi. (2019). Analisis Pengaruh Stabilitas Keamanan dan Pertumbuhan Industri Strategis Terhadap Makroekonomi. Jurnal Ekonomi, 21(3), 237–253. https://doi.org/https://doi.org/10.377 21/je.v21i3.603

26) Saputro, G. E., & Prakoso, L. (2021). Implementation of Economic Policies Facing Covid 19 in Supporting Nonmilitary Defense. International Journal of Social Science And Human Research, 4(4), 634–642. https://doi.org/https://doi.org/10.471 91/ijsshr/v4-i4-11

27) saputro, g.e (2021) PENGARUH ANGGARAN PERTAHANAN, IMPOR ALUTSISTA, EKSPOR ALUTSISTA, DAN INFLASI TERHADAP PERTUMBUHAN EKONOMI DI INDONESIA TAHUN 1980-2019 Jurnal Ekonomi, Volume 23 Nomor 2, Juni 2021 Copyright @ 2021, oleh Program Pascasarjana, Universitas Borobudur

28) Siagian, S, P. (2009). *Manajemen Sumber Daya Manusia*. Bumi Aksara.

29) Simamora, H. (2015). *Manajemen Sumber Daya Manusia*. STIE YPKN.

30) Sudahnan, S. (2011). Kewenangan Satpam Sebagai Tenaga Keamanan Di Perusahaan. *Perspektif*, *16*(3), 140. https://doi.org/10.30742/perspektif.v16i3.78

31) Yenni. (2019). Pengaruh Motivasi Kerja terhadap Kinerja Pegawai. *Jurnal Dimensi*, *8*(2), 27–41. \ https://doi.org/10.33373/dms.v8i2.2179\

32) Yunita, Y. (2021). Kepuasan Kerja Dan Kinerja Karyawan: Motivasi, Gaya Kepemimpinan (Kajian Studi Literatur Manajemen Sumber Daya Manusia). *Jurnal Manajemen Pendidikan Dan Ilmu ...*, *2*(1), 310–330. https://dinastirev.org/JMPIS/article/view/504

Determinant Performance of Private Universities in Denpasar City

Putu Cita Ayu[1], Putu Nuniek Hutnaleontina[2], Ni Putu Yeni Yuliantari [3]

[1,2,3]Faculty of Economics, Business and Tourism Universitas Hindu Indonesia Denpasar, Bali-Indonesia

ABSTRACT: Universities as part of higher education have a strategic role in producing quality, professional and highly competitive resources. To realize the role of universities in producing superior and ethical human resources, the accountability of universities for compliance with government regulations is a major factor. However, the reality of the existence of private universities in Denpasar City shows that there are still relatively low academic positions of lecturers, low ratings of research and service performance, low ratings of accreditation scores and also universities that have not been accredited. This study aims to answer the main problem whether an organizational culture based on Tri Hita Karana (THK) can moderate the relationship of intellectual capital through organizational learning to the performance of private universities. The number of respondents who are willing and participating in the survey are 41 heads of study programs. The results showed that high intellectual capital was able to improve the performance of private universities in Denpasar City through the full effectiveness of organizational learning. However, other findings indicate that organizational culture based on Tri Hita Karana (THK) has not been able to streng then the relationship between intellectual capital and organizational learning on the performance of private universities in Denpasar City.

Keywords- Intellectual Capital, Organizational Learning, Organizational Culture Tri Hita Karana, Private University Performance.

INTRODUCTION

In the era of globalization and openness as well as various disruptions that befall organizations, the demand for reliable and highly competitive human resources professionalism is absolutely necessary. Responding to these conditions, universities have a very strategic role in producing human resources who can meet these demands. But on the other hand, the existence of private universities, especially in Bali and West Nusa Tenggara, shows that performance is still low in the form of accreditation ratings results from the regulator of the National Accreditation Board for Higher Education as shown in table 1 below:

Table 1. Accreditation Value of Colleges and Study Programs.

No	Accreditation Score			
1	College Accreditation	Information	Amount	Percentage
		A	0	0.00%
		B	23	21.70%
		C	41	38.68%
		Not yet accredited	42	39.62%
			106	
2	Study Program Accreditation	A	23	4.54%
		B	263	51.87%
		C	185	36.49%
		Not yet accredited	36	7.10%
			507	

The low performance of private universities as published by the regulator Higher Education Service Institution (LLDIKTI) Region VIII (2020), makes an issue or phenomenon that is interesting to study and makes a problem that the final result of the accreditation of the National Accreditation Board for Higher Education can have a broad impact on its stakeholders. In the last decade, the development of the application of intellectual capital in universities has begun to receive the attention of academics (Christa & Connect, 2021; Rahayuningtyas & Triana, 2017; Yolanda & Silvia, 2014). The intellectual capital approach becomes

very important in higher education institutions, because knowledge is their main input and output. The university produces knowledge through the tri dharma activities of higher education which include education, research and community service. Their most valuable resources include lecturers, education staff, administrative staff services and students (Ulum, 2019). Therefore, higher education institutions are an ideal framework for the application of ideas related to the intellectual capital approach.

Consistent with this argument, Bejinaru (2017); Salinas-Ávila et al., (2020); Ulum, (2019) and Yolanda & Silvia, (2014) succeeded in proving that intellectual capital can have an effect on improving organizational performance in the context of higher education. However, different results were found by several previous researchers who stated that the application of intellectual capital was not always able to significantly improve organizational performance.Tran and Vo, (2018) as well as Joshi et al., (2013) provide evidence that there is a negative and significant relationship between intellectual capital on financial performance and Bröcheler et al.,(2004). Instead, it states that the role of intellectual capital has no significant effect on organizational performance.

Intellectual capital in private universities can be a major weapon in efforts to improve organizational performance. If the intellectual capital in the organization is low, it is very difficult to compete with other universities. Intellectual capital is an asset/organizational capital that is not visible to the naked eye, which is a collection of people, change processes and consumers that provide competitive value for the company. There has been agreement or consensus that intellectual capital can be in the form of three components, namely human capital, structural capital and relational capital. Human capital can be sourced from three things, namely competence, attitude, and intellectual intelligence, then structural capital comes from three things, namely correlation, organization, and renewal and development (Astuti et al., 2019).

Next Nezam et al., (2014) explained that the performance of manufacturing companies in the automobile industry sector in Iran can be improved by increasing the role of intellectual capital through organizational learning capacity. Furthermore, in the context of higher education institutions, research results Sugiono,(2018) succeeded in proving that knowledge innovation is a critical element in product value creation and economic growth in a knowledge-based economy. Knowledge innovation depends on increasing organizational learning capabilities. Organizational efforts to retain and train their best human resources are the most important competitive strategies in the context of the knowledge economy. Organizations that are oriented towards organizational learning naturally seek to improve their managerial, operational, and competence competencies in establishing relationships with other parties. Organization members who have high intellectual capital are always encouraged to improve organizational learning and subsequently have an impact on increasing organizational performance. Consistent with this argument Liu, (2017) and Winarno et al., (2018) succeeded in proving that intellectual capital can play a role in increasing organizational learning capacity.

The role of organizational learning is very important for institutions such as universities to improve their capabilities and continuously transform their organizations towards better knowledge management (Rebelo et al., 2020; Sugiono, 2018). The application of organizational learning to adapt to the conditions of higher education development for the interests of stakeholders, both students as customers, the government as regulators and industry as users of higher education services. Increased learning capabilities carried out by the organization strictly, will be able to encourage an organization to improve organizational performance and productivity. Consistent with this argument, Khandekar & Sharma, (2006); Safitri et al., (2018) and Tambunan, (2020) succeeded in proving the influence of organizational learning on organizational performance. However, different results were found by several previous researchers who stated that organizational learning had no effect on innovation (Makena, 2017) as well as Nuzul, (2018) found that organizational learning had no direct effect on financial performance.

The existence of research gaps from various views on the findings of different results is increasingly challenging to be studied in more depth related to improving organizational performance in this case private university entities. This is an opportunity for researchers to conduct further research so that it is expected to clarify how the influence of intellectual capital on organizational performance through organizational learning. That intellectual capital and organizational learning are not always able to improve organizational performance, because this is highly dependent on contextual factors that occur within the entity's organization.

Schein, (2010) states that organizational culture is the basic assumptions, values, beliefs, behaviors and attitudes shared by the organization that are used as a reference in understanding the internal and external environment in order to achieve organizational goals. Organizational culture globally serves to bridge strategies in increasing the productivity of organizational institutions. The application of organizational culture in an organizational institution can affect the thinking patterns, behavior patterns, and behavior patterns of members of the organization in producing products, serving consumers, and achieving organizational goals. The achievement of organizational culture can be briefly stated in organizational performance, this shows that there is a relationship between organizational performance and culture (Abdul et al., 2019; Joseph & Kibera, 2019).

Sagiv & Schwartz, (2007) in his study, he has examined how the cultural values of the local community where the organization is sheltered can influence or interact with the cultural values of the organization that will be built or have been previously embedded. Likewise, organizations or entities operating in Bali, especially Denpasar City, cannot be separated from the influence of cultural interaction or local wisdom. As is known, that the Balinese have a philosophy or philosophy of life known as the Tri Hita Karana (THK) culture. Whereas THK culture is a philosophy that is at the same time a concept of life and a Balinese belief system that puts forward the principles of togetherness, harmony, and balance between economic goals, environmental and cultural preservation, aesthetics and spirituality (Sutajaya et al., 2020). The concept of THK is a concept of harmonization of relations that is always

maintained by the Balinese Hindu community which includes parayangan (human relations with God), pawongan (human relations), and palemahan (human relations with the environment) which are sourced from the Hindu holy book, Baghawad Gita Chapter III. Sloka (Parmajaya, 2018). The results of previous studies, the application of THK-based organizational culture has been implemented in various organizations or entities such as Subak (Sriartha & Kertih, 2020), Village Credit Institutions (LPD) (Mulyawan et al., 2017), Hotel (Dewi et al., 2017), Government Organizations (Wirawati et al., 2020) and also even to the college organization (Putera & Supartha, 2014). Thus, the concept of THK culture is a cultural concept in which the values contained in it have colored various people's lives, especially in Bali, including in conducting business activities so that it can be categorized as organizational culture.

The use of the organizational culture variable based on THK as a moderating variable can be justified on the grounds that a human resource planning including planning for the development of organizational intellectual capital and the effectiveness of the organizational learning process will run well if it is supported and supported by the values of an organizational culture based on THK. This is in line with the opinion (Mulyawan et al., 2017) which states that the THK-Based organizational culture applied to the LPD strengthens the relationship between the influence of good corpotate governance on organizational performance. Consistent with this argument, (Wirawati et al., 2020) also succeeded in proving that there is a positive and significant relationship between THK culture on the performance of regional apparatus organizations in Karangasem Regency. A strong THK culture is the most influential motivator in guiding behavior, as it helps employees do their jobs better. THK's strong culture also makes people feel better about what they do so they tend to work harder.

This study was developed to fill the gap of previous research by using intellectual capital as an exogenous independent variable that affects organizational learning as an intervening variable and organizational performance as an endogenous dependent variable. The novelty in this research is the addition of the organizational culture variable based on THK which acts as a moderating variable in the hope that it can strengthen the influence of intellectual capital and organizational learning on organizational performance, which in previous studies did not exist or were rarely used. Therefore, the role of organizational culture based on THK as a moderating variable is expected to gain a more comprehensive understanding regarding the performance of private universities as entities that produce superior human resources.

LITERATURE REVIEW
Resource Based View Theory.
Resource Based View (RBV) theory refers to Barney (1991), further stated that the company's growth, both internally and externally through mergers, acquisitions and diversification is due to the use of its resources. An enterprise consists of 'a pool of productive resources, wherein these resources can only contribute to the competitive position of the firm to the extent that they are exploited in such a way that their valuable potential capabilities are available to the firm. These resources can only contribute to a firm's competitive position to the extent that they are exploited in such a way that their valuable potential capabilities are available to the firm. Companies can gain a sustainable competitive advantage by implementing who exploit their internal strengths, are responsive to the opportunities environment, and neutralize external threats and avoid internal weaknesses. Private Universities in providing services to their stakeholders are strongly influenced by the resources they have. Therefore, private universities resources need to be developed to be superior and competitive, which in turn can improve private universities performance in producing quality human resources so that private universities can be trusted by the community and its users. The following is a picture of the RBV theory model that focuses on the company's internal strengths.

Intellectual Capital Concept
The definition of Intellectual Capital (IC) in various literatures is often defined differently, but basically contains the same meaning (Bontis, 2001) explained that the notion of IC can be understood in three ways. First, the overall in any way that is known within the company that can give it an edge; Second, intellectual material in the form of knowledge, information, intellectual property, and experience used to create wealth and experience; Third, useful knowledge packages. Important underlying concepts in this definition include the idea that intellectual capital is something that is knowledge-based, captured in an identifiable form, and is useful in organizations (Samira et al., 2017), (Satya & Pramuki, 2021).

Bontis, (2001) stressed, the IC component is classified into three main components, namely: (1) Human Capital, (2) Structural Capital and (3) Customer Capital where the essence of the scope, parameters and difficulty of codification are each different, but function as the main component. Intellectual capital that are correlated with one another and affect performance. The conceptualization of intellectual capital does not include intellectual property in the form of patents and copyrights such as: copyrights, patents, semi-conductor topographic rights, and various design rights.

Sugiono (2018) states that organizational resources or assets can be classified into 3 parts, namely: physical capital, financial capital, and intellectual capital. Meanwhile, the components of intellectual capital consist of three parts, namely: human capital, relational capital, and structural capital. The explanation of the three parts can be seen in the following description:
1. Human capital in the organization includes skills, depth and breadth (scope) of experience possessed by employees, practical knowledge in certain areas that are important for strategy implementation and organizational success, coupled with the talent

and attitude of human capital.

2. Relational capital. Organization includes all existing relationships between the organization and other parties (consumers/customers/customers, intermediaries, employees/employees, suppliers, alliance partners, regulatory bodies, interest groups, community groups, creditors or investors). These relationships are categorized into two types of relationships, namely: formal relationships, formed through contractual obligations such as; relationships with consumers are in the form of large organizations, while relationships with partners are informal relationships (without contractual obligations).

3. Structural Capital. The organization includes various types of vital factors for an organization where one of the most important factors is the main operating process in the organization, such as: organizational structure, policies, information flow, data based content, management style, organizational culture, incentive scheme/structure, and intellectual capital. other legally protected and classified into several, namely: practice and routine (operational processes), organizational culture and intellectual property.

Organizational Learning Concept

Organizational learning is the process of detecting and correcting errors. In general, the concept of organizational learning was first learned, recognized and developed by the organization developed by Senge, (2002) in his book The Fifth Discipline explains that organizational learning is an organizational process in which organizational members continuously expand their capacity to create outputs that are truly expected and desired, where new patterns of expansion of thinking are nurtured, freedom to channel aspirations collectively, encourage organizational members to continually learn to see the future together as a whole. In the midst of a rapidly changing environment, only people who are willing to constantly learn to increase their capacity and be adaptive, productive, and flexible to their changes can survive. Senge (2002) provide direction that the organization must provide space and media how to utilize the capacity and sense of commitment of employees to be encouraged to continue learning at all levels.

Organizational Culture Based on THK

Every organization basically has its own uniqueness in carrying out its organizational activities. Starting from the ways of acting, the values that are used as the basis for action, the leadership's efforts to treat subordinates, to efforts to solve problems that occur in the organizational environment. All of these are inseparable aspects of organizational culture. Schein, (2017) explain that organizational culture is athe basic pattern of assumptions created, discovered and developed by a particular group when learning to deal with problems of external adaptation and internal integration that work well and are valid, therefore taught to new members as the correct way to understand, relate and feel in relation to these problems. Elements of organizational culture are translated into artifacts, espouse values, and basic assumptions

Organizational culture cannot be separated from the values or norms that develop in society, in this case the THK culture. This is a concept based on on the principle of harmony or harmony life which consists of three mutually related to each other. The three elements are, parayangan which refers to the harmony of the relationship between man and God (Ida Sang Hyang Widhi), pawongan namely the harmony of relationships with others human, palemahan is harmony relationship with the environment and nature.

If the organizational culture as defined by Schein, (2017) collaborating with THK culture, it can be said that the elements of THK culture have been used as elements of the organizational culture of Schein, (2017), such as for example element *bad luck* in THK it is analogous to basic assumptions, pawongan is analogous to the value system, and weak analog artifacts (Surya et al., 2017). Thus, it can be said that the values contained in the THK culture have been used as a value system that is used as a guide for organizational members in carrying out their obligations and behaving. So it can be defined that the organizational culture based on THK is a cultural concept where the values contained in it have colored various people's lives, especially in Bali, including in conducting business activities.

Private University Performance

Performance in principle can be divided into two sides, namely employee performance or individual performance and company or organization performance. Employee performance is the output or result of an employee's personal work within a company. In organizational life, individual performance is a key factor that cannot be ignored at all. The achievement of organizational goals is only possible because of the efforts of the actors in the organization. In this case, there is a close relationship between individual performance and the performance of institutions/organizations/companies. If the employee's performance is good, it is likely that the performance of the organization/company will also increase. Organizational performance or company performance is an indicator of the level of achievement that can be achieved and reflects the success of managers/entrepreneurs.

Determinant Performance of Private Universities in Denpasar City
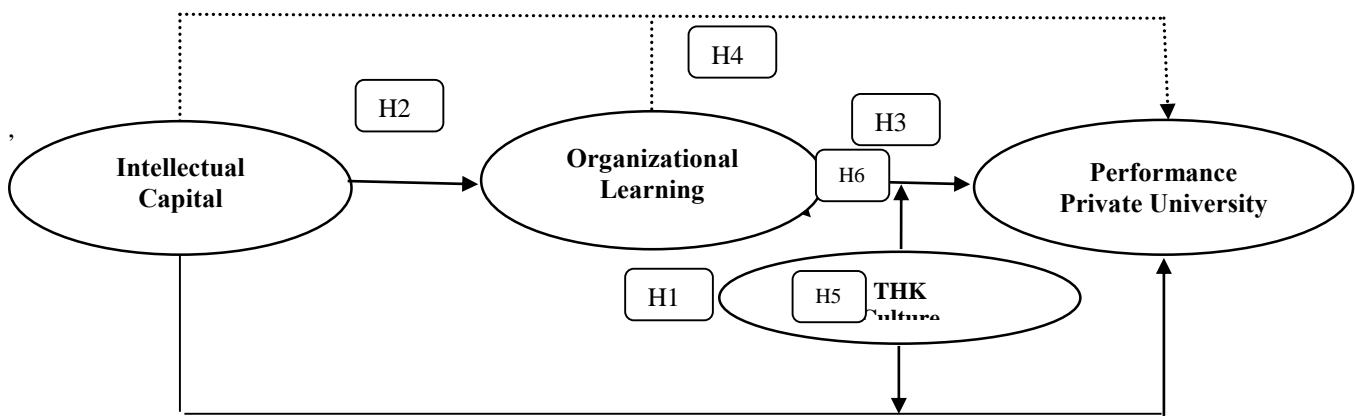
Figure 1. Conceptual Framework

RESEARCH METHODE

Population and Sample

This study uses a survey method, namely distributing questionnaires to all heads of study programs at 9 private universities in Denpasar City, Bali-Indonesia. The number of questionnaires distributed were 130 questionnaires, and 41 questionnaires were returned. Thus, the return on the questionnaire (response rate) is 31.5%. All returned questionnaires were filled out so that they could be analyzed further. The majority of respondents were male (58.5%) and had a working period of less than ten years (41.5%).

Measurement Model

Intellectual capitalis the perception of university leaders on the process of identifying the integration of human capital, structural capital, and relational capital which is the embodiment of the description of the development of knowledge-based resource management and management science that can contribute to the implementation of organizational strategy and improving organizational performance. The intellectual capital indicators are measured reflectively with the following indicators: (1) human capital, (2) structural capital, and (3) relational capital adopted from the research results (Sugiono, 2018). Operationally, organizational learning is the perception of university leaders about organizational and managerial characteristics that facilitate the learning process in organizations. The organizational learning indicators built in this study consist of 5 indicators reflectively, namely: (1) personal skills (personal mastery), (2) mental models (mental models), (3) sharing a shared vision, (4) Teamwork (team learning), and (5) Systems thinking adopted from research results (Sugiono, 2018).

THK-Based organizational culture is the perception of university leaders on the process of understanding, thinking, feeling, and passing on the values of organizational culture that breathes Hinduism in an organization that is referred to by organizational members which is used as the basis for solving problems to achieve organizational goals. The indicators of organizational culture based on Tri Hita Karana that were built in this study consisted of 3 indicators reflectively, namely (1) Palemahan, (2) Pawongan and (3) Parahayangan which were adopted from the research results (Putera & Supartha, 2014). Organizational performance is the perception of university leaders in assessing the level of achievement of the results achieved by the organization with activities, programs, and policies in realizing the organization's vision, mission, goals, and objectives that already exist in the organization's strategic planning. The measurement of organizational performance in this study is viewed from a non-financial perspective by using 4 indicators reflectively, namely the productivity perspective, service quality perspective, responsiveness perspective, and responsibility perspective adopted from the research (Sugiono, 2018).

RESULTS AND DISCUSSION

The research data were analyzed using Partial Least Square (PLS) with a first order approach. The testing steps carried out were the outer model test to evaluate the validity and reliability of the indicators, the research model testing and hypothesis testing. The test of construct validity and reliability used three methods, namely convergent validity, discriminant validity, and composite reliability. The results of testing the outer model using reflective indicators show a value greater than 0.6 so that the indicator is considered valid. The next step is to test the discriminant validity by comparing the coefficient of the square root of the Average Variance Extracted (√AVE) for each latent variable with the correlation coefficient of the other latent variables (Ghozali, 2021). The results of this test show the AVE value is higher than 0.50 (Table 2). The indicator test results are said to be reliable if they have composite validity and Cronbach's alpha values greater than 0.70. The results of the composite test the validity of this study ranged from 0.846 to 0.929 while Cronbach's alpha value ranged from 0.758 to 0.914. Thus, these results indicate that the indicators used are reliable (Table 3).

Determinant Performance of Private Universities in Denpasar City

Table 2. AVE, AVE and correlation of latent variables

Construct	AVE	√AVE	Correlation coefficient			
			TC	PUP	IC	OL
TC	0,4076389	0,5319444	1			
PUP	0,3840278	0,5166667	0,506	1		
IC	0,4034722	0,5291667	0,238	0,483	1	
OL	0,4131944	0,5354167	0,334	0,420	0,448	1

Note: TC = THK culture, PUP = Private University Performance, IC = Intellectual Capital,
OL = Organizational Learning

Table 3. Composite Reliability Test and Cronbach Alpha

Variable	Cronbach's Alpha	Composite Reliability
Intellectual Capital	0.758	0.846
Organizational Learning	0.914	0.929
THK culture	0.910	0.927
Private University Performance	0.899	0.917

The next step is to test the inner model. The feasibility test of the model was carried out using the results of the R^2 analysis, which showed the strength of the relationship between exogenous variables and endogenous variables. R2 values between 0.715 and 0.843 (strong). This study has a Q^2 calculation value of 0.955, meaning that this study has a good observation model. This figure is interpreted that exogenous variables can explain university performance by 95.5%, and the remaining 4.95% as other factors outside the model. The next stage is hypothesis testing which is carried out through two stages, namely testing the direct and indirect effects of exogenous variables on endogenous variables. The results of testing the direct relationship between each variable are shown in Table 4.

Table 4. Direct relationship between each variable

Relationships Between Constructs	Original Sample	T Statistics	P Values	Information
Intellectual Capital -> Private University Performance	0.179	0.891	0.374	Not significant
Intellectual Capital -> Organizational Learning	0.846	16,164	0.000	Significant
Organizational Learning -> Private University Performance	0.446	2,129	0.034	Significant
THK Culture -> Private University Performance	0.342	2,849	0.005	Significant

The test of mediating and moderating variables role in this research model is shown in Tables 5 and 6.

Table 5. Testing the role of mediating variables

Relationships Between Constructs	Original Sample	T Statistics	P Values	Information
Intellectual Capital -> Private University Performance	0.179	0.891	0.374	Not significant
Intellectual Capital -> Organizational Learning	0.846	16,164	0.000	Significant
Organizational Learning -> Private University Performance	0.446	2,129	0.034	Significant
Intellectual Capital -> Organizational Learning -> Private University Performance	0.377	2,159	0.031	Significant

Table 5 shows that organizational learning mediates the relationship between intellectual capital and university performance. This result was confirmed by the VAF value of 0.929 > 0.8. Hair et al., (2014) stated that if the research model has a VAF value > 80%, it means that the model is a full mediation model. The VAF value of 0.929 or 92.9% confirms that this research model is full mediation. Thus, the results support H4.

Determinant Performance of Private Universities in Denpasar City

Table 6 shows that intellectual capital has a positive and insignificant effect on university performance (T-statistical value 0.891 < 1.96, p-value 0.374). The interaction analysis showed that the test of the interaction between intellectual capital variables and THK organizational culture on university performance showed an insignificant value (T-statistical value 0.165 < 1.96, p-value 0.869). In this case, THK's organizational culture is not a moderating variable. Thus, the results do not support H5. Furthermore, organizational learning has a positive and significant effect on university performance (T-statistical value 2.1291>1.96, p-value 0.034). The interaction analysis showed that the interaction test between organizational learning variables and THK organizational culture on university performance showed an insignificant value (T-statistical value 0.650 < 1.96, p-value 0.516.). In this case, THK's organizational culture is not a moderating variable. Thus, the results do not support H6.

Table 6. Testing the role of moderating variables

Relationships Between Constructs	Original Sample	T Statistics	P Values	Information
Intellectual Capital -> Private University Performance	0.179	0.891	0.374	Not significant
Organizational Learning -> University Performance	0.446	2,129	0.034	Significant
THK Culture -> Private University Performance	0.342	2,849	0.005	Significant
IC*THK Culture -> Private University Performance	-0.056	0.165	0.869	Not significant
OL*THK Cuture -> Private University Performance	0.212	0.650	0.516	Not significant

Intellectual Capital and Private University Performance

The results of the H1 test show that intellectual capital has a positive and insignificant effect on university performance. The results showed the opposite of the formulated hypothesis. The better the implementation of intellectual capital development does not necessarily improve the performance of universities in Denpasar City. The findings of this study illustrate that the implementation of good intellectual capital development cannot directly support variations in changes in improving university performance. Human capital assets in universities that have high capacity, optimal use of intellectual intelligence, and have new ideas are able to increase the productivity of organizational members (lecturers) which is reflected in their provision of knowledge to complete work, tasks and obligations carefully, precisely, and in accordance with standards determined by the organization still need better efforts, in order to be able to improve university performance. For example, providing support for lecturers to continue their studies and providing rewards in the form of awards and materials. The findings of this study do not support previous research (Sugiono, 2018).

Intellectual Capital and Organizational Learning

The results of the H2 test show that intellectual capital has a positive and significant effect on organizational learning. The research results support the formulated hypothesis. The better the implementation of intellectual capital development, the higher or more effective the learning process of private university organizations in Denpasar City. The findings in this study that the implementation of good intellectual capital at private universities in Denpasar City is able to support variations in changes in increasing the effectiveness of the organizational learning process. The university's human capital assets have high capacity, optimal use of intellectual intelligence, and are able to make decisions quickly and always make continuous improvements on the basis of objective evaluations. Human capital is the main factor in the implementation of intellectual capital development and is a determining factor in achieving good systems thinking in organizational learning. The findings of this study support previous research (Sugiono, 2018)

Organizational Learning and Private University Performance.

The results of the H3 test indicate that organizational learning has a positive and significant effect on university performance. An increase in good organizational learning will be followed by an increase in the performance of private universities in Denpasar City. The main concept of the organizational learning process is learning together (involving all members of the organization), where sharing mechanisms (either sharing thoughts, sharing perspectives, sharing mental models or sharing a shared vision) are the main keys to the success of the organizational learning process. In organizational learning, superiors continuously provide opportunities for every member of the organization to learn, because by learning, creativity and innovation abilities will increase so that it will have a positive impact on improving organizational performance. The findings of this study support previous research (Sugiono, 2018).

Intellectual Capital, Organizational Learning and University Performance

The results of the H4 test indicate that the organizational learning variable is a full mediation, which means that organizational learning is the only variable mediating the relationship between intellectual capital and university performance. The results of this study support the research findings of Nezam, et al. (2010) and Sugiono (2018), which state that there is a positive and significant

influence of intellectual capital on the efficiency of new product development performance through mediating organizational learning capacity. The results of this test indicate that the implementation of intellectual capital development can affect organizational performance either directly or indirectly through university learning. The value of the coefficient of the direction of the variable relationship obtained a positive and significant value, meaning that good organizational learning can improve organizational performance provided that the university leadership is able to carry out intellectual capital development well through the development of human capital, structural capital, and relational capital. Thus, the improvement of organizational learning and intellectual capital must be carried out in an integrated manner and not become a separate part of private higher education institutions.

Interaction of THK Organizational Culture with Intellectual Capital and University Performance.
The results of the H5 test indicate that THK's organizational culture has not been able to strengthen the relationship between intellectual capital and university performance. This means that the relationship between intellectual capital and university performance does not depend on the condition of THK's organizational culture. That private university institutions in order to improve their performance can focus more on intellectual capital by increasing and developing human capital, structural capital, and relational capital in accordance with the demands of stakeholders (government, students, and graduate users).

THK Organizational Culture Interaction with Organizational Learning and University Performance
The results of the H6 test indicate that THK's organizational culture has not been able to strengthen the relationship between organizational learning and university performance. This means that the relationship between organizational learning and university performance does not depend on the condition of the THK organizational culture. That private universities in order to improve their performance can focus more on the organizational learning process by updating, improving and developing personal skills, expertise in sharing a shared vision, mental models, teamwork, system thinking in accordance with the demands of stakeholders (government, students, and graduate users.

CONCLUSIONS
The research findings prove that the development of intellectual capital indirectly through mediation of organizational learning can improve university performance. Therefore, it is recommended that university leaders be more serious and focus on developing intellectual capital through the implementation of increasing human capital, structural capital, and relational. The research findings prove that effective organizational learning can improve university performance. Therefore, it is recommended that university leaders be more innovative in applying organizational learning to lecturers to increase the value of accreditation and create a sense of sensitivity to environmental changes.

The results of this study have several theoretical, practical and policy implications. From an academic perspective, these findings broaden the university performance literature. In this case, private university performance is influenced by intellectual capital through organizational learning. However, this finding leaves the question of the failure of the intellectual capital variable directly on university performance. Another failure is THK's organizational culture in influencing the relationship between intellectual capital and organizational learning on university performance. From a practical and policy-making perspective, this research highlights the need for university leaders to focus on the standards or guidelines set by regulators to review the gaps in accreditation scores at each university.

This study has limitations, that the sample used in this study is only at the level of the study program. Based on the research findings which show that the accuracy of the model analyzed in this study after considering the moderating variable is still relatively low. This means that the diversity of intellectual capital variables, organizational learning, university performance and THK organizational culture can be explained by the model which is still not optimal. Thus, further researchers can develop this research model by: 1) Adding or replacing the THK organizational culture variable indicators that are more in line with the characteristics of the research object. 2) Develop a model for measuring university performance from other perspectives such as financial perspective, number of students perspective, student satisfaction perspective, or lecturer satisfaction perspective. 3. Measurement of university performance by using respondents from top management of universities in order to describe the overall performance of the organization. 4. Expanding the scope of research objects, for example private universities in the form of institutes, high schools, academies, or polytechnics. 5. Entering the classification of higher education institution accreditation ratings and study program accreditation as control variables in the research model.

ACKNOWLEDGMENT

REFERENCES
1) Abdul, A. R. Z., Sumantoro, I. B., & Maria, D. (2019). Total quality management of micro, small and medium enterprises

---

(MSMEs), and the impact to organizational culture and performance: Emerging country case. *Polish Journal of Management Studies*, *19*(1). https://doi.org/10.17512/pjms.2019.19.1.03

2) Astuti, P. D., Chariri, A., & Rohman, A. (2019). Association between intellectual capital and competitive advantage: A case study on the hotel industry in bali province, Indonesia. *Humanities and Social Sciences Reviews*, *7*(4), 440–449. https://doi.org/10.18510/hssr.2019.7460

3) Barney, J. (1991). Firm Resources and Sustained Competitive Advantage. *Journal of Management*. https://doi.org/10.1177/014920639101700108

4) Bejinaru, R. (2017). Knowledge strategies aiming to improve the intellectual capital of universities. *Management and Marketing*, *12*(3), 500–523. https://doi.org/10.1515/mmcks-2017-0030

5) Bontis, N. (2001). Assessing knowledge assets: A review of the models used to measure intellectual capital. In *International Journal of Management Reviews*. https://doi.org/10.1111/1468-2370.00053

6) Bröcheler, V., Maijoor, S., & van Witteloostuijn, A. (2004). Auditor human capital and audit firm survival. The Dutch audit industry in 1930-1992. *Accounting, Organizations and Society*, *29*(7), 627–646. https://doi.org/10.1016/j.aos.2003.10.008

7) Christa, U. R., & Sambung, R. (2021). Analisis Pengaruh Dimensi Modal Intelektual Terhadap Kinerja Pelayanan Perguruan Tinggi Di Kalimantan Tengah. *Media Bina Ilmiah*, *15*(7), 4771–4780. http://ejurnal.binawakya.or.id/index.php/MBI/article/view/946

8) Dewi, P. N. K., Yuniarta, G. A., Ak, S. E., & Julianto, I. P. (2017). Pengaruh Implementasi Budaya Tri Hita Karana, Efisiensi Night Auditor, Dan Kualitas Tenaga Kerja Terhadap Kinerja Hotel Berbintang Di Kabupaten Buleleng. *JIMAT (Jurnal Ilmiah Mahasiswa Akuntansi) Undiksha*, *8*(2).

9) Ghozali, I. (2021). *Partial Least Square : Konsep, Teknik dan Apliaksi Menggunakan Program SmartPLS 3.2.9 Untuk Penelitian Empiris* (3rd ed.). Badan Penerbit Universitas Diponegoro.

10) Hair, J. F., Black, W. C., Babin, B. J., & Anderson, R. E. (2014). Multivariate Data Analysis Seventh Edition. In *Pearson New International*.

11) Joseph, O. O., & Kibera, F. (2019). Organizational Culture and Performance: Evidence From Microfinance Institutions in Kenya. *SAGE Open*, *9*(1). https://doi.org/10.1177/2158244019835934

12) Joshi, M., Cahill, D., Sidhu, J., & Kansal, M. (2013). Intellectual capital and financial performance: An evaluation of the Australian financial sector. *Journal of Intellectual Capital*. https://doi.org/10.1108/14691931311323887

13) Khandekar, A., & Sharma, A. (2006). Organizational learning and performance: Understanding Indian scenario in present global context. *Education and Training*, *48*(8–9). https://doi.org/10.1108/00400910610710092

14) Lembaga Layanan Pendidikan Tinggi (LLDIKTI) Wilayah VIII. (2020). *Rencana Strategis LLDIKTI Wilayah VIII Tahun 2020–2024*. Kementerian Pendidikan dan Kebudayaan. https://lldikti8.ristekdikti.go.id/2020/08/31/rencana-strategis-lldikti-wilayah-viii-tahun-2020-2024/

15) Liu, C. H. (2017). Creating competitive advantage: Linking perspectives of organization learning, innovation behavior and intellectual capital. *International Journal of Hospitality Management*, *66*. https://doi.org/10.1016/j.ijhm.2017.06.013

16) Makena, J. E. (2017). Pengaruh Kepemimpinan Transformasional Terhadap Kinerja Organisasi Melalui Pembelajaran Organisasi dan Inovasi Pada Hotel Prama Sanur Beach Bali. *JAGADHITA:Jurnal Ekonomi & Bisnis*, *4*(2).

17) Mulyawan, I. P. A., Wirama, D. G., & Badera, I. D. N. (2017). udaya Tri Hita Karana Sebagai Pemoderasi Pengaruh Good Corporate Governance Pada Kinerja Lembaga Perkreditan Desa Di Kota Denpasar. *Jurnal Ekonomi & Bisnis Universitas Udayana*, *6*(8), 3193–3222.

18) Mulyawan, I Putu Arya, Wirama, D. G., & Badera, I. D. N. (2017). Budaya Tri Hita Karana Sebagai Pemoderasi Pengaruh Prinsip Good Corporate Governance Pada Kinerja Lembaga Perkreditan Desa Di Kota Denpasar. *E-Jurnal Ekonomi Dan Bisnis Universitas Udayana*, *6*(8), 3222. https://doi.org/10.24843/eeb.2017.v06.i08.p10

19) Nezam, M. H. K., Attafar, A., Isfahani, A. N., & Shahin, A. (2014). Human Capital and New Product Development Performance Efficiency- The Mediating Role of Organizational Learning Capability. *International Journal of Learning and Development*, *3*(6), 40–87. https://doi.org/10.5296/ijld.v3i6.4564

20) Nuzul, A. A. (2018). *Pengaruh Pembelajaran Organisasi Terhadap Kinerja Keuangan Dengan Kapabilitas Teknologi Informasi Sebagai Variabel Mediasi Pada Pt Pln (Persero) Wilayah Sulselrabar* [Universitas Hasanudin]. http://repository.unhas.ac.id/id/eprint/3520/

21) Parmajaya, I. P. G. (2018). Implementasi Konsep Tri Hita Karana Dalam Perspektif Kehidupan Global : Berpikir Global Berperilaku Lokal. *Purwadita*, *2*(2).

22) Putera, I. D. G. W., & Supartha, W. G. (2014). Penerapan konsep tri hita karana dalam hubungannya dengan budaya organisasi di Rektorat UNUD. . . *E-Jurnal Manajemen*, *3*(7).

23) Rahayuningtyas, P. A. D., & Triana, E. (2017). Modal Intelektual dan Daya Saing Perguruan Tinggi di Indonesia. *Jurnal Akuntansi Dan Investasi*, *18*(2), 153–162. https://doi.org/10.18196/jai.180279

24) Rebelo, T., Lourenço, P. R., & Dimas, I. D. (2020). The journey of team learning since "The Fifth Discipline." In *Learning Organization* (Vol. 27, Issue 1). https://doi.org/10.1108/TLO-10-2019-0144

25) Safitri, C. L., Setyanti, S. W. L. H., & Sudarsih, S. (2018). Knowledge Sharing Sebagai Mediasi Pengaruh Learning Organization Terhadap Kinerja Karyawan. *Jurnal Inspirasi Bisnis Dan Manajemen*, *2*(1). https://doi.org/10.33603/jibm.v2i1.1059

26) Sagiv, L., & Schwartz, S. H. (2007). Cultural values in organisations: insights for Europe. *European Journal of International Management*, *1*(3). https://doi.org/10.1504/EJIM.2007.014692

27) Salinas-Ávila, J., Abreu-Ledón, R., & Tamayo-Arias, J. (2020). Intellectual capital and knowledge generation: an empirical study from Colombian public universities. *Journal of Intellectual Capital*, *21*(6). https://doi.org/10.1108/JIC-09-2019-0223

28) Samira, B., Samia, A., & Djamel, M. M. (2017). Intellectual capital and its measurement. *Proceedings of the International Conference on Industrial Engineering and Operations Management*, 205–209.

29) Satya, N. P. P. S., & Pramuki, N. M. W. A. (2021). Pengaruh Intellectual Capital Terhadap Kinerja Usaha Mikro Kecil Dan Menengah (Studi Empiris Pada Umkm Se-Kecamatan Tampaksiring). *Hita Akuntansi Dan Keuangan*, *10*, 109–132. https://ejournal.unhi.ac.id/index.php/HAK/article/download/2000/1187

30) Schein, E. H. (2017). Organizational Culture and Leadership (5th Edition). In *Organizational Culture and Leadership, (The Jossey-Bass Business & Management Series)* (Vol. 5, pp. 319–339). https://www.amazon.com/Organizational-Leadership-Jossey-Bass-Business-Management/dp/1119212049/ref=dp_ob_title_bk

31) Schein, Edgar H. (2010). *Organizational Organizational Culture Culture And Leadership* (4th ed.). Jossey-Bass A Wiley Imprint.

32) Senge, P. M. (2002). *The Fifth Discipline : The Art and Practice of Learning Orientation*.

33) Sriartha, I. P., & Kertih, I. W. (2020). *Subak Local Wisdom as Social Studies Learning Source in Junior High School*. https://doi.org/10.2991/assehr.k.200513.006

34) Sugiono, E. (2018). *Pengaruh Modal Intelektual Dan Komitmen Organisasional Melalui Pembelajaran Organisasi Terhadap Kinerja Organisasi Yang Dimoderasi Oleh Budaya Organisasi* [Universitas Brawijaya]. http://repository.ub.ac.id/9673/6/BAGIAN DEPAN.pdf

35) Surya, I. B. K., Dewi, A. A. S. K., Utama, I. W. M., Sriathi, A. A. A., & Mujiati, N. W. (2017). Budaya Tri Hita Karana, Komitmen Organisasional, dan Kepemimpinan Asta Dasa Paramiteng Prabhu Pengaruhnya Terhadap Kinerja Organisasi. *Prosiding Seminar Nasional AIMI*, *19*, 294–304.

36) Sutajaya, I. M., Sukra Warpala, W., Oka Riawan, I. M., & Sri Ratna Dewi, N. P. (2020). Implementation of Tri Hita Karana with Socio-Cultural Ergonomic Oriented on the Kecak Dance Performance to Improve Community Health and Supporting Cultural Tourism in Peliatan Ubud Gianyar. *Journal of Physics: Conference Series*, *1503*(1). https://doi.org/10.1088/1742-6596/1503/1/012053

37) Tambunan, S. T. B. (2020). *Pengaruh pembelajaran organisasi terhadap kinerja organisasi dengan pengembangan kompetensi, inovasi organisasi, dan inovasi teknologi sebagai variabel intervening (Studi empiris pada perusahaan digital Startup di Indonesia)* [Universitas Katolik Widya Mandala]. http://repository.wima.ac.id/id/eprint/21708/58/ABSTRAK.pdf

38) Tran, D. B., & Vo, D. H. (2018). Should bankers be concerned with Intellectual capital? A study of the Thai banking sector. *Journal of Intellectual Capital*, *19*(5), 897–914. https://doi.org/10.1108/JIC-12-2017-0185

39) Ulum, I. (2019). Intellectual Capital Framework Perguruan Tinggi Di Indonesia Berdasarkan Instrumen Akreditasi Program Studi (Iaps) 4.0. *Jurnal Reviu Akuntansi Dan Keuangan*, *9*(3), 309. https://doi.org/10.22219/jrak.v9i3.10227

40) Winarno, Troena, E. A., Armanu, & Solimun. (2018). Pengaruh Modal Manusia dan Pembelajaran Organisasi yang Dimediasi Kompetensi Organisasi dan Budaya Inovasi (Studi pada Perguruan Tinggi Swasta Di Kopertis V Yogyakarta). *Jurnal Aplikasi Manajemen*, *10*(2), 239–251.

41) Wirawati, N. G. P., Badera, I. D. N., & Putri, I. G. A. M. A. D. (2020). Pengaruh Good Government, Pengendalian Intern, Dan Budaya Tri Hita Karana Pada Kinerja Organisasi Perangkat Daerah Di Kabupaten Karangasem. *Buletin Studi Ekonomi*, *25*(2), 300–311. https://doi.org/10.24843/bse.2020.v25.i02.p08

42) Yolanda, R., & Silvia, G. (2014). Recognition and measurement of intellectual capital in Spanish universities. *Journal of Intellectual Capital*, *15*(1), 173–188. https://doi.org/10.1108/JIC-05-2013-0058
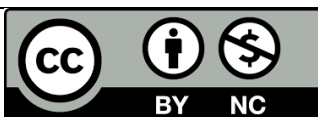
Barriers to Police Collaboration in Efforts to Maintain Public Order and Security in Disaster Situations

Wiendy Hapsari[1], Adrianus Meliala[2], Iqrak Sulhin[3]

[1]Doctoral Candidate. Department of Criminology, Faculty of Social and Political Sciences. University of Indonesia
[2]Professor of the Department of Criminology, Faculty of Social and Political Sciences. University of Indonesia
[3]Lecturer the Department of Criminology, Faculty of Social and Political Sciences. University of Indonesia

ABSTRACT: Disaster events, specifically large-scale, often have negative impacts on people's lives. One of which is in the form of public order and security disturbance. In this situations, the police are the law enforcement officers responsible for the control. As one of the security maintenance strategies, they implement a collaborative approach with partners including non-government groups, such as the mass media, civil society and organizations. However, this is not an easy task, especially in disaster situations. Therefore, this study aims to identify barriers to collaborative maintenance of public order and security in the context of disasters. Qualitative methods were used in the form of in-depth interviews with the police and their collaboration partners. The results showed several barriers in the implementation of collaboration came from internal and external police organizations.

KEYWORDS: Public Order Security, Disaster, Police Strategy, Social Control

INTRODUCTION

Indonesia is among the countries in the world that are prone to disasters. Based on the World Risk Index 2020 data, out of 181 countries, this country is in the 40th position with an index of 10.39. The high level of disasters in this country is also illustrated by data from the National Disaster Management Agency (BNPB) which states that from 2009 to 2020, the events have always exceeded a thousand every year.

Disaster events have an impact on human life. The United Nations Office for Disaster Risk Reduction (2015) stated that it has both positive and negative impacts on society. Positively, it leads to certain social behaviors, such as an increase in community solidarity. The negative impacts are economic, psychological, and environmental effects, which include death, injury, illness, and problems on human physical, mental, and social well-being. In addition, it causes disturbances in public security and order.

Several studies showed its effect on the emergence of disturbances in public order and security. Yik Kon Teh (2008) found that natural disaster situations give rise to the worst human behavior, including crime. It also discovered several opportunistic behaviors which arise during this event that even sacrifice the suffering of others. Susmita (2010) showed an increase in crime for these situations, specifically in developing countries. Furthermore, it was found that property crime tends to increase in both moderate and major disasters. The size of the crime is influenced by other factors such as newspaper coverage. Frailing and Harper (2017) identified the types of crime that often arise during disasters, including property theft, fraud, and domestic violence, which generally occur mostly in the aftermath of the event, and are vulnerable to women and children. Several fraudulent acts occur in the final phase of disaster recovery and reconstruction (post-disaster). Even organized crime is sometimes more numerous and the impact is stronger than before the disaster (Frailing & Harper, 2017: 8).

In Indonesia, several examples of the events led to many criminal acts that disrupt public order, one of which is the Aceh tsunami disaster on December 26, 2004. Lentini et al (2016) found that the crime rate decreased after the tsunami. This occurs because several crimes may go unreported (Lentini, Nikolov, Schwartz; 2016: 9). Meanwhile, other studies discovered criminal acts that are very specific and unique. Based on the UNFPA Indonesia report in 2006, as quoted from Ministerial Regulation Number 13 of 2020 concerning the Protection of Women and Children from Gender-Based Violence (KBG) (2020:14), there were 97 cases of gender-based violence reported by the Community Support Center after the Aceh tsunami. Another form of social security disturbance is looting during the 2018 earthquake in Palu City, Central Sulawesi (Wulandari et al, 2020).

The disturbance of public order and security does not only occur in the context of natural disasters, but also in non-natural situations, such as the COVID-19 pandemic. During the pandemic, it is not always related to property crime. Disturbances in public order and security that are motivated by non-economic motives are also quite dominating. Among which are attacks on health workers, resistance to health protocol enforcement officers, and residents' rejection of other patients. There are also social security disturbances in the form of attacks on ambulance drivers carrying COVID-19 positive corpses and residents' rejection to bury them

Barriers to Police Collaboration in Efforts to Maintain Public Order and Security in Disaster Situations

in their area. According to Ananda, Wijaya, and Putu (2021:23), the emergence of non-economic public order or security disturbances during the pandemic could be triggered by the negative stigma that patients, families, as well as health workers could be a source of the disease spread.

Table 1. Results of Monitoring Types of Specific Public Order and Security Disturbances During the COVID-19 Pandemic

No	Crime	No	Criminal/Non-Criminal Offense	No	Criminal/Non-Criminal Offense
1	Sexual Harassment of COVID-19 Patients	1	Violation of politeness on the spot due to PPKM (enforcement of restrictions on community activities) stress reasons	16	Counterfeiting of COVID-19 Free Certificates
2	Sexual harassment of vaccinated participants	2	Wild Racing Action	17	Oxygen cylinder hoarding
3	Fraud with the mode of disaster victims' donations	3	Crowding during PPKM (enforcement of restrictions on community activities)	18	Sales of oxygen cylinders above the average price
4	Hypnosis to take the victim's belongings by claiming to be a COVID-19 officer	4	Not Using a Mask	19	Sales of rapid test equipment above the standard price
5	Online Scam	5	Yelling at the citizens at the portal door	20	COVID-19 drug hoarding
6	Disinfectant spraying mode robbery	6	Illegal drug sales	21	Drunk in public
7	Help truck breaker	7	Sales of fake honey and drugs	22	Residents' conflict for COVID19 assistance
8	Charity Box Theft	8	Creating a frenetic or noisy atmosphere	23	
9	Hoax	9	Insult	24	
10	COVID-19 Corpse Scramble	10	Rice embezzlement for COVID-19 relief		
11	Attack on the rover officer	11	Residents' rejection of other fellow citizens who suffer from COVID-19		
12	Drugs with the reason of pandemic stress	12	Attacks on health workers		
13	Robber admits as police and COVID-19 officers	13	Fighting the enforcement officers		
14	Corruption COVID-19 pandemic disaster assistance	14			

Source: Monitoring news on the sindonews.com portal on legal & criminal channels for the period 2 March 2020 – 5 August 2021

Barriers to Police Collaboration in Efforts to Maintain Public Order and Security in Disaster Situations

In this situation, the police is a form of formal social reaction whose job is to reduce disturbances in the security and social order. They are the first responders who act as the main actors in mitigation, preparedness, response, and recovery before, during, and after the disasters. Furthermore, they are the element who provides immediate assistance to the public, and their presence serves as a real deterrent to chaos and violence (Bono 2011 in Adams & Anderson, 2019:2).

However, to carry out their duties, the police are faced with many challenges. This condition implies the need for collaboration with various parties to achieve optimal results in the maintenance of public order and security. As explained by Schrage in Aggranof & McGuire (2003:4), collaboration is a form of a relationship created as a solution in conditions of limitations. In addition to the limitations and shortcomings of the organization, it is important to hasten because each institution has different functions, capacities, and areas of duty. These differences could potentially hamper efforts to maintain public order and security when carried out individually. On the other hand, when conducted collaboratively, there will be an increase in collective capacity that will make handling efforts run more optimally.

This partnership is not easy due to its complex nature. Otwin Marenin (2016), a criminologist from Washington State University, stated that the theory and practice of collaboration or partnership between the police and other stakeholders are difficult to apply and not as imagined. It was further explained that partnerships will involve several practical challenges, ranging from the simple issue of arranging a meeting schedule to who will pay for part of the collaboration.

METHOD

This study aims to describe the various challenges faced by the police and their partners in carrying out collaborative maintenance of public order and security in disaster situations. The results were described based on data obtained from several sources through in-depth interviews with the police, represented by the Chief of the Resort (Kapolres), as well as partners from nongovernment circles, such as civil society, mass media, and social institutions. Furthermore, the grounded theory approach was used for theoretical development, which involved a systematic process of data collection and analysis. This was used to reveal social relationships and group behavior, known as social processes (Strauss: 1994). Glaser and Strauss (1990) argued that studies with this approach have the potential to generate concepts (variables) and assumptions based on data obtained in the field.

To gain a broader and deeper understanding, apart from conducting in-depth interviews, various secondary data collection techniques were used. This includes data collection through literature review, observation, and mass media monitoring to determine the typical forms of public order and security disturbance that arise during disasters, specifically a pandemic.

RESULT AND DISCUSSION

Collaboration as a Mainstay Strategy for Maintaining Public Order and Security in a Disaster

Disasters have complex impacts, hence, their handling requires extraordinary efforts. BNPB data presented in The 18th Strategic Talk program with the theme "Highlighting Disasters in Indonesia: Impact, Management, and Prevention", showed that natural disasters have caused a large amount of economic loss. Some examples of disaster losses include the fire incident in 2015 which could cost up to IDR 221 trillion. The eruption of Mount Agung in 2018 caused up to IDR 19 trillion losses, as well as the Sunda Strait tsunami with a loss of IDR 1.25 trillion. Not only economically, but the impact of this event also touches on social aspects. This condition makes the affected community worse off which subsequently has an impact on increasing social diseases. Furthermore, its effect damages the foundations of the nation's life and affects domestic security (Yudianto, 2019:3)

The rise of disturbances in public order and security, directly or indirectly demands a reaction. These are the efforts made in social control or maintenance of public order and security during a disaster. According to Dermawan & Olii (1994:3), social control is an effort to overcome and prevent crime which is part of community reaction. In this case, the police are the law enforcement officers who play an important role, however, they cannot operate alone. Social control efforts during and after the disaster require the active role and services of all institutions that are realized in a collaboration. The partnership in the police context is a principle of community policing (Chrysnanda, 2020:20). It has been implemented by the police in countries such as Japan and the United States and later adopted by other countries, including Indonesia. The adoption process resulted in the formulation of a community policing model (Polmas) in carrying out the National Police duties (Chrysnanda, 2020:106). The National Police Chief Regulation Number 3/2015 describes Polmas as a partnership activity between members of the National Police, the community and other parties carried out to detect or identify public order and security problems as well as to find solutions to these problems.

This method is also conducted to increase public awareness and behavior to make them play an active role in enforcing the law and maintaining security. Community policing can also be referred to as a form that involves ordinary citizens directly in the policy process. Also, traditional policing protects the community by placing the police as the experts who have all the answers, while community policing empowers ordinary citizens by registering them as partners with the police in creating a better and safer place (Trojanowicz, 1991:14). According to Cossyleon (2019), it is a philosophy and practice that treats police-community interaction and communication as the main basis for reducing crime and its fear. This collaborative approach with community partners becomes very crucial because the police and other institutions have challenges and limitations while carrying out their respective roles. These officers cannot solve the problem of crime alone

Barriers to Police Collaboration in Efforts to Maintain Public Order and Security in Disaster Situations

(Setiawan;2020, Laufs;2020). Moreover, disaster situations often create unexpected events. As stated by Laufs & Waseem (2020), disaster situations, specifically pandemics, have created various unexpected and unprecedented challenges for police departments around the world.

Collaboration is currently crucial in achieving organizational goals. Goldsworthy & McFarland (2019) stated that this idea is not something new. The method is very common as each organization seeks to expand its reach and add new targets. This makes them have mutual dependence (Raharja, 2016). This is in line with the functionalist perspective which views society as an inseparable part (Bernard, 2007: 48). According to Wondoleck and Yafee in Raharja (2016), collaboration does not only facilitates implementation but also makes the resulting decisions better. In addition, it serves to bridge institutions, organizations, and individuals to carry out capacity development, understanding, and support (Raharja, 2016: 43).

In the maintenance of public order and security, the police are expected to cooperate with other agents or stakeholders apart from civil society. Yudianto (2019: 10) stated that disaster management is very complex, multi-dimensional, multi-stakeholder, and multi-disciplinary, therefore, its handling requires collaboration between all parties.

In this study, all Indonesian police departments have implemented community policing (Polmas) to promote partnerships with local entities. This is for proactive problem solving to overcome various crimes or chaos, hence, it can subsequently improve the life quality of the community. The results of interviews with the informants showed collaboration is a mainstay method that is continuously improved to overcome all problems of public order and security. Various elements are targeted to increase efforts for maintaining public order and security, namely academia, mass media, social organizations, civil society, and local community leaders.

The application of collaborative policing that considers the problem-oriented principle is the assumption that is currently proposed in the maintenance of public order and security. Informants agreed that this method could provide optimal results in social control or maintenance of public order and security. Moreover, several challenges arise in disaster situations that cause a multiplier effect. Realizing that disaster is a complex situation, the police makes efforts to collaborate with various parties.

Barriers to Police Collaboration

The movement towards a community-oriented police force has gained momentum in recent years as the intensity of disasters increases. In 2020, the COVID-19 pandemic that hit Indonesia presented various social problems in society that could threaten public security and order. The various social upheavals that arose during the event prompted the police to look for more effective ways to maintain Kamtibmas. One of which is through partnership or collaboration efforts. However, the pandemic is different from other disaster situations. It has distinctive characteristics, as it occurs in a long duration of time and causes a very broad impact on all aspects of life (Gray, 2021: Siregar 2020). This condition makes the challenges faced by the police in collaborating with their partners even greater. Marenin (2016) stated that the theory and practice of collaboration or partnership between the police and other stakeholders, such as academia and the community are difficult to apply. This is because several factors influence the successful implementation of collaboration. In a pandemic disaster situation that is happening for the first time in Indonesia, the challenges faced will be more complex. The results of interviews with resource persons showed some of the challenges that would be faced while establishing partnerships with stakeholders in disaster situations from internal or external to the police organization.

Organizational Internal Aspect
Police Officer

Barriers in the internal aspect come from the police organization. In a disaster situation, the role of the police is significant because the affected communities cannot function normally without external help (Twig, 2007). However, several studies showed that in the face of extreme events, such as disasters, all systems confront the challenge of human vulnerability (Alexander 2005; Cutter 2005). This is also the case with the police as they were vulnerable to the risk of COVID-19 during the pandemic. Reporting from the online media page kompas.com, more than 1,000 police officers were recorded to be exposed to the virus. The data were obtained since the outbreak in Indonesia in March 2020. The duties of the officers who should always be at the forefront and deal directly with the public create very large risks of transmission. This condition inevitably contributed to the disruption of their services to the community. According to Fritz (1961:655), quoted from Adams & Anderson (1992:46), a disaster is an event concentrated in time and space, where a society or one of its subdivisions experiences physical damage and social disturbances. This results in the disruption of all or some important functions of the community and subdivisions.

This condition is also recognized by the Indonesian police. The interview results indicated that the pandemic situation had made changes in the operational implementation of their duties because several members were exposed to the virus. The reduced number of officers has disrupted services for the community, moreover, the number of cases has continuously increased in the 20202021 period. According to Cromwell (1996) in Zahran et al (2009:29), the devastation caused by large-scale disasters can increase crime due to the rise in the vulnerability of citizens to become victims, while at the same time, the capacity of officers is reduced and there are fewer numbers.

Barriers to Police Collaboration in Efforts to Maintain Public Order and Security in Disaster Situations

As the number of police decreases, the community victims also continue to fall, which eventually makes the collaboration that was arranged unable to run optimally and even stops altogether. Although in several collaboration programs, this condition is circumvented by bringing assistance from police units in other regions. However, this does not make the program effective. The challenges that arise are related to the ability of the substitute officers to quickly understand all aspects of the program, such as the extent to which activities have been carried out and communication patterns that were developed with the partners. The partners have to face the challenge of re-adjusting with new members of the police. In some police units, this can be overcome by exploiting the potential of the society by replacing the officers with community elements, such as religious leaders. However, the capabilities of police and non-police partners will differ in responding to disaster problems. Therefore, a reliable police presence is still needed to continuously achieve the goals of the partnership.

In disaster situations, the officers often experience psychological barriers, apart from physical constraints that sometimes affect the ability to carry out their functions. This condition can ultimately affect the quality of services, including collaboration. The psychological aspects that arise are not solely related to heavy work demands but are also caused by the emergence of a sense of stress due to the uncertainty that should be faced during a disaster.

Barriers to implementing the partnership as described in the results are related to the problem of the number of resources. This is because the police members need to carry out collaborative disaster management functions, while several public order and security activity calendars require personnel support. This is exacerbated by the high routine and intensity of operational activities during disasters, while the police still have to be responsible for carrying out routine operations. This problem is caused by the insufficient number of officers, hence, a personnel confronts a fairly high burden. This condition affects their quick response to follow-up community needs.

The success of the program is also determined by the ability of police to form partnerships with the community or other members. Several studies showed that the failure of police collaboration is influenced by their possibility to work independently from the community while identifying and providing solutions to problems. Furthermore, there are barriers related to officers who think that their performance measures are based on organizational measures rather than focusing on building relationships with the community (Skogan and Hartnett, 1998; Skolnick and Bayley, 1988; Green, 2000; Polzin, 2007). Meanwhile, Buracker (2007) stated that some problems related to them were caused by a lack of training on the philosophy and methods of community involvement.

The results showed training was carried out for officers where these activities were part of the routine agenda. This was conducted for a certain period with the expectation that the capacity of the police will continuously improve and they can quickly adapt to changes during a disaster. The training covers ways and strategies for building partnerships with communities and other institutions. This is also stated in the rules concerning Polmas that officers will receive training for a minimum of one week with materials which include basic knowledge, effective communication techniques, police technical functions, basic individual skills, how to build partnerships, and techniques for solving Kamtibmas problems or resolving disputes (Regulation of the Indonesian National Police Number 1 of 2021 concerning Community Policing). However, it is acknowledged that in facing new disasters, such as pandemics, the police are required to adapt quickly because there are several aspects of new social phenomena that are not always present in the previous training materials.

Resource

Due to the unpredictable nature of the disaster, the availability of resources to support the maintenance of public order and security is also a problem. Resources include aspects of funding, time, and role sharing between each party, technical and administrative support for the implementation of activities as well as the need for experts in a collaborative program (Arrozaaq, 2016:10). According to the interview results, this is one of the challenges faced by the police and affects the course of the program. Meanwhile, resources are one of the components that will determine the success of the collaboration. As explained in the collaboration model of Emerson, Nabatchi, & Balogh (2012), the program should have the following principles, namely shared principles and motivation, as well as the capacity to take joint action. In the capacity to take collective action, one of the requirements that should be met is funding (Emerson, Nabatchi & Balogh, 2012: 6).

In this program, each collaborator should prepare the required resources, including a budget. However, this cannot be fully fulfilled in collaborative relations, specifically with civil society. Budget issues are more complicated during a pandemic because this is the first time it will occur. The budget posts from both formal and non-formal agencies, do not contain details about this need. Conditions are quite influential in the implementation of collaboration. In fact, some activities were hampered because they were not supported by an adequate budget.

The challenges that arise are also caused by the lack of resources in the form of available infrastructure. To continuously achieve the goals of collaboration, the police and collaborators from the community seek to cooperate with other parties. The private sector is partnered with to supply cleaning equipment needs or request support from associations to be involved in counseling programs. This creates multi-agent collaboration where one agent has to share different resources according to their respective capacities. In this situation, several personnel are automatically involved in the program.

Barriers to Police Collaboration in Efforts to Maintain Public Order and Security in Disaster Situations

Communication Barriers

The stakeholders who participate in implementing the public order and security maintenance program in disaster situations come from different backgrounds. This has the potential to cause several problems, including the failure of communication between fellow implementing agencies which can eventually lead to conflict. This was also acknowledged by the informants who admitted that they often face challenges in meeting partners who had different perspectives on the problems they were trying to solve. This conflict occurs due to communication failure.

Indonesian National Police Regulation Number 1 of 2021 concerning Community Policing Article 3 outlines the principles of implementing Community Policing which include effective communication that runs intensively. Intensive communication in this law is defined as two-way communication that is carried out continuously with the community through direct or indirect meetings to discuss security and order issues. However, in a disaster situation, effective communication cannot be fully achieved. Besides causing frequent damage that destroys infrastructure, these events also change patterns of human relations that affect communication activities.

In normal situations, communication is carried out directly and through intermediaries (indirectly). However, in a disaster situation, it cannot be performed all at once. During the COVID-19 pandemic, the police and partners cannot freely engage in face-to-face meetings due to social restrictions, and, each party needs to think about safety. Therefore, their communication pattern was mostly through online means. The most widely used media are the telephone and WhatsApp, while zoom meeting facility was used in coordination meetings involving a large number of members.

The effectiveness of the online communication process is often doubted because, in some situations, communication failures often occur due to technical problems. Some of the challenges that usually arise in disaster situations include network disturbances, device problems as well as individual factors, such as different perceptions and understandings of certain issues. This condition can lead to miscommunication. Meanwhile, at the ideal level, collaborative governance is built on the face-to-face dialogue between stakeholders. Ansell & Gash (2008:16) stated that direct dialogue is needed by stakeholders to identify opportunities for mutual benefit.

Besides its relation to patterns or ways of communicating, the intensity factor also affects the quality of interaction. The minimal intensity of communication can affect the success rate of policy implementation and collaborative programs. The interview results illustrated that several officers did not communicate intensively or regularly with their partners. Communication is only carried out when problems occur in the program being run. This sub-optimal communication can ultimately result in different perceptions and consequently increase suspicions, which undermines trust between the parties involved. The lack of communication also causes inadequate ties between each partner which can threaten the sustainability of collaboration in the future.

Organizational External Aspects

Community Support

Effective community policing requires an open civil society to collaborate and undertake collective problem-solving (Parsons, 2017). However, it is not easy to create collaboration with community partners. Skogan (2006) argued that community involvement is difficult to achieve in certain fields. Also, it is an important component of emergency management and action to reduce disaster risk. According to the Australian Disaster Resilience Handbook Collection (2020), community engagement is a critical process by which all stakeholders come together to reduce the risk and increase collective resilience. This can occur at any stage of the disaster cycle, i.e. before, during, or after the event. Communities can also be involved in simultaneous action for disaster prevention, preparedness, response, and recovery from individuals, groups, organizations, or institutions, either from government, non-government, private sector, or civil society (Australian Disaster Resilience Handbook Collection, 2020: viii: viii). In the same reference source, community engagement is referred to as the process of creating relationships between communities and partners who work together to build resilience through collaborative action, shared capacity building, and the development of strong relationships built on mutual trust and respect (Australian Disaster Resilience Handbook Collection, 2020: 4).

However, based on the interviews with police informants, the fact is that it is not easy to foster collaboration with the community. Skogan (2006) affirmed that engagement is hard to achieve in certain fields. Partnerships with communities are difficult because they are agents who are not tied to maintenance tasks. Carroll Buracker and Associates Ltd, (2007) in Couqilhat (2008) concluded that citizens are unpaid agents, and to participate, they need to take time out of their busy lives. According to Skolnick and Bayley (1988), community policing often implies that individuals have interests, values, integrity, demands, and expectations, but in practice, society is ambiguous.

Community support is not only concerned with the context of their desire to participate as part of a collaboration agent. It can also be provided by supporting collaborative programs. However, this has not been fully fulfilled as revealed by Prihatin (2021). The strategies used in managing natural disasters in Indonesia, specifically concerning awareness, have been unresponsive, therefore, people are not ready to face the event (Prihatin, 2021: 14).

This condition can also be seen in the context of the current pandemic. There are still several violations of health protocols by the general public. This is shown by the data of the 2021 COVID-19 Task Force which noted that as of January 2021, the number

of people reprimanded for violating health protocols was up to 253,216. This number increased significantly by 176.3% from the previous week, which was only around 91,659 people. This phenomenon is also illustrated in a survey by AC Nielsen in collaboration with Unicef. The survey involving 2,000 respondents in 6 major cities showed that only 31.5% carried out all 3M behaviors (wearing masks, washing hands, and keeping distance) in a disciplined manner. The low awareness of the Indonesians makes the partnership strategy of the police and partners a tremendous challenge in its implementation.

According to the informants, the situation where both partners get rejected is something that should be faced in this mission. Character, culture, and misunderstanding can be the causative factors which affect the course of the program. Therefore, in the formulation of several collaboration models in the future, cultural, social, and community conditions should also be considered. Kapucu, Arsan, Demiroz (2010) stated that emergency and disaster managers should be able to adopt their organizational culture, structure, and processes with the collaborative nature of emergency management. Meanwhile, Rolfhamre (2019) suggested the importance of considering the latest community conditions in formulating the right model.

Bewaring of Rumors

Apart from community support, another external factor that greatly influences the success of the collaboration in maintaining public order and security is the existence of rumors. Furedi (2007: 508) quoted from Frailing and Harper (2017:40) argued that fear and anxiety built through this factor play an important role in deliberation. This suggests that it can affect the relationship between all collaborating agents as well as decisions made in the deliberation process. Anxiety and fear that are formed from its existence will cause a wrong perception of each agent which will affect trust.

One of which is a negative rumor about the police organization which causes the public's perception to become negative, which affects the level of trust. This can make the public's interest in participating to be low to running a collaboration program with members of the police. Therefore, officers need to anticipate these possibilities by continuously increasing public trust and showing their best performance.

Rumors also affect the acceptance of the community as a targeted object in collaborative programs run by the police and their partners. Its consequences are fatal because they will create resistance to collaborative efforts in maintaining Kamtibmas. They can be received through the mass media. One example is seen in a pandemic, where in the early period, there was distrust in the existence of the COVID-19 virus. Currently, several people still look down on vaccines and reject the government's vaccine program. This response was due to the various confusing reports regarding the two issues. According to Rodriguez (2007), the media plays a role in perpetuating this false information during disaster situations (Rodriguez et al. 2007 in Frailing & Harper: 42). The influence of discourse on the public order and security situation was proven by Susmita (2010), and the results showed crime during a disaster was influenced by newspaper coverage. In contrast, massive, positive, and in-depth coverage in local newspapers makes people calmer to anticipate situations, which reduced the crime rate.

Table 2. Barriers to Police Collaboration in Maintaining Public Order and Security in Disaster Situations
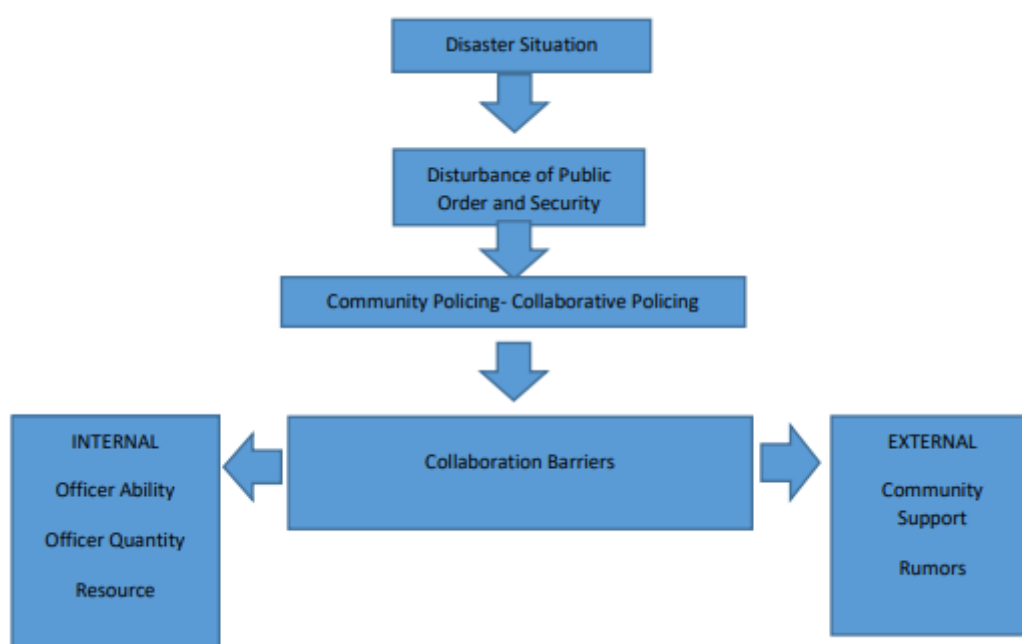
Source: Researcher Process

Barriers to Police Collaboration in Efforts to Maintain Public Order and Security in Disaster Situations

CONCLUSION

To carry out the maintenance of public order and security, the police also collaborate with various parties (multi-stakeholder approach). In conclusion, it is important to prioritize collaboration because of the limitations that the police have in dealing with the impact of disasters. Furthermore, it is considered important because different roles are needed in the maintenance due to the complexity of the problems during the events. This indicated that the officers had collaborated with several parties, both from government and non-government circles. Sepcifically, with non-government parties, they cooperate with social institutions, corporations, mass media, and the community. Although partnership is the key to maintaining public order and security, in practice, it is not easy. There are several challenges faced by collaborators in efforts to maintain order and security from both internal and external organizations. The emergence of new and special symptoms in a disaster should be confronted by the police in carrying out collaborative programs. This necessitates the need to design a collaborative approach that is adapted to these conditions.

REFERENCES

1) Adam, Terri M., And Leigh R. Anderson. (1992) Policing In Natural Disasters Temple University Press
2) Agranoff, Robert. and Michal, McGuire. 2003. Collaborative Public Management New Strategies for Local Governments. Washington, D.C.: Georgetown University Press Bernard, Raho.(2007). Modern Sociological Theory. Jakarta: Library Achievement.
3) Cutter, Susan L.&, Bryan J. Boruff, W. Lynn Shirley (2003) Social Vulnerability to Environmental Hazards, Department of Geography, University of South Carolina
4) Cutter, Susan L; Boruff, Bryan J. & Shirley (2003) Social Vulnerability to Environmental Hazards Chryshnanda, 2016, Policing Democracy and Strategies to Get Out of the Comfort Zone, Foundation for the Development of Police Science Studies, Jakarta
5) Chrysnanda, DL(2020) Police and Policing Foundation for the Development of Police Science Studies Cossyleon Jennifer E (2019) Community Policing The Wiley Blackwell Encyclopedia of Urban and Regional Studies
6) Coquilhat, Jenny (2008) Community Policing: An International Literature Review, New Zealand Police Association Incorporated
7) David, Alexander. (2012) Models of Social Vulnerability to Disaster October 2012RCCS Annual Review DOI:10.4000/rccsar.412
8) Emerson, Kirk., Tina Nabatchi & Stephen Balogh. (2012) Integrative Framework for Collaborative Governance. Journal of Public Administration Research and Theory, Vol. 22 No.1
9) Finlay, Mark Zvekic, Ugljesa (1998) Alternative styles of Jakarta community police activities, Cipta Manunggal Frailing, Kelly & Harper, Dee Wood (2017) Toward A Criminology Of Disaster: What We Know And What We Need To Find Out, London, England: Palgrave Macmillan
10) Friedman, Robert R. (1992) Community Policing: Comparative Perspectives and Prospects St. in Biology, Economy and So Palgrave Macmillan
11) Goldsworthy, S., & Mcfarland, W. (2019). Leadership in Organizational Collaboration | Cognoscenti Consulting Group | Management Consultant. From http://ccg.co.id/blog/2019/03/15/kepemimpan-dalam-kolaborasi-organization
12) Gray, Richard (07 June 2021) How vulnerable groups were left behind in pandemic response https://ec.europa.eu/research-and-innovation/en/horizon-magazine/how-vulnerablegroups-were-left-behind -pandemic-response
13) Greene, Jack R (2000) Community Policing in America: Changing the Nature, Structure, and Function of the Police.' Criminal Justice 2000 (Vol. 3) Washington, DC: US Department of Justice
14) Hassan, Mohammad Mujaheed & Aldrin Abdullah(2018) The Barriers and Ideas of Improvement to Community Oriented Policing (COP) Development and Implementation in Malaysia. Case Study: Pulau Pinang, Malaysia.
15) Kapucu, Arsan, Demiroz (2010) Collaborative Emergency Management, and National Emergency Management Network
16) Laufs, Julian & Waseem Zoha. (2020) Policing in Pandemics: A Systematic Review and Best Practices for Police Response to COVID-19 International Journal of Disaster Risk Reduction 51(2):101812
17) Peter C. Kratcoski, Maximilian Edelbacher (2016) Collaborative Policing Police, Academics, Professionals, and Communities Working Together for Education, Training, and Program Implementation, Routledge
18) Raharja, Sam'un Jaja.(2016) Collaboration as a Future Business Strategy, FISIP Padjadjaran University
19) Rolfhamre, Linnea Burke.(2019) Patterns Of Interorganizational Collaboration In Disaster Risk Reduction: Evidence from Swedish Municipalitiesspring
20) Roy, Susmita (2010), The Impact Of Natural Disasters On Crime, University Of Canterbury, New Zealand
21) Concerned, Rohani Budi (2021) Urgency to Build Disaster-Awareness Community
22) Setiawan, Sony (2020) Implementation of POLMAS in Brawl Prevention: Case Study of Bekasi Metro Police 1, Journal of Sociological Thought Volume 7 No. 1

23) Siregar, SN Police During the COVID-19 Pandemic: The Complexity of Law Enforcement Problems and Solution Options, Political Research Center, http://www.politik.lipi.go.id/kolom/kolom2/politik-nasional/1391-polri -in-the-pandemic-COVID-19-complexity-of-law-enforcement-problems-and-solution-choices

24) Skolnick & Bayley (1988) Community Policing: Issues and Practices Around the World NCJ Number 111428

25) The Yik Koon (2008) The Abuses and Offences Committed During the Tsunami Crisis December 2008 Asian Journal of Criminology 3(2):201-211

26) Trojanowicz; B Bucqueroux (1990) Community Policing: A Contemporary Perspective. NCJRS

27) Twigg, J (2007) Characteristics of a Disaster-resilient Community A Guidance Note Characteristics of a Disaster-resilient Community: A Guidance Note, University College London

28) Yudianto, Purwoko Building Collaborative Police Leadership in Disaster Management, Jakarta : Pusbangkom Pimnas LAN, 2019

29) Zahran et al. (2009) Natural Disasters And Social Order: Modeling Crime Outcomes In Florida International Journal Of Mass Emergencies And Disasters March 2009, Vol. 27, No. 1

30) Community Engagement Handbook | Australian Disaster Resilience Knowledge Hub. from

31) https://knowledge.aidr.org.au/resources/handbook-community-engagement/

32) Global Assessment Report On Disaster Risk Reduction 2015. (2015). From https://www.undrr.org/publication/global-assessment-report-disaster-risk-reduction2015

33) World Risk Report 2019

34) World Risk Report 2020

35) Worldometers.info

Article

1) Arbi, Ivany Atina (2021) More than 1,000 Police Members at Polda Metro Jaya Exposed to COVID-19 https://megapolitan.kompas.com/read/2021/04/06/12541671/more-dari-1000member-police-di-polda-metro-jaya-exposed-COVID-19?page=all.

2) Communication Team of the Committee for Handling COVID-19 and National Economic Recovery (2020) Understanding Behavior and Appropriate Information to Prevent COVID-19 Transmission -prevent transmission-COVID-19
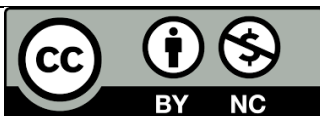
Build Operate Transfer Development Model of Waqf Land for Providing Affordable Houses

Nova Monaya[1], Adi Sulistiyono[2], Burhanudin Harahap[3]

[1,2,3]Law Faculty of Universitas Negeri Sebelas Maret, Jl. Ir. Sutami No.36, Kentingan Jebres, Surakarta City, Central Java, Indonesia

ABSTRACT: As the largest Muslim country in the world, Indonesia, waqf land is calculated at approximately 4.2 billion square meters and cash waqf has a value of at least180 trillion rupiahs per year. The huge potential of waqf has pushed the government to make it as one of the supporting elements of the national economy. The purpose of this paper is to contribute ideas to the government and other stakeholders such as the Indonesian Waqf Board (BWI) and the nazhirs to see the potential of waqf land in providing affordable housing for communities around the waqf land and utilizing waqf land as sources of land provision. The research method used was normative juridical by approaching the legislation governing waqf land, housing, and civil law, especially contract law. Comparative studies were also used in order to sharpen the analysis in order to develop existing models through the Build Operate Transfer (BOT) approach. The results showed that with the Build operate transfer system, the use of waqf land involving nazhir components, BWI, and investors supported by professional institutions such as notaries/PPAT, lawyers, accountants, bankers, and appraisals will open more opportunities for utilization to make positive contributions, both for the waqf land itself, nazhir and the benefit of the people. This needs to be supported by increasing the professionalism of BWI for the development of BWI organizations, which is carried out by developing the waqf legal system through regulations at the Presidential Regulation level that regulate the management of abandoned waqf lands.

KEYWORDS: Build operate transfer, Land Waqf Law, Property Rights, Affordable Houses

I. INTRODUCTION

The welfare state modifies the impact of the market, by providing some kind of minimum guarantee of reducing poverty; covering a wide range of social and security risks, and providing certain services (such as health care, child and parent care, etc.) of the best available standard (Andersen, 2012, p. 4). With the basic concept of the welfare state, all the potential possessed by the state must be directed to the fulfillment of the basic needs of citizens, both physically and psychologically. The state is not only a physical security guard for its citizens as the state night watchman or *nachtwächterstaat* (Jhon, 2019), but the state must ensure the physical and spiritual well-being of its citizens.

Regarding the concept of a welfare state, Mohammad Yamin at the Investigative Agency for the Preparatory of Indonesian Independence (BPUPKI) session on May 29, 1945 said: "……that the state to be formed is solely for the entire people, for the benefit of the entire nation that will be established strong in the country to which it belongs", then it was also said that "the welfare of the people is the basis and goal of an independent Indonesia". (Saafroedin Bahar, 1992)

Based on the philosophical foundation of the welfare state, the regulation of waqf in law is an effort by the state to realize the welfare of the people. In the context of the welfare state, waqf as one of the instruments in Islamic law is used as a strategic alternative to building a society that is physically and mentally prosperous, through the use of waqf property. The legal politics of waqf in this context is clearly and unequivocally stated in the General Elucidation of Law Number 41 of 2004 concerning Waqf (hereinafter referred to as the Waqf Law), which states that the objectives of the Unitary State of the Republic of Indonesia as mandated in the Preamble to the Constitution are: The State of the Republic of Indonesia in 1945, among others, is to promote the general welfare.

To achieve this goal, with the provisions of Article 22 letter e of the Waqf Law states that waqf assets can be used for the advancement of other public welfare which does not conflict with sharia and statutory regulations. The allocation of waqf assets is not only concerned with religious and social interests, but waqf property can be used for other things other rather than the designation of religious activities only, as long as the use does not conflict with sharia as the basic basis for waqf implementation, and does not conflict with laws and regulations as the formal legal basis for positive waqf enforcement in Indonesia.

Several countries in the Middle East have applied the concept of using waqf land as productive land by involving the owners of capital who make agreement texts to be able to generate profits for each party. One form of agreement in question can

be done with a Build Operate Transfer (BOT) agreement system (Tam, 1999). In Saudi Arabia, one example of the development of a popular waqf property is the construction of the Zam Zam Tower in the city of Mecca. The development of this waqf was carried out on a plot of waqf land managed by King Abdulaziz Endowment Waqf (KAEW) through a build-operate-transfer (BOT) agreement. KAEW (nazhir) leased the managed waqf land to an interested developer (ie Munshaat Real Estate Projects KSC) under an ijarah contract. (Nizar, 2017)

This study aims to find out how Build operate transfer as an agreement in general can be developed to increase the productivity of waqf land for the provision of affordable housing and how the concept of material rights due to build operate transfer on waqf land to obtain financing from banks.

II. METHOD

Legal research is a scientific activity based on certain methods, systematics, and thoughts, which aims to study one or several certain legal phenomena by analyzing them, and also conducting an in-depth examination of legal facts to then seek a solution to the problems that arise in the symptom in question (Sunggono, 2002). According to Peter Mahmud Marzuki, "Legal research is a process to find the rule of law, legal principles, and legal doctrines in order to answer the legal issues faced" (Marzuki, 2005, p. 35) as he also referred to Morris L. Cohen who stated that: "Legal Research is the process of finding the law that governs activities in human society."

This research uses doctrinal legal research or also known as normative juridical research, which is legal research focusing on jurisprudential dogmas, namely legal principles and rules (Roestamy, 2020). The jurisprudential dogmas, namely the principles and legal rules in this study are associated with customary law or Islamic law, civil law, land law, building law, and contract law by analyzing empirical facts in society, in order to examine causal relationships, the consequences or conditio sine quanon (Ryckman, 1991) of each legal postulate, to find the root of the main problem and make a positive contribution to the science of law between legal systems (Hubungan antara Tata Hukum, HATAH) (Sidharta, 1976), in this case between Islamic law, civil law and positive law which is expected to be useful for the benefit of other stakeholders.

III. RESULTS

It is known that the development of waqf land leads to abandoned land, namely land that is neglected and underutilized so it becomes redundant. In this case, the author desires to harmonize with the thoughts of Gustrav Radbruch (Radbruch, 2005) who developed the theory of legal expediency, which states that there is a priority scale that must be implemented, where the priority that must be carried out is justice, then expediency, and finally legal certainty. The law carries out its function as a means of conserving human interests in society.

The theory of benefit in the version of Islamic law will find the primary link point in seeking optimization of waqf land to avoid waste and avoid harm, not only on waqf land but also on the Nazhir who was given the mandate by the waqif. The author puts forward the Stufenbeau theory (Kammerhofer, 2016) as a positive legal theory, as stated by Hans Kelsen (2020) to measure the development of the paradigm that will be meant to remain in the legal order of Pancasila as the source of the law. For example, in the 1945 Constitution, Article 33 paragraph (3) regarding the maximum use of land for prosperity. The people become the basis for Stufenbeau where legislation is made in accordance with the positive legal order. Thus, between waqf law based on Islamic law and civil law based on Dutch East Indies law, it can still operate in harmony as mandated by Hans Kelsen's positive legal theory. (Rigaux, 1998)

Descriptively, this article is expected to obtain a comprehensive and systematic picture of the focus of the research, namely the relationship between waqf land and the law of engagement which gives birth to new legal actions to increase the productivity of waqf land through innominate engagements known as Build Operate Transfer. Thus, a prescriptive can also be built as a consequence of developing the concept of the waqf land benefit system from the perspective of civil law and property law.

In the descriptive research, the explanatory analysis (Elman, 2009) will not only explore the law of engagement which will build legal links with the benefits of waqf land in the perspective of Islamic law but will also explore the realm of collateral law because the results of civil law actions will have a perspective towards the development of legal linkage communication. The second is between legal systems, namely Islamic law and civil law, where the result of BOT's actions will give birth to a material right that will be built using the theory of the principle of horizontal separation. That is, how BOT has an impact the emergence of separate rights containing material rights from buildings built on waqf land whose ownership by land law and customary law can be separated according to Article 48 UURS.

Such legal exploration is due to the fact that there are no statutory regulations that regulate how flats, for example, which can be built on waqf land can have independent rights known as Building Rights which can be guaranteed in the future, without having to violate Islamic law as an independent variable in this study. Therefore, as a consequence, a legal link is needed between waqf law based on Islamic law and agreement law based on western civil law in order to avoid legal uncertainty (Sihombing & Aden, 2020) and also provide legal literacy for waqf land managers or nazhirs so that it can provide benefits for the people as the stakeholder of waqf in Indonesia.

Build Operate Transfer Development Model of Waqf Land for Providing Affordable Houses

By its nature as an unnamed agreement specifically regulated in Book III of the Civil Code, BOT as a form of the agreement remains generally bound to the provisions in the provisions of Book III of the Civil Code which regulates the engagement born of the agreement. Regarding this matter, Article 1319 of the Civil Code stipulates that all agreements, both those with a special name and those not known by a certain name, are subject to the general regulations contained in the legislation.

A. Build Operate Transfer (BOT)

BOT is an unnamed agreement or an agreement whose title is not mentioned in the Civil Code having the flexibility to enter the field of law and other socio-economic activities as long as it does not conflict with the provisions of laws and regulations, customs, and decency, which are also Islamic religious principles. Thus, the legislators have limited the willingness of the parties to enter into contracts with the provisions of the Civil Code itself, meaning that freedom of contract is not without limits.

The practice carried out in the BOT so far is in accordance with the documents that the author has examined, especially the documents at the notary office where there is not a single provision that regulates the delivery of loose land (leveraging). The handover of land is carried out with the obligation of the investor to return it after a certain period of time as will be referred to following this.

As previously described, the application of the Civil Code Article 1234 reads that: "every engagement is to give something, to do something, or not to do something." The element of giving something referred to in this case is that if there is a party who hands over the land in this case, waqf land to the investor, then the investor after building the object of the agreement after a certain period of time gives back the land and the buildings that have been built on it. So, the handover made by the landowner to the investor will be followed by achievements by giving back the land along with everything that has been built on it, and the element of "doing nothing" (deliberate) is meant to limit the intentions of the parties.

According to the law in force in Indonesia, there are basically no specific provisions governing the BOT agreement. However, in several government regulations and ministerial regulations, the arrangement of BOT activities is contained in several separate laws and regulations, including PP No. 27/2014 concerning Management of State/Regional Property and Permendagri No. 19/2016 concerning Guidelines for the Management of Regional Property. Specifically, both government regulations and ministerial regulations are intended to regulate how to optimize regional assets, also known as regional property, so there are no specific regulations that specifically regulate BOT. Thus, the author notes that the basis of this BOT agreement is the principles that apply to the Third Book of the Civil Code as mentioned before.

The definition of BOT can be seen from the Government Regulation of the Republic of Indonesia Number 27 of 2014 Article 1 point 14 Juncto of the Regulation of the Minister of Home Affairs Number 19 of 2016 concerning Guidelines for the Management of Regional Property Article 1 Number 36 stating that: "Build operate transfer is the use of State Property or the area is in the form of land by another party by constructing buildings and/or facilities along with their facilities. Then it is utilized by the other party within a certain agreed period of time. Then the land and buildings and/or facilities and facilities are handed over after the end of the period.

Doctrinally, the Build operate transfer (BOT) agreement has 2 (two) legal aspects. Namely, firstly BOT is seen from the legal aspect of the agreement, and secondly, BOT is seen from the legal aspect of the state treasury. The two legal aspects are in two legal regimes, namely the private law regime and the public law regime. In the legal aspect of the agreement (contract law), BOT is a form of agreement that was born based on the principle of freedom of contract, where in general the arrangement regarding BOT is subject to the general rules of agreement arrangement in Book III of the Civil Code. Meanwhile, in the legal aspect of the state treasury, the BOT agreement is one of the mechanisms used in the use and utilization of state or regional property, in this case state/regional property in the form of land.

There are two legal aspects that regulate BOT in Indonesia, namely (1) Legal Aspects of Agreement (Contract Law), and (2) Legal Aspects of the State Treasury, which are contained in several provisions including (a) Law Number 1 of 2004 concerning the State Treasury, (b) Government Regulation Number 28 of 2020 concerning Amendments to Government Regulation Number 27 of 2014 concerning Management of State/Regional Property, (c) Regulation of the Minister of Home Affairs Number 19 of 2016 concerning Guidelines for the Management of Regional Property, and (d) Regional Regulation by referring to the provisions of Permendagri Number 19 of 2016.

B. Aanknopingspunten

The law on engagement or the law on buying and selling, grants, leasing; so that civilly it seems that Indonesia is still enjoying colonial law which in this paper the author must admit that because there is no law governing agreements in general, especially regarding BOT, then one of the secondary points of connection is civil law as regulated by the Code of Civil Law. In finding the novelty of this paper, the author still uses the law of objects as regulated by the Civil Code of the Second Book About Objects. This is what the author means in this paper by using the term "link point" or Aanknopingspunten (Bimasakti, 2021), using the second and third books of the Civil Code due to BOT, in this case, will give birth to material rights.

It can be added that in the civil law system after independence in 1945, the Republic of Indonesia had to deal with a pluralist legal system consisting of a combination of colonial heritage, various kinds of customary law, and the influence of

Islamic law. Apart from the reality of legal pluralism, Indonesian legal scholarship is dominated by a legalistic approach that focuses on a centralized statute-based legal system. According to Peter Burns, Indonesian contemporary literature which systematically investigates the debate on legal unification versus legal pluralism is very thin. The uncritical attitude towards the legal system as a colonial legacy continues to persist among academics and practitioners of Indonesian law (Burns, 2004). Systematic efforts to identify problems in the Indonesian legal system ironically come from western scholars such as Adriaan Bedner (2008), Sebastian Pompe (2005), and Daniel S. Lev (2000).

Therefore, even though the BOT legal event referred to is the result of human action, not due to natural causes as in international law, the application of the search for legal links applies in the Indonesian legal system as the primary link point of the analysis of the link points as intended, but the Indonesian legal system referred to in this research is the result of a given plural legal system, which is caused by the limited ability and lack of willingness of the legislators to provide guidance to the public in order to build a law that is oriented to the prospect of developing the law itself. Thus, the secondary link point that becomes the choice of law may vary with the legal basis using Islamic law, contract law, and land law. Why are the three laws applicable? Due to the qualifications carried out, the secondary link point cannot find a choice of only one legal system. However, because the object is waqf land, waqf law in the Islamic legal system is embraced by positive law, namely the Waqf Law and civil law. Islamic law was used because indeed since the colonial era, Islamic indigenous groups were enforced by Islamic law, then considering that the average principle of waqf law is waqf as applicable in Islam which was later developed by the positive legal system as intended above. The two legal systems in terms of this are applied because the Waqf Law cannot abolish or cancel waqf as referred to in Islamic law. Hence, the rigidity of waqf is adopted in Islamic law as long as it is not prohibited and according to the author's opinion, there can be a marriage between waqf law in Islam and waqf law in positive law. Both of these legal systems will be faced with civil law, because they have the same affinity for the same interest (Connecting Law), namely how to describe the civil law system in developing Islamic business law that remains shari'a but civilly does not conflict with the law, religion, decency and propriety as limitations on the principle of freedom of contract (*partij autonomy*) (Mensch, 1980).

Civil law events in BOT contracts that are in a state system, namely the Republic of Indonesia, are not international civil law events, but are legal actions that are within the scope of law between groups involving Islamic religious law and civil law. Therefore, the theory put forward by Sayuti Thalib (1980) as referred to as receptio a contrario, is a tool to link the law between groups as intended, as long as BOT legal actions are not carried out by foreign citizens or foreign companies, meaning companies domiciled abroad.

In the 1970s, the legal teaching system in Indonesia introduced a course called "Law Between Groups" or Intergentile Law (Domke, 1960), which is now not taught in general, if any, it is only used as elective courses. Therefore, the link point theory as described above is within the scope of the Law between Groups, not only in the scope of International Private Law, because the scope of law brought together by the primary point of contact is national law, in contrast to international civil law which solves international law. a legal event or civil law action that has foreign elements or two legal systems from one country to another to link the events of legal actions between people and people, people with the state, people with companies, countries with companies.

C. *Rights of Objects Resulting from the BOT Agreement*

The question that will be answered in this section is how to build a concept that is acceptable to stakeholders on which objects have material rights attached to the rights to each object which is the result of the BOT agreement on waqf land. It is necessary to sort out and select the material rights owned by the developer or investor in the event that the BOT object is the construction of a flat or other objects such as a commercial center or mall or office, as follows:

1. HGB has a high probability, considering the management rights system can be analogous to BOT on waqf land for the development of commercial areas, for example, investors can be given HGB (HGB for a maximum period of 30 years with an extension of one time for a maximum of 20 years, as regulated in PP Number 40 of 1996 concerning Land Use Rights Article 25 Paragraph (1) which states: "Article 22 is granted for a maximum period of thirty years and can be extended for a maximum period of twenty years."), then if the right to expire for BOT is seen as management rights, then the HGB land which is the object of the agreement, in this case, BOT is handed over to the HPL holder. With the HGB perspective, if the development of the concept of the BOT agreement on waqf land can be analogized to the BOT agreement, then the material rights attached to the HGB generally have a perspective to be granted to HGB originating from the BOT agreement on waqf land, namely with restrictions on separation In the author's opinion, HGB can be traded and pledged as collateral with a letter of approval from Nazhir as "the holder of the management right of the waqf land." Thus, collateral rights or droit de' preference (Johan, 2021) can be granted to investors.

2. Lease rights can be granted to anyone, whether investors or end-users, both end-users who hold ownership rights to the place of business after paying compensation to investors or can be tenants directly related to investors or building managers, or in the apartment system. known as building management.

Build Operate Transfer Development Model of Waqf Land for Providing Affordable Houses

3. A flat building basically has a clear type of rights, namely the certificate of ownership of the building. However, many doubt the ownership of the building, because the building registration system has not materialized, even though Article 49 of the UURS has mandated that building registration requires a government regulation that regulates the building registration system. However, legally, legal experts and researchers must also think about what kind of property rights can be enjoyed by end-users in terms of investments made to build flats on waqf land? The author is of the opinion that in addition to the right of enjoyment under the *droit de'suite* principle, the right to the building in question can also be guaranteed (*droit de'preference*).
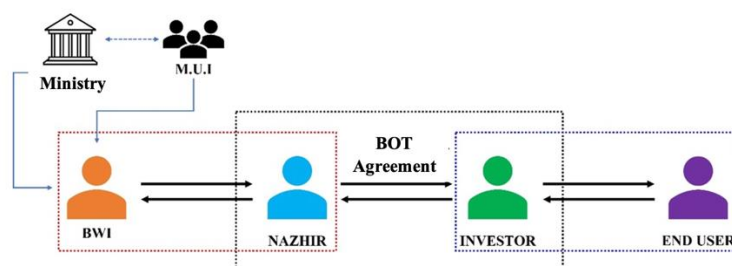
Figure 1. Related Subjects in the BOT Agreement on Waqf Land

In the regime of registration of land and non-land objects (buildings) in Indonesia, there is a dualism of different registration regimes. First, the land registration regime based on PP 24/1997 concerning Land Registration and second, the building registration regime PP 36/2005 concerning the Implementing Regulations for the Building Law. At first glance, the presence of these two different regimes seems to have separated land and buildings on the ground. However, problems arise when PP 24/1997, states in Article 9 that one of the objects of land registration is the Right to Flat Units, while based on the characteristics of the Flat Units being objects located on the ground and qualified in the definition of a building. So thus, this creates confusion in the practice of registering land objects and non-land objects (buildings). In view of Article 8 UUBG jo. Article 12 of PP 36/2005, it gave rise to a new institutional right, namely building ownership. Consequently, the synchronization of the regime of registration of land and non-land objects, in this case buildings, becomes necessary to avoid confusion in the process of registering land objects and non-land objects in the future.

In Indonesia's economic downturn, especially due to the Covid-19 pandemic where many people experience mass poverty and need help from philanthropists, including the Indonesian Waqf Board, Nazhirs, and other stakeholders such as Islamic community organizations and universities built on waqf land, takes real action to develop the paradigm of waqf land productivity. One of the measurable steps is the application of BOT on waqf land. The development of waqf land management paradigm from individual nazhirs to legal entity nazhirs needs to be achieved. The change of status to a legal entity is intended to strengthen the position of supervision over negotiation and transaction activities.

IV. CONCLUSION

1. In the development of a build operate transfer agreement model from a general agreement with the object of land rights, the object can be developed by utilizing waqf land for the purpose of providing affordable housing which has a positive impact on the benefits of abandoned waqf land one of which is making it more productive and at the same time answering the problem of providing affordable housing to overcome the government's failure to fulfill the program to provide one million houses and overcome the backlog, because so far housing developments carried out by developers tend to make houses unaffordable due to limited land supply and commercialization.

2. As a result of the build operate transfer agreement with the object of waqf land in order to build affordable houses, it has given birth to property and material rights, including property rights to flats or property rights to buildings on waqf land and can be transferred in the form of sale and purchase transactions. In addition, it can also be used for building buildings for end-users, especially the economically weak communities who live around waqf land, to get a house supported by definite legal documents and can then be used as collateral for a loan from a bank or financial institution, as well as to solve legal barriers to realizing the mandate of the constitution and the law on flats.

Therefore, the recommendations of this research are formulated as:

1. In order to increase understanding for the use of waqf land, activities related to the reconciliation of waqf management by four pillars, namely: BWI, PPAIW, nazhir waqf, and both central and regional governments need to be initiated by moving a determination as in *fardu kifayah* to overcome abandoned land waqf, which has been a cost-center and has even become a burden to nazhirs, both the individuals and nazhir legal entities. This reconciliation eventually gave birth to a concept in the form of a presidential regulation which was described by BWI to answer the mandate of the UURS and at the same time overcome the backlog as stated.

2. The government and BWI, especially the ministry of religion, need to be considered by issuing a joint decision with BWI to increase the role of PPAIW which is ex-officio held by the Head of the Office of Religious Affairs (KUA) in each sub-district

who can act or have additional authority as a nazhir coach for nazhir waqf which is within the scope of its territory. Bearing in mind, the beginning of the submission of the waqf pledge requires the form of a deed made before PPAIW or the Head of KUA. Thus, the head of the KUA can exercise control over either the abuse or neglect of nazhir on waqf land which is considered a cost-center.

REFERENCES

1) Andersen, J. G. (2012). *Welfare states and welfare state theory.* Centre for Comparative Welfare Studies, Institut for Ekonomi, Politik og Forvaltning. Aalborg: Aalborg Universitet. Retrieved from: https://vbn.aau.dk/ws/files/72613349/80_2012_J_rgen_Goul_Andersen.pdf

2) Bimasakti, M. A. (2021). Keabsahan Perkawinan Beda Agama dan Kewenangan Mengadili Sengketanya dalam Perspektif Hukum Antar Tata Hukum Indonesia. *Journal of Islamic Law Studies, 4*(1), 36-61. Available at: https://scholarhub.ui.ac.id/cgi/viewcontent.cgi?article=1071&context=jils

3) Bedner, A. (2008). Indonesian Legal Scholarship and Jurisprudence as an Obstacle for Transplanting Legal Institutions. *Hague Journal on the Rule of Law, 5*(2). https://doi.org/10.1017/s1876404512001145

4) Burns, P. (2004). *The Leiden Legacy: Concepts of Law in Indonesia.* Leiden: Brill Academic Pub. https://doi.org/10.1163/9789004454644

5) Elman, Colin. (2009) "Explanatory typologies in qualitative analysis." The SAGE handbook of case-based methods, 121-131. https://doi.org/10.4135/9781446249413.n7

6) Johan, S. (2021). Implementation Fiduciary Registration According to Finance Ministry, Police, and Financial Services Authority (OJK). *The Winners, 22*(2), 183-189. https://doi.org/10.21512/tw.v22i2.7064

7) Jhon, M. (2019) "The investment liberalization policy in the ASEAN territory considered in terms of the welfare state concept." Culture and International Law. CRC Press, 68-75. https://doi.org/10.1201/9780429426032-6

8) Kammerhofer, Jörg. (2016) "Sources in Legal Positivist Theories: The Pure Theory's Structural Analysis of the Law." The Oxford Handbook of the Sources of International Law, Oxford: Oxford University Press. https://doi.org/10.1093/law/9780198745365.003.0017

9) Kelsen, Hans. (2020) Pure theory of law. University of California Press. https://doi.org/10.1525/9780520312296

10) Lev., S. (2000). Legal Evolution and Political Authority in Indonesia: Selected Essays. In D. S. Lev, *The London - Leiden Series on Law, Administration and Development.* London: Springer. https://doi.org/10.1163/9789004478701

11) Marzuki, P. (2005). *Penelitian Hukum.* Jakarta: Kencana. Available at: http://lib.ui.ac.id/detail?id=20373484&lokasi=lokal

12) Mensch, Betty. (1980). "Freedom of contract as ideology." 753. https://doi.org/10.2307/1228540

13) Tam, C. M. (1999) "Build-operate-transfer model for infrastructure developments in Asia: Reasons for successes and failures." International journal of project management 17.6. 377-382. https://doi.org/10.1016/s0263-7863(98)00061-1

14) Nizar, M. A. (2017). *Pengembangan Wakaf Produktif Di Indonesia: Potensi Dan Permasalahan', in Penguatan Fundamental Sektor Keuangan Dalam Mendukung Stabilitas Perekonomian* (Vol. 1). Jakarta: Nagakusumah Media Kreatif. Paper available at: https://mpra.ub.uni-muenchen.de/97967/1/MPRA_paper_97967.pdf

15) Pompe, S. (2005). *The Indonesian Supreme Court: A Study of Institutional Collapse.* New York: Cornell University Press. https://doi.org/10.7591/9781501718861

16) Radbruch, G. (2005). Five Minutes of Legal Philosophy (1945). (t. b. Paulson, Ed.) *Oxford Journal of Legal Studies, 26*(1), 13–15. https://doi.org/10.1093/ojls/gqi042

17) Rigaux, Francois. (1998) "Hans Kelsen on international law." European Journal of International Law 9.2, 325-343. https://doi.org/10.1093/ejil/9.2.325

18) Roestamy, Martin. (2020) "Model Land Supply for Land Bank to House Application." Bestuur 8.1. 27-39. https://doi.org/10.20961/bestuur.v8i1.43142

19) Ryckman, T. A. (1991). Conditio sine qua non? Zuordnung in the early epistemologies of Cassirer and Schlick. *Synthese, 88*(1), 57-95. https://doi.org/10.1007/bf00540093

20) Saafroedin Bahar, (1992). *Himpunan Risalah Sidang-Sidang Dari : Badan Penyelidik Usaha Persiapan Kemerdekaan Indonesia (BPUPKI) Dan Panitia Persiapan Kemerdekaan Indonesia (PPKI.* Jakarta: Sekretariat Negara Republik Indonesia. Available at: https://opac.perpusnas.go.id/DetailOpac.aspx?id=19635

21) Sidharta, P. H. (1976). UU Perkawinan No. 1 Tahun 1974 Ditinjau dari Segi Hukum Antara Tata Hukum. *Jurnal Hukum & Pembangunan, 6*(2), 111-122. https://doi.org/10.21143/jhp.vol6.no2.616

22) Sihombing, B. F., MH SH, and S. H. Aden Sugiantoro. (2020) "A Comparative Study of Waqf Land for Commercial Use in Indonesia." International Journal of Business 11, 53-56. Available at: https://www.ijbel.com/wp-content/uploads/2017/04/IJBEL-15.pdf

23) Domke, Martin. "Indonesian Nationalization Measures Before Foreign Courts." American Journal of International Law 54.2 (1960): 305-323. https://doi.org/10.2307/2195250

24) Sunggono, B. (2002). *Metodologi Penelitian Hukum.* Jakarta, Indonesia: PT. Raja Grafindo Persada. Available at: https://opac.perpusnas.go.id/DetailOpac.aspx?id=53205

25) Thalib, S. (1980). *Receptio a Contrario (Hubungan Hukum Adat dengan Hukum Islam).* Indonesia: Bina Aksara. Available at: https://lontar.ui.ac.id/detail?id=20107178&lokasi=lokal
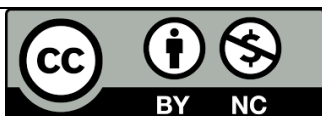
Policy Transfer of E-Voting From India to Indonesia: A Review Concept and Evidence

Derwin Tambunan

School of Political Science and International Studies, the University of Queensland St Lucia QLD 4072, Australia

ABSTRACT: Indonesia is one of the largest democratic countries in the world and has held 11 general elections nationally. Nonetheless, the electoral process with ballot paper is deemed convoluted, prone to manipulation, requires massive resources and lengthy process and spent extravagant state budget. Electronic voting (e-voting) has been implemented in more than 26 countries, and India has achieved terrific success in 2019 with more than 900 million voters. E-voting in India has answered convoluted and high cost of election problems, and the VVPAT (voter-verified paper audit trail) technology helped prevent fraud potential and manipulation. This study examines the policy transfer of e-voting technology from India into Indonesia's jurisdiction and political context by using literature study and secondary sources of data to support the arguments. The key findings are that e-voting serves a constitutional electoral system that defends effective and efficient democratic election, reduces the margin of error in voting, counting, recapitulation, and significantly reduces the probability of invalid votes, effectively hindering fraudulent practices like vote-buying during recapitulation and preventing dropping illegal ballots into the ballot box. Moreover, e-voting technology also corresponds with High Court No.147/PUU-VII/2009, and if implemented with adequate technology, software and human resources, this method could secure the tenets of direct, general, free, confidential, honesty and fairness.

KEYWORDS: elections, e-voting, policy transfer, technology

INTRODUCTION

Dolowitz and Marsh (2000) expound policy transfer as knowledge of policies, institutions, or ideas in particular political circumstances, and administrative arrangements are employed in policies expansion, institution or idea, and administrative arrangements in another political setting. Jessop (1997) claims that the internalisation of policy regimes implies that foreign institutions and agents increasingly function as an origin of policy design, ideas, and execution. In this article, we will discuss the terrific success of the foreign institution, namely India, in implementing e-voting since 2004, and we will employ India's success as a source of policy development of e-voting in the Indonesian jurisdiction.

E-voting can be described as utilising electronic systems to cast, count, and tabulate votes in polling stations of elections or referendums (IDEA 2011). E-voting technology has been practised in 26 countries (IDEA 2015), and India is the top tier to implement it successfully. In 2019, more than 900 million voters with a turnout rate were 77.35% and obtained high confidence of citizens toward e-voting (Avgerou, Masiero and Poulymenakou 2019; IDEA 2020) one reason why to pick policy transfer of e-voting from India to Indonesia.

Besides, information technology has permeated almost every domain of our lives, including in democracy. Moreover, e-voting technology used in India has helped elevate transparency, augment turnout, decrease election costs significantly, and increase security and integrity. While in Indonesia electoral process is convoluted, prone to manipulation, requires a long process and resources and a massive amount of state budget. For instance, in 2019, the general election cost amounted to IDR 34 trillion (USD 2.4 billion) (Media Keuangan 2019). Elections also have caused 554 deaths and 3668 sicknesses of the officers due to physical fatigue in the long and convoluted electoral process (CNN Indonesia 2019). Since then, some scholars and political commentators have started to consider adopting the technology of e-voting as a breakthrough to the problems encountered (Juaningsih, El-Islamand and Nurrafi 2020). Hence, this article seeks to examine the policy transfer of e-voting from India into Indonesia's political and socio-economic context as one of the largest democratic countries in the globe after India and the USA to tackle the convoluted electoral process in Indonesia.

This article is organised as follows; firstly, we will review the essential concept of policy transfer and then examine the policy transfer of e-voting and critically engage with the six aspects of policy transfer of e-voting. It started with the reasons to transfer e-voting, from where the transfer of e-voting is drawn, who transfer e-voting policy, what is transferred in e-voting, the process of policy transfer of e-voting, the degree of policy transfer, and how successful would be policy transfer in Indonesia's

jurisdiction. Furthermore, the article will address trust in e-voting, including the challenges and strategies to secure Indonesia's public trust and election integrity.

THE ESSENTIAL CONCEPTS OF POLICY TRANSFER

Before discussing the policy transfer of e-voting in detail, we will overview the essential concept of policy transfer in the relevant literature. Policy transfer, lesson drawing, and emulation indicate a process in which knowledge regarding specific policies, institutions, and administrative arrangements in one circumstance/jurisdiction is employed to expand policies, institutions, and administrative adjustment in another circumstance/jurisdiction (Dolowitz and Marsh 2000; Dolowitz and Marsh 1996). These terminologies do not differ significantly; nonetheless, lesson drawing and policy transfer are not exchangeable. Lesson drawing is voluntary policy transfer, which emerges from political actors' free choices. However, as we will briefly see later, policy transfer may involve one government pushing or forcing another government to apply a specific policy (Dolowitz and Marsh 1996).

Why does policy transfer is carried out? In order to answer this question, it is necessary to understand three levels of policy transfer. Voluntary transfer occurs when standard government policies are unable to provide a solution; hence it is crucial to search for a lesson (Dolowitz and Marsh 1996), or in an election, candidates may look for a lesson to create an individual mark in history, to differentiate their program from the predecessor, and thus to grant policy innovation (Polsby 1984). Direct coercive transfer emerges if one government coerces another to implement a specific policy. Direct coercive policy transfer is rare; supra-national institutions like the IMF or the World Bank more potentially force countries to adopt a policy (Dolowitz and Marsh 1996; Lloyd). An indirect coercive transfer may happen when external forces or functional interdependence. Interdependencies between countries push the government to tackle the problems, and then policy transfer is one solution. Technology can also push the government to adopt policy transfer to solve the technological forces (Dolowitz and Marsh 1996).

Who would participate in a policy transfer? According to Dolowitz and Marsh (2000:10), nine actors possibly engage in policy transfer; civil servants, official bureaucrats, political parties, policy entrepreneurs, pressure groups, think tanks, expert consultants, supranational institutions, and transnational actors corporations. These actors may have different importance in agency issues and structure (MacKinnon et al., 2008), and some groups could be more privileged than others (e.g. politicians) or more legitimate since they have specific expertise in a specific policy area (e.g. policy experts) (Bulmer and Padgett 2004).

What would be transferred? Horowitz and Marsh (1996) suggested that theoretically, many things could be transferred, such as policy goals, policy instruments or administrative techniques, structure and concept, institutions, ideas, ideology, attitude, and negative lessons. Ideas, ideologies, and policy goals could be simpler to include in a transfer. However, policy instruments, institutions, or policy programs could be more complex since social, political, economic, and institutional circumstances may differ between the originator/borrower and lender (Marsden and Stead 2010). Stone (2004; 2000) advises the importance of softer policy transfer such as concepts, ideas, ideologies, and policy elements circulated among non-state actors globally. In contrast, Jones and Newburn (2006) emphasise the necessity of hard policy transfer, including policy instruments, programs, and institutions. Nevertheless, Stone (2010) stresses that both soft and hard transfer are complement one another.

From where is the transfer being drawn? Policy transfer can be international, national or local. Bennett (1991) argues that actors tend to look abroad at how other countries respond to similar policy problems and draw ideas and lessons from foreign countries into their jurisdiction. On the other hand, some actors prefer to transfer a policy from specific regions or countries with the constitutional system, culture, language and economic structure proximity. For instance, the US and the UK share many similarities, and these two nations have some examples of policy transfer (Wolman and Page 2002; Wolman 1992). Dolowitz and Marsh (2000) emphasise that actors should consider political, social, economic and ideological context between the originator/borrower and the lender. Otherwise, the transfer could engender fail/inappropriate policy transfer.

What are the different degrees of policy transfer? When actors engage in policy transfer, they must learn to integrate lessons from another government into their administrative system (Dolowitz and Marsh 1996). Rose (1995; 1993) suggests five degrees of policy transfer, copying, emulating, hybridisation, synthesis and inspiration. Copying occurs if countries adopt a policy elsewhere without making amendments (Rose 1995; Waltman 1980). Emulation occurs when countries refuse to copy in every detail; nonetheless, recognising specific programs elsewhere supplies the best standard for stipulating legislation in their political system (Rose 1995; 1991). Hybridisation and synthesis combine programmes established in two or many other countries and then extend a policy best suited to their political system. Inspiration may happen when a country learns familiar problems in unfamiliar circumstances and could develop ideas and inspiration to think about the best possible thing (Dolowitz and Marsh 1996).

How successful would be policy transfer? Marsh and Sharman (2009) argue that a general framework to judge a policy's success is limited in academic literature. While Evans (2009) denotes that policy success has multiple levels and is contested. There are three dimensions to assess policy success. Firstly is the process dimension. A policy is considered successful if a process is made via constitutional and quasi-constitutional, which will grant a better degree of legitimacy of policy results, uphold the values of democracy, accountability, and deliberation, and secure the government's policy goals and instrument (Boyne 2003; McConnel 2010). The critical goal of a policy process is to create sustainable coalitions, and formal approval in the legislature or cabinet and program success will likely be achieved if the policy process engages with the powerful coalition's interest. A sustainable coalition

also underpins successful implementation and carries sufficient authority and power to engender the overall policy success. Innovation and influence are also considered indicators of a successful process, and policy transfer may provide innovative ways to tackle a problem (McConnell 2010).

Secondly, the programmatic dimension; the policy success can be judged based on how policy-makers achieved what they have set out to do (outcome-based), how they meet bureaucratic objectives and how the policy impacts society (Parsons 2002; Sanderson 2002). For instance, in Switzerland, a policy to enhance homeownership is measured by achieving the target by multiplying homeownership in a 15-year term (Knoepfel et al., 2007). Besides, efficiency to use resources (reduce 'waste' and cost-cutting) can be considered an indicator of success. Policy success can also be achieved if policy creates advantages for a particular group based on gender, race, and religion. For example, in Australia, the Indigenous people's land right is recognised, resulting in 40% of the land being returned to traditional owners (Cassidy 2005; Parsons 1996).

Thirdly, political success is also considered an essential benchmark to assess policy success (Marsh and McConnel 2009). A policy is successful if it underpins the government's electoral prospects, reputation, and the bulk of governance. Head and Alford (2008:7) emphasise that a successful policy rescues the government from poor popularity (e.g. Thatcher's government was doomed to fail in 1982 until her government intervened in the Falkland Isles, which paved the way for her 'heroic' victory (McConnell 2010). So, a policy can be framed as successful if it grants positive political impact and manage momentum to benefit the political agenda.

The judgment of policy success is quite variable because we encounter complex ideas and issues when assessing a policy's success. Discussing policy success entangle a notion of success for whom; many actors can define success differently (Marsh and McConnel 2009). On the other hand, Bovens, 't Hart and Peters (2001) posit that the assessment of success depends on political, cultural, temporal, and spatial factors. What is considered a success in one political system could be not regarded as a success in another political circumstance, and policy that seems to be successful at a short time maybe seem less successful in a more extended period and vice versa. For instance, the Sydney Opera House was considered a disastrous project due to its expensive budget; however, it has become the most iconic building and advantageous for the tourist industry (Bovens and 't Hart 1996). Moreover, the assessment of success also involves differing benchmarks; consequently, there is no similar and objective parameter (McConnell 2015).

POLICY TRANSFER OF E-VOTING
WHAT IS E-VOTING, AND WHY TO TRANSFER?

E-voting can be defined as utilising an electronic system to cast, count, and tabulate votes in the polling terminal of provincial or national multiparty referendums and elections (IDEA 2011). Using this system, electoral management bodies (EMBs) obtain better management of elections logistics (IDEA 2011; Fujiwara 2015). Besides, e-voting also reduces invalid and null votes and faster election results (IFES 2013; McCormack 2016). The most important reason is that e-voting potentially removes any kinds of electoral fraud, such as stuffing the ballot box (IDEA 2011; McCormack 2016) and also increase elections legitimacy. In addition, e-voting provides convenience for voters and enfranchises disabled and illiterate voters (Hidalgo 2010; Fujiwara 2015).

Apart from those mentioned above, the reasons for transferring e-voting could be inspired by the advancement of technology with sophisticated Artificial Intelligence (AI), which help solve the election problems. Adoption of this technology also can be driven by the political will to increase the legitimacy of elections as Dolowitz and Marsh (1996) argue that officers may look for a lesson to create an individual mark in history, or as Polsby (1984) claims to differentiate their program from the predecessor to grant policy innovation. Therefore, adopting e-voting will be likely voluntarily; if the General Elections Commission of Indonesia (KPU) intends to make history or a breakthrough innovation to solve the problem of the challenging election, e-voting would be one of the best approaches.

FROM WHERE IS THE TRANSFER OF E-VOTING BEING DRAWN?

India has successfully implemented e-voting since 2004 and reached its great success in 2019 with 900 million electors (Avgerou, Masiero and Poulymenakou 2019; IDEA 2020). Apart from India, Brazil, Belgium, and several states in the US has applied e-voting for more than a decade with a sizeable public trust (Esteve, Goldsmith, and Turner 2012; IDEA 2011; McCormack 2016). However, other countries reject e-voting, such as the German High Court, which declared that e-voting violated constitutional law, while countries like Bahrain, Paraguay, and the UK have piloted e-voting but determined to stop using it (Melia and Byrne 2012). After more than two decades of use, the Netherlands decided to withdraw e-voting technologies and reverted to paper ballots (Oostveen 2010). Notwithstanding, the eagerness to use e-voting increased recently, including Africa, Asia and South America. The Philippines has started to use e-voting in 2010, Bhutan in 2013, and Namibia in 2014.

Moreover, some countries like Ecuador, Mexico, Nepal, Nigeria, and Peru started piloting the e-voting system. At least 26 countries have recently used the e-voting system for national and sub-national elections (Avgerou, Masiero and Poulymenakou 2019; IDEA 2015). So far, only India has successfully implemented e-voting so that the Indian e-voting policy will be transferred to Indonesia. Besides, there are some similarities between Indonesia and India; based on data 2019, both countries have many voters (India 900 million and Indonesia 190 million) and have two chambers system.

Policy Transfer of E-Voting From India to Indonesia: A Review Concept and Evidence

WHO TRANSFERS E-VOTING POLICY?

There are many actors involved in e-voting policy transfer. As an elector management body, the General Elections Commission of Indonesia (KPU) is responsible for managing elections. However, to adopt e-voting technology successfully, apart from KPU, political parties, legislatures, civil societies and non-governmental organisations are also involved in the decision-making process. McCormack (2016) suggests that elector management body should launch a robust public education and campaign of awareness to familiarise all actors and public with the new system and the involvement of all actors are essential to support the decision to adopt e-voting and enable KPU to communicate objectives for policy transfer of e-voting and provide a mechanism of public feedback.

WHAT IS TRANSFERRED IN E-VOTING?

In the policy transfer of e-voting, a vast range of aspects can be transferred. First of all, we will discuss the transfer of policy instruments. The Election Commission of India (ECI) applied direct recording electronic (DRE) in India. This instrument expedites the voting process, counting and votes recapitulation. In 2010, the Brazilian presidential election was released only 75 minutes after the voting ended (Haynes 2014). This technology can reduce the margin of error in voting, counting, recapitulation and significantly reduce the probability of invalid votes, effectively hindering fraud practices like vote-buying during recapitulation and impeding dropping illegal ballots into the ballot box. In addition, this instrument efficiently lessens the number of staff needed in the vote-counting and aids disabled and illiterate voters independently to cast their vote (IDEA 2020). The DRE is composed of two units. Firstly, the ballot machine, to select electoral candidates (represented by a name, number and symbol for the inclusion of disabled person) and the control machine (to count the votes cast by the voters automatically) and these two machines are connected by a 5-metre cable (Puri, Singh and Kaushal 2017).

Figure 1. direct recording electronic (DRE)
(google source, the link available in the bibliography, accessed 22 April 2021)

ECI implemented a voter-verified paper audit trail (VVPAT) to ensure the election was more verifiable and transparent. This device verifies track documents for the documents voter audit. VVPAT printer machine prints VVPAT which is detached from the DRE machine. VVPAT generates physical proof of votes assigned by electors. Therefore, VVPAT secures the election principles, free and fair election (Bailey and Sharma 2015) and ensures an efficient method for transparency since the election commission could verify the election result by comparing the data generated by the machine and manual counting from printed documents of VVPAT. Commonly, the election result verification with VVPAT is performed by random assignment, and VVPAT is subject to the procedure of recount in consort with a device for settling possible discrepancies between electronic and manual computations. Therefore, the DRE with VVPAT will secure the credibility of the voting system (International IDEA 2011).

Figure 2. DRE accompanied by VVPAT
(google source, the link available in the bibliography, accessed 22 April 2021)

The VVPAT comprises two electronic devices, a printer and the VVPAT Status Display Unit (VSDU). The officials of polling stations keep VSDU and the control unit while the ballot machine and VVPAT printer are placed inside the polling booth. When a voter casts a vote, the VVPAT printer automatically generates a document, a receipt including a serial number, symbol, and name of the candidate selected by the voter. The receipt will be cut and fall into a VVPAT secured box automatically, while the VSDU will show for seven minutes the voting status to report to the voter that the DRE machine has successfully recorded the vote cast by the voter (Congressional Research Service 2007; ECI 2018). So, to sum up, Indonesia could adopt policy instruments applied in India, namely the DRE machine and VVPAT.
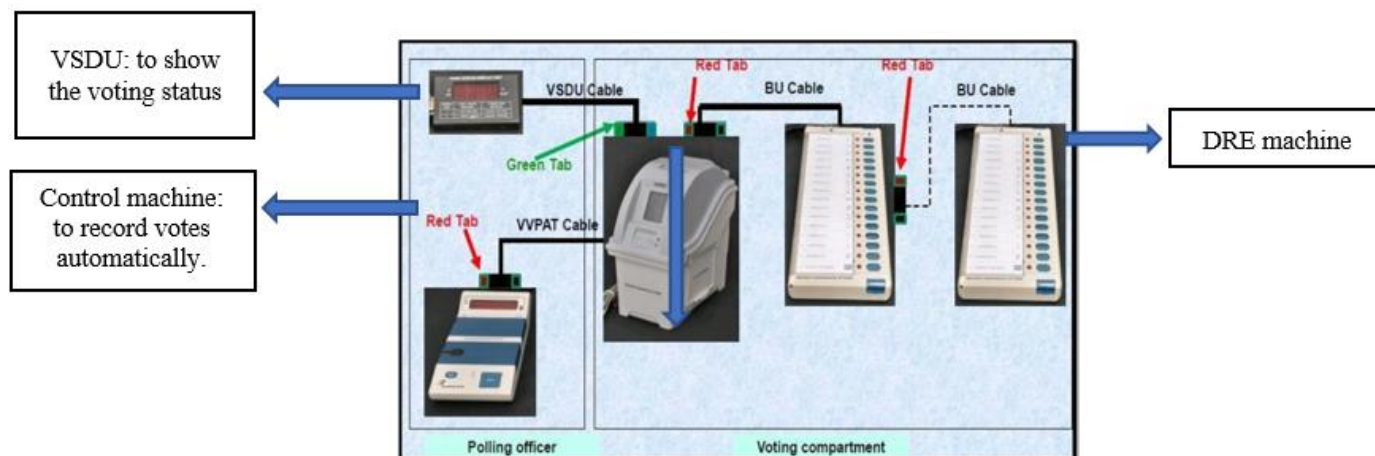
Figure 3. Illustration of the process to cast a vote in e-voting
(google source, the link available in the bibliography, accessed 22 April 2021)

Apart from policy instruments, policy ideas of e-voting are also essential to transfer into Indonesia's context. There are many policy ideas of e-voting implemented in India, but we are only focusing on the three elements of Indian policy ideas suited to transfer to Indonesia's jurisdiction; planning, procurement, and implementation. These three elements are essential to ensure the success of e-voting technology implementation. In planning, e-voting adoption starts from the appraisal of the actual needs to solve the election problems. In Indonesia, there are many issues, such as voter data duplication; in 2019, Bawaslu estimated around two million data duplication (Kompas 2019). Other election issues are inflating votes illicitly, a sumptuous election budget (2019 elections employed IDR 34 trillion, USD 2.4 billion) (Media Keuangan 2019), and 2019 general elections have caused 275 deaths 2875 sickness of the officer due to physical fatigue in counting the ballots (Kompas 2019).

In planning, adopting e-voting should consider Indonesia's legal system and regulations to rule the detail of e-voting (casting, counting and recapitulating). In essence, the Indonesian Constitution opens the possibility of implementing e-voting, and according to Law No. 7/2017, as long as the election is performed based on direct, free, general, confidential, fair and honest, e-voting is acceptable (Ali and Widjaja 2020). Goldsmith and Ruthrauff (2013:110) suggest that Electoral Management Body (EMB) needs to consider these nine aspects when devising a legal framework for e-voting technology. The physical aspect of e-voting technology, transparency dimension, technology certification, auditing mechanism, voting result status cf. electronic result, data storage and security, voter identification, access to source code, and law enforcement.

Procurement is an essential part of e-voting adoption and affects technology legitimacy and the whole elections (IDEA 2020). In India, the e-voting technology is manufactured by an Indian company, and the procurement was transparent and ultimately controlled by ECI. If technology is leased or purchased from another country, the relationship between supplier and EMB must be accountable. The technology system must be tested and certified via a rigorous testing process, and the whole process should be accountable and transparent (IDEA 2020). Moreover, comprehensive technology specification must be meticulously addressed, including the type of technology, scale, time frames, voter authentication, auditing mechanism, election result transmission, environmental conditions and power supplies, electoral system, accessibility, security, access to source code, additional service, and term and use (Goldsmith and Ruthrauff 2013).

India guaranteed cybersecurity, system security, and voter confidentiality implementation and supplemented an auditing mechanism to re-run the voting. The technology is also user-friendly and accommodates all voters, including disabled people. In the implementation phase, several lessons must be taken into account. Firstly, time is essential; before the public accepts this technology, KPU should ensure no serious technical error and perform an adequate voter education (International IDEA 2011). Secondly, human resources and capacity building gaps could emerge; hence, vendors and experts should train the stakeholders to fill the gaps (International IDEA 2011). Thirdly, voter education is intended not only for voters but also for political parties and media; on this occasion, KPU has to explain the motivation for adopting e-voting technology to gain public trust (International IDEA 2015). Fourthly, technology trials mean that the adoption should not be performed entirely in Indonesia. It could be done in a provincial or local election or performed parallelly with manual voting, and the results from the two mechanisms are compared to

test the e-voting accuracy, and if successful, trials can be performed in broader elections circumstances and gradually change the manual mechanism (IDEA 2020).

THE PROCESS OF POLICY TRANSFER OF E-VOTING

In adopting e-voting, the process should follow the Constitutional Law and the tenets of the election. KPU should comply with the following principles, independence, fairness, honesty, legal certainty, transparency, professionalism, proportionality, accountability, and effectiveness and efficiency (Ali and Widjaja 2018). To be more precise, the degree of policy transfer of e-voting should comply with these principles.

1. Fairness principle, the use of e-voting should grant equal access to all voters at every election stage and secure the tenets of one voter, one vote and prevent voter's data duplication (IDEA 2011).
2. Honesty principle, e-voting should eliminate or minimise fraud and manipulation probability. For instance, in vote recapitulation, the technology should hinder inflating votes illicitly and augments transparency and openness of data and elections (IDEA 2011).
3. Confidentiality principle, e-voting should maintain voters' confidentiality, particularly in the process of registration, voting, and counting. Technology should not reveal voters' identities and display their vote on a screen other than the DRE machine, and if this is happening, the technology itself would be detrimental to the election process (IDEA 2011). Besides adopting e-voting, the voter registration mechanism would be more accurate and efficient and prevent data duplication, as had happened in the general election in 2019. According to Election Supervisory Agency (Bawaslu), there was approximately 2 million voters' data duplication; one person has a dozen data duplication (Kompas 2018).
4. Directness principle, e-voting should make the election process is more accessible and more straightforward for voters (IDEA 2011).
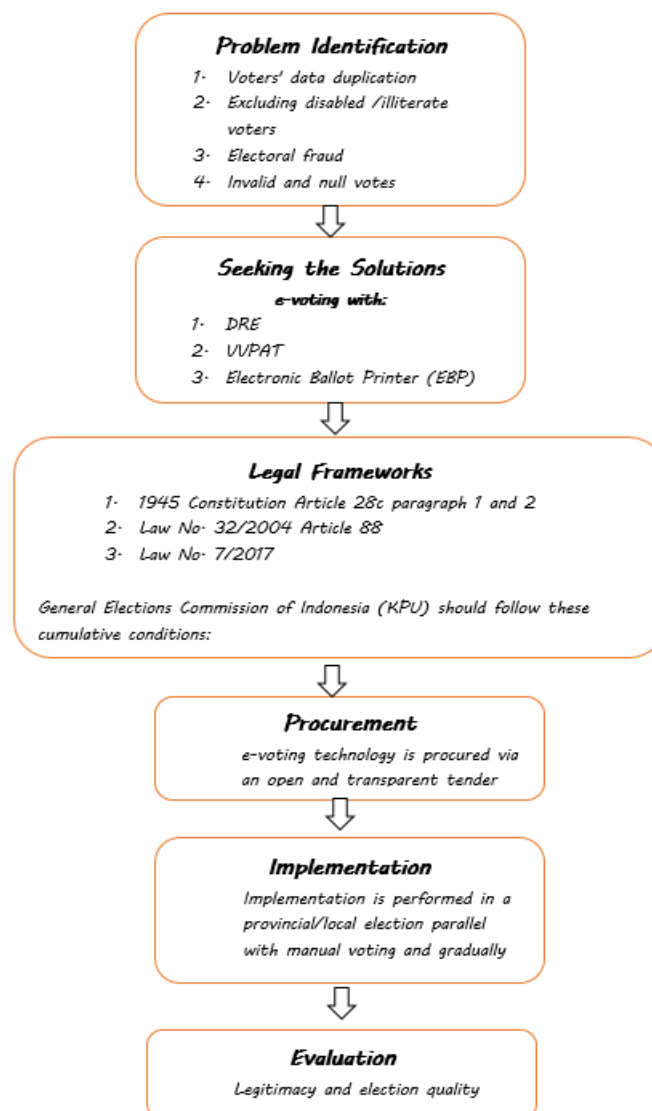
Figure 4. The process of policy transfer of e-voting in Indonesia's context
Adapted from IDEA 2020

THE DEGREE OF POLICY TRANSFER OF E-VOTING

Indonesia will obtain the best benefits of the degree of policy transfer of hybridisation and synthesis; the e-voting technology applied in India, including the DRE and VVPAT, will be combined with other e-voting technologies, the Congo Electronic Ballot Printer (EBP). EBP technology consists of a ballot printer (to print out the ballot to authenticate a voter's choice) and a ballot scanner (to scan the ballots and then record them in the system). The token card printed by EBP serves an identical function to the VVPAT, generating physical evidence of votes cast by electors (Avgerou, Masiero and Poulymenakou 2019; IDEA 2011).

However, EBP provides more sophisticated technology and ensures voters select the intended candidate (minimises the error to vote). With the EBP technology, to cast the voters' choice, they insert the ballot paper into the EBP machine (via scanner), and the machine checks the QR code, and if the QR code is authentic, then the electors can proceed to cast their vote. The EBP machine will automatically store the votes in a database, and the voters put token cards into ballot boxes (Westminster Foundation for Democracy 2018). So, the EBP technology represents manual voting where voters cast their vote into the sealed ballot box, which secures direct, free, general, confidential, fair and honest principles.

Moreover, to tackle the deficiency in the DRE, VVPAT and EBP, the election organiser (KPU) should apply cryptographic techniques in the machine to allow the voters to know that their vote has been recorded successfully. In VVPAT, voters are given a chance to review a paper printout of ballot choices decided and match them to the options listed on the display of DRE before they cast their vote. However, the voters do not know whether the machine has recorded their vote successfully. This technology allows the voters to know that their vote has been recorded successfully by the machine with cryptographic techniques. Furthermore, if the voters find a discrepancy, they can cancel the ballot and restart new voting (Congressional Research Service 2007).

In addition, to ensure that e-voting in Indonesia can be executed throughout the archipelago (where there are 433 villages across Indonesia in which electric installation is still unavailable, CNN Indonesia 2020), the KPU can request the machine with battery power instead of a machine that requires power connection. This has also been available in India so that e-voting can be performed in the whole area in India since 2004 (Bailey and Sharma 2015; Biswas 2019).
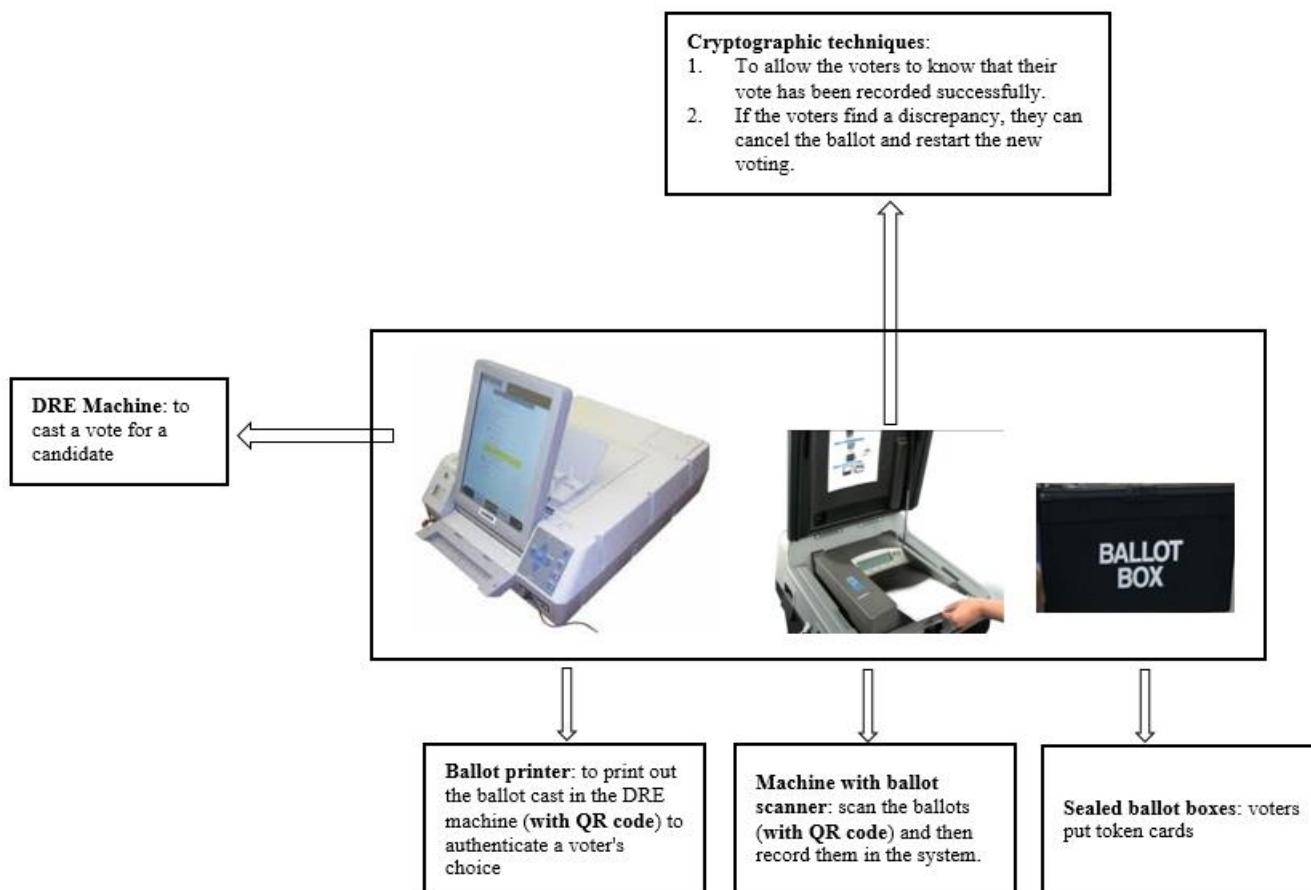
Figure 5. Illustration of hybridisation and synthesis of e-voting
(google source, the link available in the bibliography, accessed 22 April 2021)

HOW SUCCESSFUL WOULD BE THE ADOPTION OF E-VOTING?

In terms of process success, Constitution and legislation about general and regional elections in Indonesia do not specify/regulate the technological use in electoral. Nonetheless, the decision of the High Court No.147/PUU-VII/2009 suggests that Law no 32/2004

Policy Transfer of E-Voting From India to Indonesia: A Review Concept and Evidence

Article 88 is constitutionally dependent on the 1945 Constitution Article 28c paragraph 1 and 2. So, in this case, the terminology of 'vote' in law no 32/2004 Article 88 can imply that employing a conventional/manual method or using technology like e-voting should follow these cumulative conditions to meet the process's success (Ali and Widjaja 2018). They are, firstly, underpinning the election principles as stated in Law No.7/2017 regarding general elections; fair, direct, free, confidential, public, and honest. Secondly, technologically and financially adequate, readiness in software, human resources, community in the area concerned and other essential requirements (IDEA 2020). Therefore, by following these aspects, KPU will obtain legitimacy in adopting e-voting.

The programmatic success of e-voting could be achieved if KPU reflects on an evidence-based policy that includes the benefits resulting from e-voting. For instance, it is claimed that e-voting significantly reduces the cost of the election (e.g. Congo's election in 2018, the cost was reduced by USD 100 million). Besides, KPU could prove that e-voting reduces the margin of error in voting, counting, recapitulation and significantly reduces the probability of invalid votes, effectively hindering fraudulent practices like vote-buying during recapitulation and preventing dropping illegal ballots into the ballot box (IDEA 2020). Political success is achieved if KPU can show that e-voting guarantees its reputation.

Why transfer e-voting			Who will be involved in policy transfer	What will be transferred?	From where?		Degree of transfer	Challenges of transfer	How to demonstrate transfer	How transfer could lead to failure
Voluntary	**Mixture**	**Coercive**			**With in a nation**	**Trans-national**				
Lesson drawing (perfect rationality)	-	-	- General Elections Commission of Indonesia (KPU) - Bawaslu	Policies instruments DRE VVPAT Electronic Ballot Printer (EBP) Cryptographic techniques	-	India and Colombo	Hybridisation and synthesis	The complexity of policy (e-voting technology is exceptionally complex, i.e. security issues)	Commissioned Elections Commission of Indonesia (KPU) Bawaslu	Uninformed transfer
It was inspired by technology's advancement with sophisticated Artificial Intelligence to solve election problems. The political will to increase the legitimacy of elections To make a legacy			Political Parties	Policy Ideas Planning Procurement (transparent tender and certified via a rigorous testing process) Implementation (from local to gradually implement e-voting)	-					Incomplete transfer like removing VVPAT could erode election legitimacy.

To create an individual mark in history								
		Legislatures		-				Inappropriate transfer like changes VVPAT with a device with lower security
		Non-governmental organisations						

Figure 6. The framework of policy transfer of e-voting
Adapted from Dolowitz and Marsh (2000)

TRUST ON E-VOTING: THE CHALLENGES AND STRATEGIES TO SECURE PUBLIC TRUST AND ELECTION INTEGRITY IN INDONESIA.

Adopting e-voting faces fundamental challenges; organisational and technological characteristics are the most important consideration and thus need to be scrutinised in order to be able to draw voters' trust (McCormack 2016; Norris 2014; Sances, Stewart and Charles 2014). Maladministration suspicion or fraudulent in e-voting caused voters to doubt the accuracy of the election results; consequently, these doubts will lead to the legitimacy of the elections of the elected governments (McCormack 2016; Norris 2014). Research in e-voting incline to refers to confidence instead of trust. The distinct difference between trust and confidence in political science, economics, and sociology is debatable (Luhmann 2000; Newton & Norris 1999; Tonkiss 2009). A general perspective is that confidence does not entangle a choice over alternatives and does not presuppose risk perception, while trust is essentially a matter of risky choice (Pieters 2006). So, when adopting e-voting, trust is an appropriate concept since citizens choose an action based on the trustworthiness perception of e-voting. Non-trust is evidenced by action challenges the arrangements of the election, the challenge of the results of elections, or non-participation in e-voting (Avgerou, Masiero and Poulymenakou 2019).

It is also essential to address the public and politicians who are suspicious the e-voting. Filho and Marcacini (2015) suggest that even with e-voting technology with VVPAT, the possibility of fraud is still open; the technology itself is inclined to a technical error and slows down the process of voting. Besides, the functionality, easiness, security, propensity, or robustness for malfunctioning should be considered to establish elections' trustworthiness (Altman & Pérez-Liñán 2002; Kallinikos 2012; Selker & Goler 2004; Stewart 2004). It is also true that the most challenging aspect of e-voting technology is the security system. Nonetheless, the reliability and security issues of e-voting were minor problems until 2003 (Congressional Research Service 2007), and as implemented in India, e-voting technology with VVPAT has no issues in the security system. Of 542 electoral areas across India, there was no discrepancy between manual counting and e-voting (Nambiar 2019). However, the opposition challenged the results of the elections in the Supreme Court, nonetheless unable to prove that e-voting technology has a security problem and eventually accepted the election results (Biswas 2019).

In the context of Indonesia, the strategy of hybridisation to integrate the DRE, VVPAT, and Electronic Ballot Printer (EBP) will maximise the security of the technology, secure transparency and ballot secrecy, ensure the tenets of direct, free, general, confidential, fair and honest, and thus increase election integrity. EBP technology includes two electronic devices: a ballot printer (to print out the ballot to authenticate a voter's choice) and a ballot scanner (scan the ballots and then record them in the system). The EBP prints a token card and serves a similar function to the VVPAT, creating physical evidence of votes cast by voters (IDEA 2011). EBP secures that electors select the intended candidate (this is to prevent the error to vote), and the voters cast their choice by inserting the ballot paper into the EBP machine (through the scanner). The scanner will authenticate the QR code; if the QR code is genuine, the voters can cast their vote. The EBP stores the voters' votes in a database automatically, and the voters put token cards into ballot boxes (Westminster Foundation for Democracy 2018). Hence, the EBP technology serves an identical function with manual voting; electors cast their vote into the sealed ballot box, securing direct, free, general, confidential, fair and honest principles.

Policy Transfer of E-Voting From India to Indonesia: A Review Concept and Evidence

In addition, to improve ballot secrecy and technology security, the election organiser (KPU) could add cryptographic techniques in the machine to enable the electors to know that their vote has been successfully recorded. In the VVPAT, the machine indeed allows the voters to review a paper printout of ballot choices selected and match them to the options listed on the display of DRE before they cast their vote. Nonetheless, the electors do not know whether the machine has recorded their vote successfully. Hence, by using cryptographic techniques, if the voters find a discrepancy, they can cancel the ballot and restart new voting (Congressional Research Service 2007). Moreover, VVPAT generates physical proof of votes selected by voters. Therefore, VVPAT secures the election principles, free and fair election (Bailey and Sharma 2015) and ensures an efficient method for transparency since the election commission could verify the election result by comparing the data generated by the machine and manual counting from printed documents of VVPAT.

Apart from technological aspects, social theories of technology usage also secure people's trust and elections integrity (Dourish 2004). The socio-technical implementation of technology requires not only material properties or the functionality of the technology but also how people make sense of this technology and the context of the organisational process (Leonardi, Nardi and Kallinikos 2012; Mutch 2010; Volkoff, Strong, and Elmes 2007). Hence, to gain the citizens' and politicians' trust in e-voting, the electoral management body (KPU) should consider and embeds the socio-technical entity in Indonesia's socio-economic circumstances and political institutions. The socio-technical perspective of e-voting is that e-voting implementation is the arrangement of techno-organisational embedded in socio-economic circumstances and political institutions where the e-voting is implemented. This includes how the electoral management body (KPU) includes technology-mediated practices related to the actors involved in the e-voting process, such as political parties, technology providers, media, election observers and other actors (Avgerou, Masiero and Poulymenakou 2019).

CONCLUSION

The policy transfer of e-voting is a complex mechanism driven by technological advancement and the necessity to solve election problems. Two aspects are the most relevant to transferring India's e-voting system into Indonesia; policy instrument (hard transfer) and policy ideas (soft transfer). The degree of policy transfer of e-voting is hybridisation and synthesis; the e-voting technology used in India, including the DRE and VVPAT, will be combined with other e-voting technologies like Electronic Ballot Printer (EBP) and Cryptographic techniques to obtain the maximum benefits. The success of policy transfer of e-voting relies on how well the KPU as an elector management body achieve process success, programmatic success and political success.

REFERENCES

1) Ali, M., and Widjaja, A. 2020 'Electronic Voting: Towards Indonesian Democratic Constitutional Election' Advances in Social Science, Education and Humanities Research 499: 160-165.
2) Altman, D., and Pérez-Liñán, A. 2002 'Assessing the Quality of Democracy: Freedom, Competitiveness and Participation in Eighteen Latin American Countries', Democratisation 9(2): 85-100.
3) Bailey, R., and Sharma, R. 2015 'E-Voting Case Law in India' in A. D. Maurer and J. Barrat eds. E-Voting Case Law: A Comparative Analysis Surrey: Ashgate.
4) Baumgartner, F., and Jones, B. 1993 Agendas and Instability in American Politics. Chicago: University of Chicago Press.
5) Biswas, S. 2019 'India election 2019: Are fears of a mass hack credible? BBC News, 25 January 2019. Accessed 26 April 2021. Available at https://www.bbc.com/news/world-asia- India-46987319.
6) Bovens, M., and 't Hart P. 1996 Understanding Policy Fiascos New Brunswick, NJ:Transaction Press.
7) Bovens, M.,'t Hart P., and Peters B. 2001 Success and Failure in Public Governance: A Comparative Analysis Cheltenham: Edward Elgar.
8) Boyne, G. 2003 'What is Public Sector Improvement?', Public Administration, 81(2): 211-227.
9) Cassidy, J. 2005 'The Enforcement of Aboriginal Rights in Customary International Law', Ind. Int'l & Comp. L. Rev 4(59): 59-101.
10) Bulmer, S., and Padgett, S. 2004 'Policy transfer in the European Union: an Institutionalist Perspective', British Journal of Political Science 35(1):103-126.
11) CNN Indonesia 2020 Accessed 23 April 2021. Available at https://www.cnnindonesia.com/ekonomi/20200403101725-85-489891/jokowi-sebut-433-desa-belum-dapat-aliran-listrik.
12) CNN Indonesia 2019 Accessed 25 April 2021. Available at https://www.cnnindonesia.com/nasional/20190507084423-32-392531/total-554-orang-kpps-panwas-dan-polisi-tewas-di-pemilu-2019.
13) Congressional Research Service 2007 The Direct Recording Electronic Voting Machine (DRE) Controversy: FAQs and Misperceptions 1-16.
14) Dolowitz, D., and Marsh D. 1996 'Who Learns from Whom: a Review of the Policy Transfer Literature', Political Studies 44 (2): 343-357.

15) Dolowitz, D., and Marsh, D. 1996 'Learning from Abroad: The Role of Policy Transfer in Contemporary Policy Making', Governance 13(1): 5-24.

16) Dourish, P. 2004 'What We Talk About When We Talk About Context', Personal and Ubiquitous Computing.

17) Esteve, B., Goldsmith, B., and Turner, J. 2012 'International Experience with Electronic Voting', International Foundation for Electoral Systems.

18) Evans, M. 2009 'Policy Transfer in Critical Perspective', Policy Studies 30(3): 243-268. Evans, M., and Davies, J. 1999 'Understanding Policy Transfer: A Multi-level, Multi-disciplinary Perspective', Public Administration 77(2): 361-385. Filho, A. and Marcacini, A. 2015 'Legal Aspects of E-Voting in Brazil', in A. Maurer and J. Barrat eds. E-

19) Voting Case Law: A Comparative Analysis Surrey: Ashgate.

20) Fujiwara, T. 2015 'Voting Technology, Political Responsiveness, and Infant Health: Evidence from Brazil', Econometrica 83(2): 423-464.

21) Goldsmith, B., and Ruthrauff, H. 2013 Implementing and Overseeing Electronic Voting and Counting Technologies Washington: IFES and National Democratic Institute for International Affairs.

22) Hidalgo, F. 2010 Digital Democracy: the Consequences of Electronic Voting Technology in Brazil Pennsylvania State University.

23) IDEA 2020 Adoption of E-voting Technology: A Guide for Electoral Stakeholders in Indonesia Stockholm: International IDEA.

24) IFES 2013 Implementing and Overseeing Electronic Voting: Voting and Counting Technologies Washington DC: International Foundation for Electoral Systems.

25) IDEA 2011 'Introducing Electronic Voting: Essential Considerations' International Institute for Democracy and Electoral Assistance, Policy Paper.

26) International IDEA 2015 Certification of ICTs in Elections Stockholm: International IDEA.

27) Jones, T., and Newburn, T. 2006 Policy Transfer and Criminal Justice Milton Keynes: Open University Press.

28) Leonardi, P., Nardi, B., and Kallinikos, J. 2012 Materiality and Organizing Oxford: Oxford University Press.

29) Lloyd, J. 1994 'IMF Gives Go-ahead for $1.5bn Loan to Russia', The Financial Times. 23 March 1993.

30) Luhmann, N. 2000 'Familiarity, Confidence, Trust: Problems and Alternatives, in D. Gambetta ed. Trust: Making and Breaking Cooperative Relations Oxford: Basil Blackwell.

31) MacKinnon, D., Shaw, J., and Docherty, I. 2008. Diverging Mobilities? Devolution,

32) Transport and Policy Innovation. Current Research in Urban and Regional Studies Oxford: Elsevier.

33) Marsden, G., and Stead, D. 2010 'Policy Transfer and Learning in the Field of Transport: A review of Concepts and Evidence' Transport Policy 18: 492-500.

34) Marsh, D., and McConnell, A. 2010 'Towards a Framework for Establishing Policy Success' Public Administration 88(2): 564-583.

35) Marsh, D., and McConnell A. 2009 'Towards a Framework for Establishing Policy Success', Public Administration 88(2): 564-583.

36) Marsh, D., and Sharman, J. 2009 'Policy Diffusion and Policy Transfer', Political Studies, 30(3): 269-288.

37) McConnell, A. 2015 'What is Policy Failure? A Primer to Help Navigate the Maze',Public Policy and Administration 30(3-4): 221-242.

38) McConnel, A. 2010 Understanding Policy Success: Rethinking Public Policy London,UK: Macmillan Education.

39) McCormack, C. 2016 Democracy Rebooted: The Future of Technology in Elections Washington DC.

40) Media Keuangan 2019 'Anggaran Demokrasi' 14(139): 1-56.

41) Melia, P., and Byrne, L. '€54m voting machines scrapped for €9 each' in The Independent, 2012. Accessed 15 May 2021. Available at https://www.independent.ie/irish-news/54m-voting-machines-scrapped-for-9-each-26870212.html.

42) Kallinikos, J. 2012 'Form, Function, and Matter: Crossing the Border of Materiality', in P.

43) Leonardi, B. Nardi and J. Kallinikos eds. Materiality and Organising, Oxford: Oxford University Press.

44) Kompas 2018. Accessed 23 April 2021. Available at https://nasional.kompas.com/read/2018/09/13/08580441/polemik-data-pemilih-ganda-pemilu-2019-ini-5-faktanya?page=all.

45) Nambiar, N. 2019 'ECI stands vindicated as no EVM-VVPAT mismatch found', Accessed 25 April 2021. Available at https://timesofindia.indiatimes.com/city/pune/eci-stands-vindicated-as-no-evm-vvpat-mismatch-found/articleshow/69500423.cms

46) Newton, K., and Norris, P. 1999 'Confidence in Public Institutions', in P. S. and R. Putnam eds. Disaffected Democracies: What's Troubling the Trilateral Countries? Princeton: Princeton University Press.

47) Norris, P. 2014 Why Electoral Integrity Matters New York: Cambridge University Press.

48) Norris, P. 2013 'The New Research Agenda Studying Electoral Integrity', Electoral Studies 32(4): 563-575.

49) Mutch, A. 2010 'Technology, Organization, and Structure -A Morphogenetic Approach', Organization Science 21(2): 507-520.

50) Oostveen, A. 2010 'Outsourcing Democracy: Losing Control of e-Voting in the Netherlands' Policy & Internet 24: 201-220.

51) Oostveen, A., and van den Besselaar, P. 2005 'Trust, Identity, and the Effects of Voting Technologies on Voting Behavior', Social Science Computer Review 23(3): 304-311.

52) Parsons, W. 2002 'From Muddling Through To Muddling Up: Evidence-Based Policy Making and the Modernisation of British Government', Public Policy and Administration 17(3): 43-60.

53) Parsons, W. 1996. Public Policy Cheltenham, England: Edward Elgar.

54) Pieters, W. 2006 'Acceptance of Voting Technology: Between Confidence and Trust', in K. Stølen ed. iTrust. Springer-Verlag.

55) Puri, T., Singh, J., and Kaushal, H. 2017 'Prototyping of Indian Electronic Voting Machine', International Journal of Engineering Research and Development, 13(5): 44-51.

56) Rose, R. 2005 Learning from Comparative Public Policy: A Practical Guide Oxon: Routledge.

57) Rose, R. 1993 Lesson Drawing in Public Policy: A Guide to Learning Across Time and Space, Chatham: Chatham House.

58) Rose, R. 1991 'What is Lesson-drawing?', Journal of Public Policy 11(1): 3-30.

59) Sances, M., Stewart, C., and Charles, H. 2014 'Partisanship and Voter Confidence, 2000-2012', CalTech-MIT Voting Technology Project, Working paper no. 125.

60) Sanderson, I. 2002. 'Evaluation, Policy Learning and Evidence-based Policy-making', Public Administration, 80(1): 1-22.

61) Selker, T., and Goler, G. 2004 'Security Vulnerabilities and Problems with VVPT', CalTech-MIT Voting Technology Project, Working Paper no 16.

62) Stewart, C. 2004 'The Reliability of Electronic Voting machines in Georgia," CalTech-MIT Voting Technology Project, Working Paper no 16.

63) Stone, D. 2004 'Transfer Agents and Global Networks in the 'Transnationalisation of Policy', Journal of European Public Policy 11(3): 545-566.

64) Stone, D. 2000 'Non-Governmental Policy Transfer: The Strategies of Independent Policy Institutes', Governance 13 (1): 45-70.

65) Stone, D. 1999 'Learning Lessons and Transferring Policy Across Time, Space and Disciplines', Politics, 19(1): 51-59.

66) Tonkiss, F. 2009 'Trust, Confidence and Economic Crisis', Intereconomics 44(4): 196-202.

67) Volkoff, O., Strong, D., and Elmes, M. 2007 'Technological Embeddedness and Organisational Change', Organization Science 18(5): 832-848.

68) Wolman, H., and Page, E. 2002 'Policy Transfer among Local Governments: An Information-Theory Approach', Governance 15(4): 477-501.

69) Wolman, H. 1993. Lesson-Drawing in Public Policy. Chatham, NJ: Chatham House.

70) Wolman, H. 1992 'Understanding Cross-National Policy Transfers: The Case of Britain and the US', governance, 5(1): 27-45.

71) Westminster Foundation for Democracy 2018 Voting Machine Review of Democratic The Republic of Congo. Reports.

Photos and graphics

1) Direct Recording Electronic (DRE). Accessed 22 April 2021. Available at https://www.researchgate.net/publication/342213336_Adoption_of_Voting_Technology_A_Guide_for_Electoral_Stakeholders_in_Indonesia/figures?lo=1.

2) DRE accompanied by VVPAT. Accessed 22 April 2021. Available at

3) https://www.researchgate.net/publication/342213336_Adoption_of_Voting_Technology_A_Guide_for_Electoral_Stakeholders_in_Indonesia/figures?lo=1

4) Illustration of the process to cast a vote in e-voting. Accessed 22 April 2021. Available at https://shixansathi.blogspot.com/2017/12/gujarat-vidhansabha-election-2017-all.html

5) Illustration of the degree of policy transfer of e-voting (hybridisation and synthesis). Accessed 22 April 2021. Available at https://www.smcacre.org/post/vote-centers

The Liberation War of Bangladesh: Emergence of Nationalism in the Political Context

Mohammad Anisuzzaman[1], Harun Ar- Rashid Mamun[2]

[1]Major, Bangladesh Army, Bangladesh; Principal, Jolshiri Public School and College, Dhaka, Bangladesh.
[2]Postgraduate Student, Department of Public Administration, Comilla University, Cumilla, Bangladesh; Member, Bangladesh; Social Research Group (SRG), Bangladesh; Fellow, 2022 Cohort, Teach For Bangladesh, Dhaka, Bangladesh.

ABSTRACT: The age of the Bengali liberation war has crossed almost five decades. The political, social, economic, and cultural background of the liberation war of 1971 and the emergence of independent Bangladesh is huge and varied in the form of canvas. So, this current study titled "The Liberation War of Bangladesh: Emergence of Nationalism in the Political Context" aims to investigate in what context have the common people, including military, paramilitary, political, administrative and business people, come together at the same point to demand independence? Following that, the study deals with the great liberation struggle of the Bengali nation, and significant facts, events, situations, changes in the political landscape of the time, the background of the establishment of Pakistan, linguistic, tradition, culture, and conflicting differences between East and West Pakistan from 1947 to 1971. The development of Bengali nationalism is also documented in this study by highlighting inequality in different sectors by using various data and statistics. The study is mainly used secondary data to accomplish the article. For instance, books, interviews, newspapers, various researches, online liberation war documents, etc. were used as references in the described research.

KEYWORDS- Liberation; War; Nationalism; Political Context; Bangladesh

I. INTRODUCTION AND BACKGROUND

To evaluate the cultural interrelationships of Bengali nationalism, one needs to know about the history of the people of Bangladesh. To gain political recognition, Bengali Muslims needed a spatial basis of national identity. Initially, this foundation was thought to consist of Bengal and Assam. Before the partition of India, Muslims were the majority here. This was assumed in the 1946 Cabinet Mission Plan prepared by the then ruling British government as the basis of India's independence. The plan called for the transfer of power to the three sub-states of the north-west, central and north-east India and for the center to be given as little power as possible in defense, foreign affairs, national communications, and some economic matters.

The cabinet mission plan was rejected by the Indian National Congress and a consensus was reached on the partition of India based on a proposal to establish a Pakistani state with Muslim-majority areas. In this situation, Muslim Bengali nationalism redefined its past boundaries. The idea of joining Pakistan was accepted when the Congress High Command rejected the idea of a united and sovereign Bengal. The expression of Bengali nationalism in the Pakistan movement eventually had to assert its national identity as a definite majority community in the vicinity of East Bengal and Sylhet within the boundaries redefined by Radcliffe. Bengali nationalism has to be accepted within these boundaries. Whatever, after 14 August 1947 the origin of Bengali nationalism came to be known only as the nationalism of the then East Pakistan and the whole of present-day Bangladesh. Non-Muslims are also included in this definition of nationalism (Sobhan, 2017).

II. STATEMENT OF THE PROBLEM

The events of history prove that the people of East Pakistan were gradually prepared for independence from the first day of March 1971, inspired by the nationalist spirit from 1952, 1962, 1969, and 1970. But in present days, many of those who have heard of the history of Bangladesh that was formed based on the War of Liberation is imaginary or partially true. Partial true history is sometimes worse than false. The young generation, therefore, knows the history of the Liberation War from their textbooks and legends, which are often covered with biases or lies. It is rare to have a neutral history about the boundless sacrifice that brought freedom. This study tries to give an accurate picture of the context in which people of all classes took part in the liberation war.

The Liberation War of Bangladesh: Emergence of Nationalism in the Political Context

III. OBJECTIVES

History vows to seek truth in its own right. That is the beauty of history. In addition to the steps of truth-seeking, the main goal and objective of this study are to find out the real causes behind the emergence of nationalism among Bengali peoples in the liberation war of Bangladesh and how this nationalist movement helped to achieve an independent Bangladesh.

IV. RESEARCH QUESTION

In line with the statement of the problems, the study aims to discuss the following research questions.

a. What are the major causes behind the emergence of nationalism among Bengali peoples in the context of the liberation war of Bangladesh?

b. How did this nationalist movement help them to achieve an independent Bangladesh?

V. METHODOLOGY

Research methods are a general process of revealing information and reaching the right conclusions. The first step in this process is to collect information, verify the information while maintaining a neutral point of view, and logically coordinate and insert the information obtained. The conventional Research Method of History has been used in this research. Through which it is possible to reach specific goals. Where mainly secondary data i.e. books, interviews, newspapers, various researches, online liberation war documents, etc. have been used to accomplish the study.

VI. RESULTS AND DISCUSSIONS

A. Emergence of nationalism

The people of the Indian subcontinent have carried out movements in every chapter of the period demanding autonomy in the geopolitical structure of the region. A new national awakening began in Bengal in the nineteenth century to liberate it from British rule. This awakening was characterized by a sense of nationalism and the emergence of political consciousness. We can define nationalism as a sense of national identity of a particular people living in a geographically limited place. Indigenous peoples must be completely separate from their other communities in terms of thought, prosperity, group activities, cultural interactions, protection of their land, etc. If they are neglected or persecuted, then the expression of their needs leads to the full development of nationalism (Levy, 1973). There may also be inconsistencies between the territories of geography, which may divide village by village, district by district, or province by province. Based on the receipt or non-receipt of some basic needs, that is the deprivation of the idea that a nation can or does not have the power to control commodities, government jobs, productive resources, means of production, policy-making, and, distribution process compared to another nation (Sobhan, 2017).

Apart from religious unity, there was no similarity between the people of the two regions of Pakistan. The people of East Bengal were different from the Pakistanis in ethnography, history, tradition, culture, and overall way of life. There were stark differences in the geographical environment, weather, food habits, attitudes, etc. of both parts of Pakistan. Therefore, its journey started with inconsistency at the beginning of the creation of Pakistan. Karachi was made the capital of the new state of Pakistan. However, considering the support of the majority of the people, Dhaka was supposed to be the capital. After the establishment of Pakistan, the path of the new state began with the development of the whole country, the establishment of a democratic political structure, and the assurance of the participation of the two provinces at all levels. Following this path, Pakistani leaders, wearing Islamic masks, often try to hold on to power by talking about Islam and the Muslim Brotherhood. Mainly due to the lack of modern lifestyle, bigotry, and medieval thinking prevailing among the Muslim League leaders, they failed to provide the right direction to the new state.

B. The emergence of nationalism in the political context

Soon after the birth of Pakistan, the Bengalis were also deprived of state power in Pakistan. In the twenty-three years from 1947 to 1970, only one person from East Pakistan (1947-51) was elected President of Pakistan. After the death of Muhammad Ali Jinnah, the first Governor-General of Pakistan in 1947, Nazimuddin from East Pakistan became the Governor-General of Pakistan. Although Muhammad Ali Jinnah enjoyed all the power of the country as the Governor-General, Prime Minister Liaquat Ali Khan continued to exercise the real power of the country during the reign of Khawaja Nazim Uddin. After the assassination of Liaquat Ali Khan in 1951 when Khawaja Nazim Uddin became the Prime Minister of Pakistan, Governor-General Ghulam Mohammad (Punjabi) became the ruler of all powers. Therefore, it is seen that East Pakistani Khawaja Nazim Uddin did not get the real power as the Governor-General, nor did he get the real power as the Prime Minister. It was a conspiracy not to give power to any East Pakistani (even if he is a non-Bengali East Pakistani). From 1947 to 1958, there were six prime ministers of Pakistan. Four of them were West Pakistanis. Of the three who became the Prime Minister of Pakistan from East Pakistan, only Hussain ShahidSuhrawardy was aware of the interests of the Bengalis. The other two (Khawaja Nazim Uddin and Mohammad Ali of Bogra) have given importance to the interests of West Pakistanis (Mamun & Rahman, 2019).

The Liberation War of Bangladesh: Emergence of Nationalism in the Political Context

Khawaja Nazim Uddin formed the first cabinet of East Bengal on 14 August 1947. A review of this cabinet shows that no member of the Suhrawardy cabinet before 14 August was included in the first cabinet of independent East Bengal. Naturally, with the birth of a new state, there is a lack of consensus among the political leaders. As a result, new political parties and organizations developed in the country. The whole country is floating in the tide of movement (Ahmed, 1992).

At the time of independence on 14 August 1947, the activities of the political parties in East Bengal were: Muslim League, National Congress, Communist Party, etc. AK FazlulHuq'sKrishak-Praja Party had a nominal existence. Before independence, the Bengal Provincial Muslim League was in power in the united Bengal.

The Awami League was formed in West Pakistan in May 1949 under the leadership of Pir of Manki Sharif and on 23June1949the Awami Muslim League was formed in East Bengal under the leadership of MaulanaBhashani. The newly formed party aimed to turn Pakistan into a democratic state and bring about social and economic reforms in the country (Mamun & Rahman, 2019).

C. Language movement

The historical language movement started a new chapter in the history of the Bengali liberation war. The influence of the language movement in our liberation war is undeniable. The attack on the Bengali language by the Pakistani ruler and the Muslim League clique was mainly an attack on the abhorrent tradition, culture, history, and identity of the Bengali nation. To resist this blow to this culture and tradition, the Bengali nation created a bloody political chapter. Conspiracies against the Bengali language began on the pretext of religion. Bengali language and Bengali culture are not compatible with Islam - hostility originates mainly from this base attitude and reasoning. Islamization of Bengali language, intrusion of Arabic and Persian words by abolishing Sanskrit and original Bengali words, abolition of original Bengali alphabet, dismantling of the institutional structure of Bengali language and literature and practice were the main objectives (Ahmed, et al., 2004). There was a good reason behind the demand of the Bengali language movement in East Bengal to make Bangla one of the state languages. Bengali was the mother tongue of 56% of the people of Pakistan. Apart from the mother tongue, it was less likely to be educated in another language and to do well in that language. The participation of Bengalis in the administration, army, and economic sector of Pakistan was negligible. On top of that, if Urdu was made the official language, the chances of Bengalis being included in the central administration would have been lessened due to language problems. As a result, in all cases, the Urdu-speaking people would get priority and gradually consume the Bengalis and establish their monopoly. Which means 'watery grave' of Bengali entity. Thus, the Bengali educated community was forced to protest strongly against the decision to make Urdu the only official language. Their protest gradually took the form of a political movement against West Pakistani political hegemony and economic exploitation (Rahman, 2017). The linguistic position of the people after the establishment of Pakistan in 1947 was as follows:
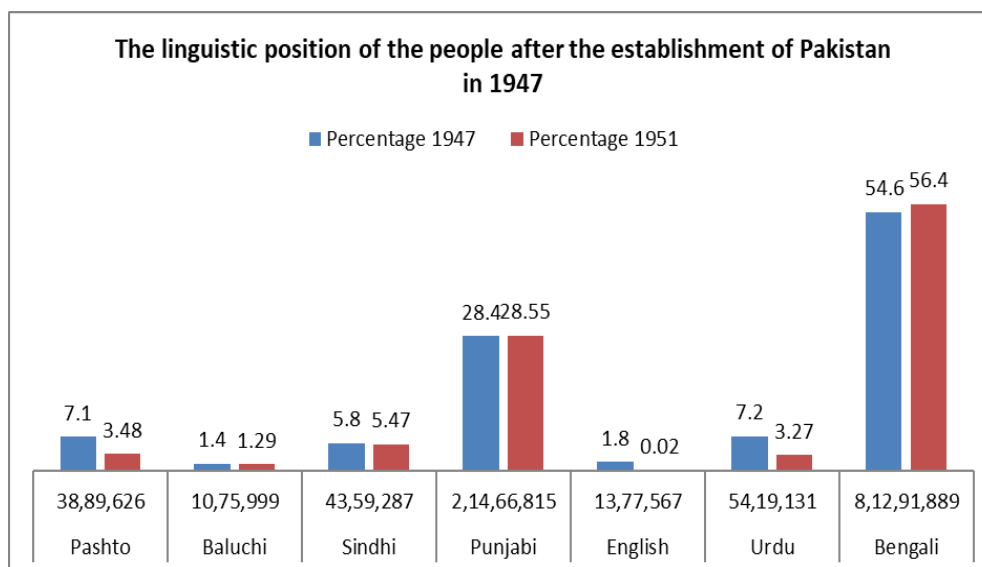
Figure 1. The linguistic position of the people after the establishment of Pakistan in 1947

Note. Prepared by authors based on Rahman, "Bangladesher Itihas: 1947-1971," p-93.

Only 7.2%of people speak Urdu while 54.6% of people speak Bengali. Although Urdu was the mother tongue of only 3.26% of the population of Pakistan, attempts were made to make Urdu the official language of Pakistan immediately after independence. Only English and Urdu were used in Pakistani currency, stamps, money order forms, train tickets, etc. Bengali was dropped from the Pakistan Public Service Commission's subject list and in the recruitment examinations of the Navy and other departments.

When the session of the Pakistan Constituent Assembly began on 23 February 1948, Congress party member Dhirendranath Datta proposed an amendment to make Bengali the official language of the Constituent Assembly along with English and Urdu. His proposal was discussed on 25 February.

The Liberation War of Bangladesh: Emergence of Nationalism in the Political Context

He argued that he did not propose this with the attitude of provincialism. Since Bengali is the mother tongue of the majority of the people of Pakistan, the language of the majority should be the state language of Pakistan (Rahman, 2017).

On 2 September 1947, a group of students and teachers of Dhaka University formed the cultural association 'TamaddunMajlish'. A pamphlet titled 'Bangla or Urdu, the State Language of Pakistan', published on 15 September 1947, called for making Bengali the medium of instruction and the language of the courts of law in East Pakistan (Ahmed, et al., 2004).

Since the birth of Pakistan, the political activities of the students have played a major role in the political movement of this country. The students who fought for the establishment of Pakistan again started a movement against the Muslim League government at the beginning of the creation of Pakistan. When the opposition parties became inactive due to the repressive policies of the government during the rule of different governments, the university students played a major role in opposing the government (Khabiruzzaman, 2011).

Realizing the need for an organization to activate the struggle for the Bengali language, the 'RashtrabhashaSangram Parishad' was formed on 2 March 1947 at FazlulHaque Hall in Dhaka. The council consists of two representatives from each of the following organizations, namely TamaddunMajlish, GanaAzadi League, Ganatantrik Juba League, Salimullah Muslim Hall, FazlulHaque Muslim Hall and other dormitories, and East Pakistan Muslim ChhatraLeague. The student organization of the communist party called the Student Federation was also included. Shamsul Alam was nominated as the convener of the council (Rahman, 2017).

When Jinnah arrived in Dhaka on 19 March 1948, a civic reception was organized in his honor at the Race Course Maidan (now Suhrawardy Udyan) on 21 March. But at the meeting, he announced his proud decision on the state language, saying, "But I need to make it clear to you that the state language of Pakistan will be Urdu, not any other language. If anyone tries to mislead you, you must understand that he is the enemy of the state."

Then on the morning of March 24, a special convocation ceremony was held at Dhaka University in honor of Jinnah. When Jinnah again declared that 'Urdu will be the only state language', then a large number of students protested with shouting 'no' 'no', Jinnah paused for a moment and then explained the matter in a softer tone. Instead, expressing a personal opinion, he said, 'I think Urdu can be the only language (Hannan, 2014).'

Thus, in the first half of March 1948, the language movement spread throughout the country. 'I want Bangla as the state language' - this slogan continues to touch the remote areas of the country. Against the backdrop of the intensification of the language movement, the Chief Minister of East Bengal, KhawajaNazim Uddin, proposed a compromise with the 'RashtrabhashaSangram Parishad'. In this context, on 15 March 1948, the '6-point' agreement was signed between the 'RashtrabhashaSangram Parishad' and Chief Minister Khawaja Nazim Uddin (Ahmed, et al., 2004).

Although the movement of the first episode stopped, the language movement did not stop. After a temporary stagnation, the movement began to take shape again. At this time the Pakistani ruling class started a conspiracy with the bizarre plan of reforming the Bengali alphabet, writing Bengali in Arabic script, etc. Pakistan's Education Minister Fazlur Rahman was at the forefront of this work. A protest procession was held in Dhaka on 11 March 1949 to commemorate the previous year's protest day. Then a student gathering was held on 11 March 1950 at the premises of Dhaka University and 'RashtrabhashaSangram Parishad' was formed here (Ahmed, et al., 2004).

Then at the end of January 1952, the language movement was revived in a statement of Khawaja Nazim Uddin. Coming on a visit to East Bengal as the Prime Minister on 26 January 1952, he made a similar announcement to Muhammad Ali Jinnah that, "Urdu will be the only state language of Pakistan."

His announcement provoked an immediate reaction from students, teachers, and intellectuals. In protest of Khawaja Nazim Uddin's statement, 'RashtrabhashaSangram Parishad' called a student strike and meeting on 30 January 1952 at Dhaka University. At the meeting of 30 January, it was decided to hold a student strike, demonstration procession, and student meeting in Dhaka city on 4 February 1952. An all-party meeting was held in the afternoon of January 31 at the Bar Library in Dhaka under the chairmanship of MaulanaAbdul Hamid Khan Bhashani, President of the East Pakistan Awami Muslim League, to expand the language movement. A 40-member 'All-Party State Language Struggle Council' was formed at the meeting comprising representatives of East Pakistan Muslim Chhatra League, TamaddunMajlish, Islamic Brotherhood, Youth Union, East Pakistan Muslim Awami League, and other organizations. The council supported the program on 4 February and on 21 February announced a program of strikes, demonstrations, and rallies throughout East Pakistan. A session of the East Bengal Provincial Council was convened on 21 February. The purpose of the program on 21 February was to put pressure on the Central Government on behalf of East Pakistan to decide to make Bengali one of the state languages in that session. The provincial government has shown a strict attitude towards the program of the All-Party State Language Struggle Council. On 12 February, the English-language daily Pakistan Observer, a supporter of the language movement, was banned, and section 144 was issued in everywhere Dhaka for a month from the night of 20 February. The issuance of section 144 means that it is against the law for a gathering, procession, procession, meeting, and assembly of more than four people at a time (Rahman, 2017).

On 21 February, the students gathered at the university premises and decided to violate Section 144 issued by the government. GaziulHaque announced the decision to violate Section 144 at a meeting of Dhaka University at Battala that morning. Salam, Barkat, Rafiq, Jabbar, and others were martyred when the police fired indiscriminately on the students' procession. Many were

injured, many were taken as a prisoner (Ahmed, et al., 2004). Later the inquiry committee reported that there was no other way to stop the agitated student crowd except through gunfire. So the firing by the police was necessary and logical (Hannan, 2014).

At this time the session of the East Bengal Management Council was going on. MaulanaAbdur Rashid Tarkabagish, Khairat Hossain, AnwaraKhatun, AbulKalamShamsuddin, and other members walked out of the session room in protest against the indiscriminate firing on the students. A hartal was spontaneously observed in Dhaka city on 22 February. Seeing no change, the government summoned the army and imposed a curfew (Ahmed, et al., 2004).

Finally, in the constitution of Pakistan in 1956, Bengali was recognized as one of the state languages of Pakistan. The 'ShahidMinar' was built on the night of February 23 by the initiative of the students of Dhaka Medical College (Ahmed, et al., 2004).

D. 1954 election

After the success of the 1952 movement and the victory of the Democratic United Front (Chhatra League and Chhatra Union) council in the Dhaka University Central Students' Union (DUCSU) elections in 1953, the strong desire to defeat dictatorship and reaction in the larger political arena began to awaken in the democratic and progressive circles. With the forthcoming elections in 1954, this aspiration began to take root. The historic decision to join the United Front was taken at the Council of the Muslim League held on 14 November 1953 (Hannan, 2014).

The general election of 1954 and the formation of the United Front is an important chapter in the history of the liberation struggle of East Bengal. The members elected in 1947 continued to serve as members of the East Bengal Executive Council after the establishment of Pakistan on 14 August 1947. The term of these elected members expired in 1951. But the Pakistani government postponed the elections in East Bengal on various pretexts. Finally, March 8, 1954, was set as the date for the East Bengal Provincial Council elections. The Muslim League took a multi-pronged approach to win this election and carried out extensive electoral activities. The United Front was formed to confront the Muslim League in the elections. In a meeting held between MaulanaBhashani and FazlulHuq in the first week of December 1953, it was decided to form a united front. President of Pakistan Awami Muslim League Hossain Shaheed Suhrawardy played a leading role in the formation of this front. Apart from East Pakistan Awami Muslim League and KrishakSramik Party, Ganatantri Dal and Nezame Islam Party also took part in this anti-Muslim League process. The most important aspect of the United Front elections of 1954 was the presentation of the 'Twenty-One Point' program by the Front to the people of East Bengal.

This 'twenty-one point' program was finalized at the special council session of the Awami Muslim League held on 11 December 1953 in Mymensingh. The United Front started its election campaign based on the Twenty-One Point (EkushDafa) program with the 'boat' symbol. In the United Front elections, leaders like MaulanaBhashani, Hossain Shaheed Suhrawardy, AK FazlulHuq, Sheikh Mujibur Rahman visited villages all over Bengal and made the people aware of the issue of 'twenty-one point' demand. The Muslim League used all its strength to win this election. The results of the elections show how much support the people of Bengal had for this 'twenty-one point' demand (Hossain, 2016).

Table 1. The number of seats won by the party in the elections held from 8 to 12 March 1954

Participated Party	Number of seats won
Awami Muslim League	143
Krishak Sramik Party	46
Nezame Islam	22
Democratic Party	13
Khilafate Rabbani Party	02
United Front (Total)	228
Muslim League	09
National Congress	25
Tafsili Congress	27
Minority United Front	13
Communist Party (in its name)	04

Note: Prepared by authors based on Hannan, "Sadhin Bangladesher Abhyudayer Itihas,"p-97.

The elections were held from 8 to 12 March 1954. The numbers of seats in Parliament were 309. Community based individual selection system was prevalent then. There were 237 Muslim seats and 72 non-Muslim seats. The percentage of seats won by the party in the elections was as follows:
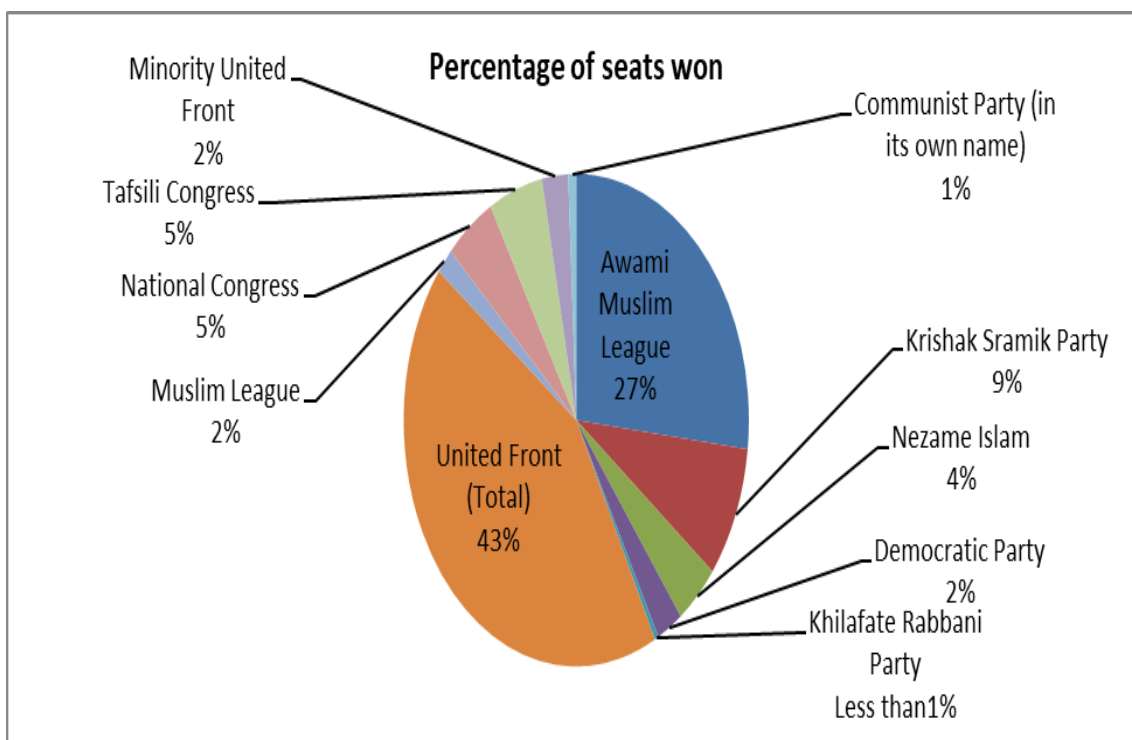
Figure 2. The percentage of seats won by the party in the elections held from 8 to 12 March 1954
Note: Prepared by authors based on Hossain, "Muktiyuddher Itihas Carca,"p-41.

Sher-e-Bangla AK FazlulHuq once visited West Bengal as the Chief Minister. At a reception in his honor on April 30, 1954, where he said, "Bengal can be divided for political reasons, but no power can ever divide Bengal's education, culture, and Bengaliness. The Bengalis of the two Bengals will remain Bengalis forever" (Hossain, 2016). When this news was published in the newspapers of Pakistan, there was a negative reaction. In an interview with the New York Times as the Chief Minister, he said, "East Bengal will declare independence if necessary."

Sher-e-Bangla's statement caused an uproar all over Pakistan and all arrangements were immediately made for his ouster by accusing him of treason. The day the Awami League party members were sworn in in the expanded cabinet of the United Front, a horrific Bengali-non-Bengali communal riot broke out among the workers in Adamji in a very well-planned manner. About one and a half thousand workers were killed in the riots. The central government later used the incident as an excuse against the United Front. While this turbulent political situation was going on in East Bengal, Mr. Ghulam Mohammad was the Governor-General of the Central Government of Pakistan, and Mohammad Ali of Bograwas the Prime Minister. When the blueprint for all the conspiracies was finalized, on 30 May 1945, after only 1 month and 27 days in power, the cabinet was dismissed for failing to quell the communal chaos and the rule of the governor was established in East Bengal by promulgating section 131 (92: a). Secretary of Defense Major General Iskander Mirza was appointed Governor of East Bengal (Hossain, 2016).

At 10:30 pm on 7 October 1958, the then President of Pakistan, Major General Iskander Mirza, with the help of the military, overthrew the parliamentary government of Malik Feroz Khan Noon and imposed martial law in Pakistan. He appointed General Muhammad Ayub Khan, the Commander-in-Chief of the Pakistan Armed Forces, as the Chief Martial Law Administrator by a decree dated 7 October. The same decree annulled the 1956 constitution, dismissed the central and provincial governments, dissolved the national and provincial assemblies, dissolved political parties, and stripped them of their basic rights. On 27 October, GeneralAyub Khan overthrew President Mirza and forced him to flee the country. On 26 October, Ayub Khan issued a government order abolishing the post of Prime Minister and assumed the office of President of Pakistan (Hossain, 2016).

Declaration of Martial Law

[Notification No. 977/58 of the Government of Pakistan, dated October 7, 1958. The additional issue of Gazette, October 15, 1958] (Rahman *[Volume II]*, 1982).

As I consider it necessary to exercise jurisdiction within the international borders of Pakistan in pursuit of national needs, I, the Commander-in-Chief of the Armed Forces of Pakistan hereby issue such notice.

1. Regulations and decrees of martial law will be published in the most convenient way possible. Violation of the above-mentioned regulations and decrees will result in any person being deemed eligible to enjoy the punishment described in these regulations under martial law.

2. Special provisions may be made in the regulations mentioned for offenses prescribed under general law.

The Liberation War of Bangladesh: Emergence of Nationalism in the Political Context

3. Special courts may be appointed by the said regulations to try and punish the offenses of a violation of the said regulations and decrees and the offenses prescribed under the general law.

Muhammad Ayub Khan, HPHJ
General
Commander-in-Chief and Supreme of Pakistan
The administrator of Martial Law

E. General Ayub's rule (Pakistan's first military rule)

An important stage in East Bengal / Pakistan passed between 1958 and 1966. Earlier, during the military rule, the Rabindra controversy, the student movement, the language and cultural struggle, the communal riots, the Pakistan-India war, and the 'Six Points' movement gradually gave a certain shape to the liberation struggle of the Bengalis. Considering that Pakistan's welfare lies in its empowerment, General Ayub Khan decided to seize power in 1956.

He continued to use the administrative apparatus to convey the benefits of military rule to the people; appointed military officers at every level of administration. He hired government-sponsored writers and journalists to assist in the government's propaganda work. Using all these means, the picture of failure and corruption of the previous government began to emerge. In addition, political parties and politicians were harshly criticized. The political parties that are responsible for the crisis in Pakistan and whose failure has led the country to decline to continue to build public opinion through massive propaganda. As a result of widespread propaganda, the people withdrew their support for military rule from political parties that were good for them. Though leading leaders and activists of political parties and their activists were arrested at the time, no movement was seen to demand their release. So at this time, the country's top leaders such as MaulanaBhashani, Sheikh Mujib, HamidulHaque Chowdhury, and Abul Mansur Ahmed can be seen in a state of arrest. By dissolving the opposition political parties, the Ayub government took steps to usurp power and pave the way for its return to power. To this end, he ultimately centralized the administration within the next year. He abolished all the powers of the governors of the two provinces in governing and drafting laws. He declared himself the only executive and law-making authority in the country. He first banned political parties so that no one but himself could come to power. The disqualification order was then passed by PODO (Public Offical Disqualification Order) and EBDO (Elective Bodies Disqualification Order). He declared himself a field marshal to take himself to another height and presented a new model of democracy to bring the people back to democratic ideology. He called this model 'Basic Democracy'. Some of the features of the President's basic democracy were significant. For instance:

1. The Cabinet and the House of Representatives are subordinate to the President.
2. Abolition of autonomy at the provincial level.
3. The structure of democracy will be in the form of a pyramid, meaning that the president of the country will be at the highest level and the chairman and members of the union council will be at the lowest level.
4. The chairman and members (40,000 + 40,000) will be elected by direct vote of the people.
5. Members elected by direct vote will elect the president.

After the declaration of 'Basic Democracy', the process of implementing this system continued. The President announced the election on 11 January 1960 by direct vote of the people (Khan, 2016).

The people, unable to understand the main issue, enthusiastically elected 80,000 candidates in the two provinces, and on February 14, these 80,000 candidates gave Ayub a five-year term as President. Ayub said the government should be elected and give a gift to the nation in a constitution. The constitution promised was implemented after 2 years and 15 dayson March 1, 1962. In this constitution, all the provisions were inserted to protect the principles of its basic democracy and centralized power. In the light of this constitution, elections to the National Assembly were held in April 1962 and to the Provincial Council in May. In the absence of other political parties, only those with government support were elected. The National Assembly convened on 8 June 1962 and on the same day the military rule was lifted and the new constitution was introduced. The term that Ayub Khan wanted to restore democracy in 1958 expired in October 1961 (Khan, 2016).

F. Education movement of 1962

In February 1960, Ayub elected himself president and fulfilled his promise to draft a constitution in 1962. And during this problem, the people were slowly beginning to anticipate the evils of military rule. In October 1962, at the end of three years of Ayub's rule, political parties began secretly trying to organize themselves. After the imposition of martial law, the student parliament scheduled in all the colleges and universities of East Pakistan was canceled. To maintain their existence, the student organizations changed their political names and started conducting activities under the name of cultural organizations. The student union of Dhaka University started its activities under the names of Cultural Parliament, ShilpaSahitya Sangha of Chhatra League, Chhatra Shakti Sanskriti Parishad, IslamiChhatra Sangha, and ChhatraMajlish Amir Millat. Following this tradition, students and political organizations keep the political practice active under different names. On 30 December 1961, a meeting was held between the central leaders of the Chhatra League and the Chhatra Union on the initiative of Mohammad Farhad, the leader of the Chhatra Union. 30-35 leaders and activists of the two organizations including Mujib, Manik Mia, Mani Singh, and Khoka Roy

attended the secret meeting. At this meeting, all agreed to form a united movement against military rule in exchange for anything (Roy, 1995). As a prelude to the movement and as a first step, it was decided that Shaheed Suhrawardy would issue a statement from Karachi demanding the repeal of martial law and the restoration of democracy (Hannan, 2014). So when Suhrawardy went to Karachi in January, he was arrested on 30 January 1962 under the Security Act on charges of engaging in "harmful to Pakistan's security" activities (Islam, 1981). On January 31, 1962, students of Dhaka University staged a protest in defiance of martial law. Meetings, processions, and demonstrations have been going on for several days in a row. All this happened when the military ruler Ayub Khan himself was staying in Dhaka. To control the situation, the university authorities declared the university closed for a month and ordered the students to leave the hall. The students became angrier. The students clashed with police during a demonstration on February 6. When the police started torturing and arresting the protesters, the movement spread to Khulna, Barisal, Sylhet, and other parts of the country. The top leaders were imprisoned to diminish this movement (Ahmed, et al., 2004). In this agitated situation, the announcement to implement the new constitution on March 1 made the students even angrier. On March 15, students of Dhaka University went on strike. The students burnt the copy of the constitution on the same day. At this time the student police clashed. The strike continued for 12 consecutive days demanding repeal of the constitution. On 24 June, nine East Pakistani leaders joined the movement and issued a statement. After which Suhrawardy and Bhashani welcomed. The student movement of 1962 reached a new level in September. The implementation of the 'Sharif Education Commission Report' introduced by Ayub Khan started in 1959. The Sharif Commission proposed a new language, a mixture of Bengali and Urdu, to strengthen Pakistan's national unity. This commission introduced the Roman alphabet in the Bangla Academy. Different provinces adopted plans for compulsory education in Bengali and Urdu, including the reform of the Bengali alphabet. Although the students and intellectuals opposed it at that time, they could not make any movement in the policy of suppression of military rule. But when the report was published in 1962, at this stage the students started a new movement called 'Sixty-two Education Movement' focusing on this issue (Rahman, 2017). The language movement of 1952 sowed the seeds of nationalist consciousness among the people. And these seeds of the student movement germinated and sparked progress with the national consciousness. The whole country got the tide of the movement of '62. Although it was the educated middle class and students this movement played an important role in raising the consciousness of the people. The general public also became aware of the tide of student awakening. From this time onwards, the West Pakistan government again raised religious smoke in its political stance. The loss of the beard of Hazrat Muhammad (PBUH) in Kashmir was deliberately blamed on the Hindus and communal riots broke out. The riots started from Khulna, first Hindu-Muslim and later turned into Bengali-Biharis (Ahmed, et al., 2004). The riots had a significant impact on the minds of the people. At this time of political separatism, the Awami League began to be revived by the hand of Sheikh Mujibur Rahman. The process of revival of the old Awami League began on 25 January 1964 at a meeting of the Working Committee at the residence of MaulanaAbdur Rashid Tarkabagish.The new Awami League put forward several demands including the formulation of a new constitution for the establishment of parliamentary democracy (Ahmed, et al., 2004).

G. Elections of '65 and the 6-point movement

In the 2 January 1965 presidential election, the combined opposition candidate, Fatima Jinnah, won 47% of the seats in East Pakistan. It must have been a major blow to Ayub in a policy like "Basic Democracy" and in the long 7 years of free elections without political influence (Ahmed, et al., 2004).

Another milestone in the movement in East Pakistan was the Pakistan-India war of 6 September 1965. After 17 days of fighting, East Pakistanis can realize that they are vulnerable. While the East Pakistani soldiers were vigorously defending the city, the Pakistani government did not stockpile even a small number of troops in East Pakistan. During the war, East Pakistan was isolated from the rest of the world, including West Pakistan (Rahman, 2017). There was a price hike in East Pakistan after the war. Immediately after the battle, Sheikh Mujibur Rahman declared,"The question of post-war autonomy seems more important."

This political idea of making East Pakistan self-sufficient in all respects is expressed through the 'Six Points'. On 16 January 1966, Sheikh Mujibur Rahman proposed 'Six Points' in the working committee of the Awami League and it was unanimously adopted. A pamphlet entitled "Six-Point Program" was issued on February 5, 1966, at the All Pakistan Opposition Party Rally and then at the Council Session on March 16 (Trivedi, 2016). The 1966 'Six Points' demands were:

Claim - 1: The constitutional structure and the nature of the state*:*

The constitutional structure of the country should be such that Pakistan would be a federation-based United Nations and its basis would be the Lahore resolution. The government will be parliamentary type. The power of the legislature will be sovereign and this council will also be elected by direct popular vote based on universal adult franchise.

Claim 2: Power of central government:

The powers of the central government will be limited to only two cases. Namely, national defense and foreign policy. In all other subjects, the power of the member states will be absolute.

Claim - 3: Monetary power*:*

Concerning currency, one of the following two proposals can be accepted-

(A) There will be two separate, yet freely exchangeable currencies for the whole country. Or, (B) Under the present rules, only one currency can be in circulation for the whole country. However, in that case, the regime should have effective measures to stop the smuggling of capital from East Pakistan to West Pakistan. In this case, a separate banking reserve and a separate monetary policy should be established for East Pakistan.

Claim - 4: Power related to revenue, tax, or duties:

The states of the federation will have sovereign power over the imposition of taxes or duties. The central government will not have the power to impose any tax. However, a portion of the state revenue will go to the central government for meeting the necessary expenditure. The central government's fund will be made up of the same percentage of all taxes collected by the states.

Claim - 5: Powers of Foreign Trade*:*

(A) Separate accounts of foreign trade of each State of the Federation shall be maintained.

(B) Foreign exchange earned through foreign trade will remain under the jurisdiction of the States.

(C) The states will meet the demand for foreign exchange required for the Center at an equal rate or a rate agreed upon by the States.

(D) There shall be no restrictions on the movement of domestic goods between the States.

(E) The Constitution shall give the States the power to send their respective trade representatives abroad and to conclude trade agreements in their interest.

Claim - 6: Power to form regional armies:

To maintain regional integration and governance, the constitution must give states the power to form and maintain paramilitary or regional armies under their authority (BD 71, 2014).

H. Agartala conspiracy case

Against the backdrop of the 1965 war, the historical significance of the 'Six Points' was different from all previous movements in East Pakistan. The program reflected the aspirations of the common people, the middle class, and the upper-middle class. The Awami League began to increase public relations to build public opinion around the 'Six Points'. The first public meeting on 'Six Points' was held in Paltan on 20 March. Sheikh Mujibur was free for 35 days after the declaration of 'Six Points'. During this time he held public meetings in 3 places and formed a massive public opinion. He was then arrested on May 8. Top leaders were also arrested along with Mujib. Although the leaders of the first row were arrested, the 6 points movement reached the village holding the hands of the leaders of the second row. To quell the movement, Ayub Khan arrested 13,000 Awami League leaders and activists. In August, President Ayub said he would adopt a "different approach" if the "six-point" supporters did not stop their activities. In December 1967, a rumor spread in the political arena. And then the government is suddenly going to file a case against the state. Its authenticity was found in early 1968. On January 1 and January 6, the central government of Pakistan issued two press notes. A press note said 28 people were arrested in East Pakistan last month on charges of involvement in an anti-state conspiracy. The conspiracy was uncovered last month.

The captives were trying to isolate East Pakistan. Sheikh Mujibur Rahman was made the main accused in the case in a new press note on January 18. The trial of the case began on June 19, 1968. There are 35 accused including Sheikh Mujib in this case (Rahman, 2017). On 19 June 1968, in the presence of many local and foreign journalists, the trial in the case of 'State vs. Sheikh Mujibur Rahman and Others', alleging separation of East Pakistan with the help of Indian arms and money, began in Dhaka Cantonment (Mamun & Rahman, 2019).

Immediately after the case was filed, the students of Jagannath College started a movement demanding the release of the prisoners. Due to this, demonstrations started to be celebrated all over the country. The people did not believe the truth of this case. On the contrary, the people began to firmly believe that the ruling class had deliberately filed a false case against the leader who was working to just achieve their demands. Details of the case are published in newspapers every day. As the trial of the case dragged on, the people were getting upset. Students, people, politicians, professionals, peasants, and workers of all walks of life continued to fight for the release of Sheikh Mujib and others. The mass uprising started all over the country. In response to the judicial process in the Agartala case, the student masses tried to organize themselves. On January 4, 1969, the All-Party Student Struggle Council formulated the 'Eleven Points' of this process (Mamun & Rahman, 2019).

These points were political demands. The demands were-

1. Immediate solution to education problems. That is, the Hamidur Rahman Education Commission and the University repeal all the laws and reduce all the monthly fees of students.

2. Restoring parliamentary democracy through direct elections by adult vote and granting freedom of the press and lifting the ban on the publication of the Daily Ittefaq.

3. Establishment of full autonomy in East Pakistan in response to the 'Six Points' demand.

4. Formation of a federal government with autonomy for all the provinces of West Pakistan (i. e. North-West Provinces, Balochistan, Punjab, Sindh).

5. Nationalization of all major industries including banks, insurance, jute mills.

6. Reduction of taxes and rents from the farmers and fixing the minimum price of jute at Rs. 40.

7. Provide fair wages, medical treatment, education, and housing to the workers and give them rights to the labor movement.

8. Taking measures for flood control and overall utilization of water resources in East Pakistan.

9. Withdrawal of emergency laws, security laws, and other abusive laws.

10. Cancel all Pakistan-US military agreements, including SEATO, CENTRO and adopt a neutral foreign policy outside the alliance.

11. Release arrest warrants from students, workers, farmers, and political activists detained in different jails of the country including the accused in the Agartala case and withdrawal of arrest warrants from others (Khan, 2016).

On January 8, 1969, the political parties formed the Democratic Struggle Council for their united struggle for the realization of the fundamental rights of the people. On May 8, the opposition started working to unite the people in the field with a six-point program.

At this juncture of the country, '11 points' and '6 points' start from the city and reach the villages. People everywhere started chanting slogans against the Ayub regime. At the same time, the demand for the release of Sheikh Mujibur Rahman began to intensify. Many were killed and taken as a prisoner (Choudhury, 1974).

The movement led by the student leaders gained momentum on 20 January 1969. As per the earlier announcement, student leader Asaduzzaman died in front of Dhaka Medical College during a student strike all over Bengal. Assad's death caused a great deal of tension among students and the public. Students protest with Assad's blood-stained shirt. The Student Struggle Council announced a three-day program. It was decided to hold a strike on January 21, a procession and protest rally on January 22, and a torch procession on January 23. It was decided to observe the strike on January 24. On 24 January Dhaka became a battlefield. Students, workers, and employees marched on the streets of Dhaka. The Pakistani government fired on the procession out of fear of mass movement. When a few people were killed in it, the whole administrative system collapsed (Ahmed, et al., 2004). Out of desperation, the government offered to hold talks with East Pakistani leaders. But the leaders did not sit in discussion and announced various programs to continue the movement and demand the release of Sheikh Mujib and others. Dhaka was once again outraged when Sergeant ZahurulHaque was killed on February 15 while he was on trial in the Dhaka Cantonment Agartala case. Just two days after the incident on February 18, the movement of students and people across the country reached its climax when Rajshahi University ProfessorZoha was unjustifiably killed by members of the Pakistan Army (Mamun & Rahman, 2019). The mob set fire to the house of Ayub Khan's minister Sabur Khan. Finding no way out, on 22 February 1969, Sheikh Mujib was acquitted of the Agartala case, and the Criminal Law Amendment (Special Tribunal) Ordinance, 1968 was repealed. The release of Sheikh Mujib connected a new feather of success in the student-people movement. The students gave a reception to the released Sheikh Mujib at the Race Course Maidan the next day and conferred on him the title of 'Bangabandhu' at the reception. From then onwards, Sheikh Mujib was considered the main character of any movement in Bengal.

Sheikh Mujibur Rahman firmly grasped the 'Six Points' as a tool of the next political movement, and also supported the students' 'Eleven Points'. Sheikh Mujibur Rahman agreed to hold talks in West Pakistan in Rawalpindi (Ahmed, et al., 2004).

I. Election of 1970

In the face of demands from political parties and the people, the government lifted the ban on political parties and allowed them to campaign; announced the date of the general election on 5 October 1970. However, it was decided to postpone the polls to December 7, 1970, two months after the elections. General Yahya Khan, like the previous military ruler, took another reckless decision; announced the Legal Framework Order (LFO) on March 30 (November 28, '69 in a radio speech) (Rahman, 2017). It empowers the President to declare the Constituent Assembly null and void without ratifying the constitution passed by the elected Constituent Assembly if it is against the unity and Islamic spirit of Pakistan. Political parties have criticized the LFO for opposing the demands of other East Pakistani political groups, including the "Six Points". The East Pakistan Awami League agreed to go to the polls under the LFO just to get the mandate of the people. Bangabandhu's goal was to win the mandate of the people by any means (Salik, 2016). Sheikh Mujibur Rahman left the main election on December 7 and later voted in favor of holding the election in the affected areas. As a result, elections were held in East Pakistan on 7 December 1970 out of 153 seats in the 162 National Assembly constituencies in East Pakistan and 282 out of 300 seats in the Provincial Councils. Elections were held on 17 January 1971 in 9 seats of the National Assembly and 18 seats of the Provincial Assembly. Elections to the National Assembly and Provincial Councils in West Pakistan were held on 7 December 1970, and 17 December 1970, respectively (Ahmed, et al., 2004).

J. Results of the 1970 elections

A total of 24 political parties participated in the election. A total of 1,957 candidates filed nomination papers for 300 seats. Some candidates then withdrew their candidacies. After the selection of nomination papers, 1,579 candidates contested the elections. The Awami League fielded candidates in 170 seats. Of these, 162 seats are in East Pakistan and the rest are in West Pakistan. Jamaat-e-Islami has the second-highest number of candidates. Their number of candidates was 151. The Pakistan People's Party

fielded candidates in only 120 seats. Of these, 103 were in Punjab and Sindh provinces. They did not field any candidate in East Pakistan.

The PML (Convention) contested in 124 seats, the PML (Council) in 119 seats, and the Pakistan Muslim League (Qayyum) in 133 seats (Rahman, 2017).

The government claims massive turnout and about 65% of the vote. Out of a total of 56,941,500 registered voters, 31,211,220 were from East Pakistan and 23,730,280 were from West Pakistan (Choudhury, 1974).

Table 2. Results of the 1970 election

Party	Total Vote Received (%)	Total Seats Won
Awami League	38.3%	160
Pakistan People's Party	19.5%	83
PML (Qayum)	4.5%	9
PML (Convention)	3.3%	7
Jamiat Ulema-e-Islam	4.0%	7
Markazi Jamiat-ulema-Pakistan	4.0%	7
National Awami Party (Wali)	2.3%	6
Jamaat-e-Islami	6.0%	4
PML (Council)	6.0%	2
PDP	2.9%	1
Individual	7.1%	14
Total:	100%	300

 Note: Prepared by authors based on Rahman, Documents of the War of Independence of Bangladesh (Volume II), p-701.

Through elections, the country is divided politically. Yahya did not expect this election result at all. He thought that no political party would get a single majority and that he would remain in office based on a compromise with the majority in West Pakistan. But the majority of the Awami League changed all its calculations. Even then, he came to Dhaka after the election and told reporters that, "he has done his duty. He has given impetus to how the nation will be governed."

This time, Yahya sat down for talks with Sheikh Mujib as the first step in handing over the power. After a successful meeting with Sheikh Mujib on 14 January, he returned to Karachi. At the Karachi airport, he named Sheikh Mujib as the caretaker Prime Minister of Pakistan. Immediately after the election, Zulfikar Ali Bhutto, the leader of the Pakistan People's Party, which had a majority in West Pakistan, began campaigning in such a way that the majority in East Pakistan was equal to that of the Awami League and in the West. Although in reality, it is not. He said in Lahore on December 20, 1970, that, "no constitution can be made without his worldly cooperation. The PPP will not sit in the National Assembly as opposition." He also said that "his party got the most of the seats of Punjab and Sindh. So the central government cannot function without the cooperation of his party."

Thus, they did not want to allow the formation of the Awami League government as an absolute majority party (Salik, 2016).

On 15 February, Bhutto dramatically announced that "his party couldn't attend the National Assembly session in Dhaka as there was no possibility of a compromise on the six-point (Khan, 2016)."

On February 28, he added, "if the council convenes without the presence of PPP members, he will start a movement from Khyber to Karachi." He said he will call for a full-scale strike in all four provinces of West Pakistan if elections are held in the reserved seats for women in West Pakistan in the National Assembly without PPP participation."

In Bhutto's announcement, the elected committee postponed the election for 6 women's seats for the time being. Everyone in East Pakistan understands that West Pakistan is no longer willing to hand over the power. The session of the National Assembly to be held on March 3 was adjourned on March 1, proving all possibilities to be false (Hossain, 2019). Bangabandhu joined the agitated crowd in front of Purbani Hotel. At a press conference there, he called for a strike in Dhaka on March 2 and a nationwide strike on March 3 (Rahman, 2017). The unprecedented strike was observed on March 3 at the call of Bangabandhu. In this regard, Anthony Mascarenhas writes, "on 3rd March Mujibur Rahman called a province-wide strike and launched a non-violent non-cooperation movement. Everywhere the people responded to Sheikh Mujib's appeal and the two movements became more orderly and effective. Restoration of order in Dacca was assisted by the withdrawal of troops after it was found they could not enforce the curfew.'

Since then the flow of events has been very fast. Several incidents took place on March 5. Many people were killed when the army opened fire on the people in the Tongi industrial area. Students and people in Dhaka erupted in protest.

March 6: General Yahya Khan announces the sitting of the National Assembly on March 25 by radio. On the same day, Tikka Khan was appointed as the Governor of East Pakistan.

The Liberation War of Bangladesh: Emergence of Nationalism in the Political Context

March 7: Bangabandhu outlines the non-cooperation movement in a speech at the Race Course Maidan. From then on, the rule of the country indirectly passed into the hands of the Awami League (Choudhury, 1974).

March 8: 10 guidelines are issued for 1 week. It included guidelines on tax-boycott, strike, closure of educational institutions, and formation of a bank management struggle council.

March 10: Bhashani gives '14 points' in support of Mujib's non-cooperation movement. On the same day, the Chief Justice of the High Court.B. A. Siddiquie refused to read the oath to General Tikka.

March 12: The CSP and ECS Officers' Association fully support the non-cooperation movement and submit their one-day salary to the Awami League's relief fund.

March 14: Civil servants working in the Defense Department protest and march in Dhaka.

March 15: Bangabandhu gives specific instructions for a non-cooperation movement. It had a total of 35 instructions for running the country. Various political parties, student organizations, trade unions, various professional organizations have adopted and followed the instructions of the non-cooperation movement (Ahmed, et al., 2004).

On the same day, the President came to Dhaka for talks to resolve the political unrest. Bhutto was criticized for saying that the question of majority rule was not considered due to the geographical gap between the two constituencies in Pakistan.

March 16: The first episode of Yahya-Mujib begins. After the talks, he invited President Bhutto and Chief Justice Hamidur Rahman to come to Dhaka.

March 17: The two leaders meet again. The meeting of MujibYahya started on 19 March as the discussion was unfinished. On this day 20 Bengalis were martyred when the Joydebpur army opened fire. People protested against it.

March 21: Bhutto with 12/13 delegates in Dhaka faced protests from the Bengali people. MujibYahya met again on the same day. After the meeting, Sheikh Mujib said, "The non-cooperation movement will continue until Bangladesh is liberated." On the same day, Bhashani spoke of an independent Bangladesh.

March 22: Bhutto-Yahya-Mujib meeting begins. This is the first tri-party meeting since the election. After this meeting, everyone became optimistic about a political solution.

March 23: It is decided to observe Pakistan's National Day as a day of resistance in East Pakistan. The student leaders handed over the flag of independent Bengal to Bangabandhu at his residence. On 23 March, the flag of Bangladesh was hoisted everywhere except the cantonment and the governor's building.

March 24: Syed Nazrul Islam, Tajuddin Ahmed, and Dr. Kamal Hossain met with the President's advisers in a two-hour meeting. Dr. Kamal Hossain proposed to name the state 'Confederation of Pakistan'. The day of signing the contract will be fixed on March 25, said Lt. General Pirzada informed everyone. Some members of the West Pakistan Constituent Assembly who had previously visited West Pakistan left East Pakistan on this day.

March 25: After the Bhutto-Yahya meeting, Bhutto told reporters the situation was critical. At three o'clock in the afternoon, the workers' federation and the revolutionary student union organized a public meeting in Paltan (Choudhury, 1974).

President Yahya secretly left Dhaka on the evening of March 25, evading the eyes of the angry crowd. The session of the National Assembly was adjourned on March 25 and at 12 o'clock in the night, innocent people were killed in different places in Dhaka and Chittagong through 'Operation Searchlight (Trivedi, 2016).'

K. Pakistani operation and the beginning of the war

'Operation Searchlight' is a planned genocide carried out by the Pakistani army from March 25, 1971, through which they sought to suppress the Bengali nationalist movement in March 1971 and earlier (Bose, 2005).

1) Planning method

Major General Khadim Hussain Raja and Major General Rao Farman Ali, GOCs of the 14th Division, formulated the original plan of the operation in early March based on a resolution adopted at a meeting of the Pakistan Armed Forces on February 22, 1971. The division was ordered to make preparations to move to East Pakistan in mid-February (Islam, 1981).

Pakistan's top military official, East Pakistan's GOC Lt. General SahebzadaYaqub Khan, and the Governor of East Pakistan, Vice Admiral SM Ahsan, were discharged before the operation as they were opposed to military strikes on the people of East Pakistan (Ali, 1996). General Tikka Khan was sent as the Governor and GOC of East Pakistan. On 17 March, General Hamid, the Chief of the Pakistan Army, telephoned and instructed General Raja to plan the operation. On the morning of 18 March, General Raja and Major General Rao Farman Ali sat in the GOC office of Dhaka Cantonment and made plans for the operation. The plan was written by General Farman himself with a lead pencil across 5 pages of a light blue office pad (Khan, 2016).

General Rao Farman Ali set the limits for the decision and conditions of success of the operation, and General Khadim supervised the work of allocating army space, specific responsibilities to various brigades and units (Salik, 2016).

The original operation plan for the genocide was drafted on 18 March. The five-page plan, consisting of 16 handwritten paragraphs, is called Operation Searchlight. It was thought that the Bengali army would revolt at the start of the operation, so the planners, in talks with President Yahya Khan, proposed disarming the Bengali army before the operation and arresting the Bengali political leaders.

The Liberation War of Bangladesh: Emergence of Nationalism in the Political Context

The operation began in the last hours of the night of March 25 in Dhaka and other garrisons were warned by phone call to start their operations at their zero-hours (pre-determined time of operation). Rao Farman Ali was in command of the troops of Dhaka and General Khadem was in command of the troops of all other places. General Tikka and his officers were present to oversee everything in the 31st Command Center and to assist the officers of the 14th Division.

2) Results

The Pakistani troops came out of the cantonment at 11.30 am and launched Operation Searchlight, massacring the Bengalis marching at Farmgate. Then, as planned, they simultaneously attacked Pilkhana and Rajarbagh. Bangabandhu Sheikh Mujibur Rahman was arrested at his house at 1.30 pm. Late at night, the then Iqbal Hall, Jagannath Hall, Rokeya Hall, and other residential areas of Dhaka University were attacked and many students including 9 teachers were killed. Under the same plan, old Dhaka, Tejgaon, Indira Road, Mirpur, Mohammadpur, Dhaka Airport, Dhanmondi, Kalabagan, Kathalbagan, etc. were attacked. Many people were killed in the firing of Pakistani troops in Chittagong that night. In addition, Ittefaq, Sangbad, and The People's Office were set on fire for supporting the Bengali liberation movement. Many journalists died in the fire.

On the eve of the genocide on March 25, Pakistani President Yahya Khan left Dhaka for Karachi. But Zulfikar Ali Bhutto, president of the Pakistan People's Party, who arrived for talks with Sheikh Mujibur Rahman, witnessed the raid from the Intercontinental Hotel in Dhaka. On the eve of leaving Dhaka the next day, Bhutto praised the army's work the night before, saying,

"Thank God that Pakistan has been saved." He praised the efforts of military officials, including Yahya Khan.

No actual casualties were reported during the night of March 25 under Operation Searchlight. Foreign journalists were forced to flee the country before the March 25 operation. As there is a strict ban on local newspapers, not much is known about it. The horrors of that night are known from the writings of three foreign journalists, Arnold Zeitlin, Michael Laurent, and Simon Dring, who were hiding at the risk of their lives. Simon Dring's March 30 report in the Daily Telegraph, entitled 'Tanks Crush Revolt in Pakistan', reported the deaths of 200 students at Iqbal Hall, 12 teachers, and their families in the university's residential area. 700 people were burnt to death in old Dhaka. According to various sources from home and abroad, 7,000 Bengalis were killed that night in Dhaka alone (Dring, 1971). KM Raichuddin Khan in his book 'Bangladesh: ItihasPorokkroma' mentions that Pakistani forces killed millions of Bengalis all over Bangladesh on the night of March 25 (Islam, 1981).

L. Declaration of independence

From March 25, all journalists staying at the Hotel Intercontinental in Dhaka were detained by the Pakistani military for two days. From 'Swadhin Bangla Betar Kendra'announced that, "Sheikh Mujib has declared seven and a half crore people of East Pakistan as citizens of independent-sovereign Bangladesh (Rahman & Jalal, 2020)."

Sheikh Mujibur Rahman wrote a manifesto at midnight on March 25 or in the early hours of March 26. The manifesto was broadcast on the 26th from 'Swadhin Bangla Betar Kendra'. But a limited number of people listened to that broadcast.

Major Ziaur Rahman of the 8th East Bengal Regiment declared independence from Kalurghat in Chittagong on 26 March on behalf of Bangabandhu Sheikh Mujib. Which is propagated by the international media, so that the world can know about the declaration of independence of Bangladesh. The announcement was as follows:

"I also declare, we have already framed a sovereign, legal Government under Sheikh Mujibur Rahman which pledges to function as per law and the constitution. The new democratic Govt. is committed to a policy of non-alignment in international relations. It will seek friendship with all nations and strive for international peace. I appeal to all Govt. to mobilize public opinion in their respective countries against the brutal genocide in Bangladesh."

The Govt. under Sheikh Mujibur Rahman is the sovereign legal Govt. of Bangladesh and is entitled to recognition from all democratic nations of the world (Rahman *[Volume II]*, 1982).

Mahbubur Rahman Jalal, a freedom fighter living in Texas and a collector of documents related to the liberation war, said,

"According to various sources and documents, it is evident that Bangabandhu Sheikh Mujibur Rahman declared the independence of Bangladesh in the early hours of March 26, long before he or anyone else declared it (U.S. Government, 1972)."

When the Mujib-Yahya meeting broke up on March 25, Yahya secretly returned to Islamabad. And after the genocide, the Pakistani army arrested Bangabandhu and five of his loyal fellow that night. Before his arrest, he wrote the declaration of independence of Bangladesh. The translation of the original declaration is as follows:

"This may be my last message, Bangladesh is independent of today. I urge the people of Bangladesh, wherever you are, to continue to resist the occupying army with all your might. Let your war continue till the last Pakistani army is ousted from the soil of Bangladesh and the final victory is achieved" (Hannan, 2014).

M. Organization of regular forces and irregular forces and the ultimate victory

During the war of liberation, the term irregular force was used for freedom fighters who were not members of the regular forces (Army, EPR, Police, Ansar, etc.). In official documents, the force was eventually listed as the FF or Freedom Fighters (Hossain, 2019). No martial law was in force for this force. The members of this force were not given any salary or allowance. The number of members of this force was about 80,000 (Rahman *[Volume II]*, 1982). When the then Mujibnagar government of Bangladesh

was busy forming various sectors and brigades, various irregular forces were formed in the name of local leaders in the remote areas; students, workers, farmers, and people of all levels participated. These irregular forces continue to fight in areas covered by different sectors (Hossain, 2019). These irregular forces were formed mainly based on local and political ideology.

Notable among these self-motivated forces formed during the War of Liberation was KaderiaBahini of Greater Tangail District (named after former Lance Naik Abdul Quader Siddiqui), HemayetBahini of Greater Faridpur (now Gopalganj) District (named after HabildarHemayet Uddin of Army), George Bahini of Dinajpur (named after George, a former member of the Army), forces of Siddique of Bhola High Command (named after NaikSiddiqur Rahman of Army), AwalBahini of Brahmanbaria (named after Subedar Abdul Awal of Army), and Halim Bahini of Manikganj (named after Captain Halim, probably the Commander of the Pakistan National Guard). Besides, the names of MujibBahini formed during the war of liberation and Dhaka guerrilla forces and Dhaka guerrilla groups are also particularly noteworthy (Hossain, 2019).

However, there were two general similarities between the rebellious features of the forces which revolted regularly or irregularly in the early resistance period of the war of liberation. The first match is their patriotism, which is why they revolted in their respective areas without any mutual agreement. The second similarity is that wherever they revolted, they received an unprecedented response from the local people. In other words, at the initial stage of resistance and organization, the common people were the main driving force of these forces. So whether it was a regular force or an irregular force, it was the common people who brought them together. In the course of the war, all those forces helped each other and finally snatched the independence of Bengal. Therefore, the liberation war of Bangladesh set an example in the history of the world as a different event. Too many countries of the world have not been able to achieve the glory of gaining independence through the war of liberation. The success of this war has been achieved through the participation of the people of Bengal including the peasants, workers, middle class, students, and youth. Following that, Colonel Osmani was appointed by the Mujibnagar government as the Commander-in-Chief of the Liberation Army to organize the war of liberation (Raja, 2014).

As soon as he took charge, Colonel Osmani planned to expand and reorganize the regular forces and gradually built up the sector, brigade, air force, and navy. Besides, he brought the freedom fighters formed with irregular forces or civilian forces on a local basis into the organizational structure of the Bangladesh Forces. The enemy forces were numerous and they were equipped with modern weapons, so he consulted with Prime Minister Tajuddin Ahmed to arrange safe shelter and training for the freedom fighters to defeat them. The Bangladesh Forces headquarters was formed on Indian soil. At the request of Prime Minister Tajuddin Ahmed, the Government of India set up reception centers and asylum camps at the border. In these reception centers, young men from Bangladesh who wanted to go to war were sent to various training camps for military training knowing their identity and loyalty. Initially, 10 training camps were opened in Tripura, India. Later many more training camps were opened under different sectors. Besides, many youth camps were also set up in the border areas of India (Bangladesh Army, 2015). Thus, as a result of the success of the combined war of regular and irregular forces, Bangladesh became free from Pakistani aggression and gained independence.

VII. CONCLUSION

Independence is now inevitable under the headline of Arthur K. Blood, a well-known journalist's commentary, which gives a clear idea of the context of the independence movement in Bangladesh. He said,

"Independence of East Pakistan is now essential. The movement for economic autonomy that started from within the framework of undivided-Pakistan will soon turn into the East Pakistan independence movement due to the overall humiliation of the East Pakistani people and 'Bangladesh' is just a matter of time. The question of cultural, linguistic and social driving forces is closely linked to economics and politics behind the current conflict."

The West Pakistanis could not accept this victory of the Bengalis. The West Pakistanis feared the possibility of developing friendly economic and cultural relations between Bangladesh and India. The military junta of West Pakistan knew that Bangladesh was going to be an independent state very soon, so they tried their best to delay this process. However, Sheikh Mujibur Rahman, elected in 1970, was ready to establish normal and diplomatic relations with the major powers and neighboring countries by protecting the integrity of Pakistan. But in no way was he willing to be anyone's base (Rahman *[Volume II]*, 1982).

To save Bengal from the rule of the West Pakistani rulers, he called upon the people to take part in the war of liberation on 26 March 1971. Responding to his call, the general public through the Sangram Parishad and the military and paramilitary forces through Colonel MAG Osmani jumped into the fray. Later, these two different states were reconciled through the Provisional Government, the successful outcome of which was independent Bangla (Hasan, 2015).

VIII. ACKNOWLEDGMENT

IX.   CONFLICT OF INTEREST
There is no conflict of interest reported by the researchers while completing this study.

X.   DISCLOSURE STATEMENT
There was no potential conflict of interest reported by the author.

REFERENCES
1) Ahmed, M. (1992). Bangladesh: Sayatthasasan Theke Sadhinata [Independence from Autonomy]. Dhaka: The University Press Limited.
2) Ahmed, P. S., Sarkar, M., and Manzur, N. I. (2004). BangladesherMuktisongramerItihas: 1947-1971 [History of the Liberation Struggle of Bangladesh: 1947-1971]. Dhaka: Agami Publications.
3) Ali, R. F. (1996). BangladesherJonmo [Birth of Bangladesh]. Dhaka: The University Press Limited.
4) Mujib 100. (2021). Bangabandhu 1966.Accessed10 June 2021.Retrieved from Mujib100.gov.bd: https://mujib100.gov.bd/pages/mujib/timeline.html#images-103
5) Bangladesh Army. (2015). History of Bangladesh Army (Volume I), Liberation War and Bangladesh Army. Dhaka: Directorate of Education, Army Headquarters, Dhaka Cantonment.
6) BD 71. (2014). Six Point Movement. Dhaka: BD 71.
7) Bose, S. (2005) Anatomy of Violence: Analysis of Civil War in East Pakistan in 1971: Military Action: Operation Searchlight. Economic and Political Weekly.
https://www.politics.ox.ac.uk/materials/profile_materials/sbose-anatomy_of_violence-epw_v_40_no_41_2005.pdf
8) Choudhury, G. W. (1974). The Last Days of United Pakistan. Oxford: Oxford University Press.
9) Chowdhury, A. O. (2010). EibarerSongramSadhinotarSongram [This Struggle is for Freedom]. Dhaka: Charulipi Publications.
10) Dring, S. (1971). Tanks Crush Revolt in Pakistan. London: The Daily Telegraph.
11) Hannan, D. M. (2014). Sadhin Bangladesher Abhyudayer Itihas [History of the Rise of Independent Bangladesh]. Dhaka: BiswaSahityaBhavan.
12) Hasan, S. (2017). The Role of Foreigners in the Liberation War of Bangladesh. Dhaka: Mawla Brothers Publications.
13) Hossain, M. S. (2019). 1971: Resistance Struggle Victory. Dhaka: Priyomukh Publications.
14) Hossain, S. A. (2016). MuktiyuddherItihasCarca [History of the Liberation War]. Dhaka: Anupam Publications.
15) Islam, R. (1981). LokkhoPranerBinimoye [In exchange for millions of lives]. Dhaka: Ananya Publications.
16) Khabiruzzaman., S. M. (2001). UnasattarerGaṇabhyutthan [The Mass Movement of Sixty Nine]. Dhaka: Palak Publishers.
17) Khan, K. M. (2016). BangladesherItihasPorokroma [History of Bangladesh]. Dhaka: Khan Brothers and Company.
18) Levy, B. H. (1973). Bangladesh: Nationalism in the Revolution. France: French Pres.
19) Mamun, M., and Rahman, M. M. (2019). SadhinBangladesherAbhudayerItihas [History of the Rise of Independent Bangladesh]. Dhaka: Subarna Publications.
20) Mamun, M., and Roy, J. K. (1995). BangladesherCivilSamajhPratiṣṭharSangram [The struggle for the establishment of civil society in Bangladesh 1947-90]. Dhaka: AbosorProkashoni.
21) Rahman, D. M. (2017). BangladesherItihas: 1947-1971 [History of Bangladesh: 1947-1971]. Dhaka: Spmoy Publications.
22) Rahman, H. H. (1982). Documents of the War of Independence of Bangladesh (Volume II). Dhaka: Ministry of Liberation War Affairs, Government of the People's Republic of Bangladesh.
23) Rahman, H. H. (1982). Documents of the War of Independence of Bangladesh (Volume X). Dhaka: Government of the People's Republic of Bangladesh: Ministry of Liberation War Affairs.
24) Rahman, M., and Jalal, M. R. (2020)."Swadhin Bangla Betar Kendra and Bangladesh's Declaration of Independence." The Daily Star, March 25.
https://www.thedailystar.net/swadhin-bangla-betar-kendro-and-bangladeshs-declaration-of-independence-52001
25) Raja, D. M. (2014). Oh General My General. Dhaka: Pathak Samabesh.
26) Roy, J. K. (1995). Bangladesher Civil SomajhProtistharSongram [The struggle for the establishment of civil society in Bangladesh 1947-90]. Dhaka: Abosor Publications.
27) Salik, S. (2016). Witness to Surrender. Dhaka: The University Press Limited (UPL).
28) Sobhan, R. (2017). BangladesherAbhyuday: EkajanPratyakṣadarsirBhaṣya [Rise of Bangladesh: Commentary by an eyewitness]. Dhaka: Prothoma Publications.
29) Trivedi, R. (2016). BangladesherAbhudayerItihasProsongo [History of the Rise of Bangladesh]. Dhaka: Kakoli Publications.

30) U.S. Government. (1972). The Sheikh Mujib Declaration of Independence of Bangladesh. the U.S. Government Records and Media Documentation Department.

High Rise Building Management in the Perspective of Law: Indonesian Experience

Sudiman Sihotang[1], Adi Sulistiono[2], Martin Roestamy[3]

[1,2] Law Faculty of Universitas Negeri Sebelas Maret, Jl. Ir. Sutami No.36, Kentingan Jebres, Surakarta City, Central Java, Indonesia

[3]Postgraduate School of Law, Universitas Djuanda, Jagorawi Toll Road No.1 Ciawi, Bogor Regency, West Java, Indonesia

ABSTRACT: There are several communal rights, namely: common parts, shared land, and shared objects in term of high-rise building, which subjected to rights that arise in the form of enjoyment and sustainable use of flats or apartments. The government's attention is still at the stage of how to realize and encourage developers to participate in the provision of houses. Instead, there has not been any serious attention to provide guidance so that housing management can be carried out in sustainable manner. This paper intends to restore the rights of the association of apartment owners and occupants (P3SRS), so that they can carry out their duties as managers of apartments as legal entities of associations mandated by law to provide legal protection, legal certainty and the realization of sustainable management of apartments for end-users. This research conducted by using the statute approach and case approach in the light of normative juridical research, which can propose a solution to the potential turbulence in the life of apartments in Indonesia. The results shows that the developer's neglect of the hand-over of communal rights that can lead to uncertainty about the rights of consumers and the loss of civil rights (burgerlijk dood), which are human rights of end-users. In the end, this paper recommends legal actions by reviewing all laws and regulations relating to the establishment of P3SRS as the party who has absolute rights of apartments to achieve legal certainty and legal protection in order to ensure the sustainable management of apartments.

KEYWORDS: Apartment Law, the association of apartment owners and occupants (P3SRS), civil right, sustainability

I. INTRODUCTION

It's found on apartment management that there are many problems and complaints such as design and plumbing issue, delay maintenance work, inadequate public facilities, incompetent security and the defaulter's issue. The cooperation between the management team and the residents is compulsory in lessening the problems to establish the excellent condition of high-rise residential building (Azian et al., 2020). Besides, the other problem of apartment management is relating to the main factors of lack of early planning, ignorance of buyers, lack of regulation on property managers, insufficient legislation and ineffective management practices (Ta, 2009). Eventually, the main goal in the apartment management that all residential buildings should be serving society and presents a framework for the identification of delayed, justified, or premature obsolescence. This framework can be used to decide whether the life of a residential building should be extended or ended. (Wuyts et al., 2019).

Housing and settlements are one of the basic human needs that are very influential in the formation of the nation's personal life. Housing and settlements cannot only be seen as a means of living necessities, but more than that it is a process of human settlement in creating a living order for the community and themselves in revealing their identity (Eade, 2003). Limited land, especially in big cities, does not become an obstacle for business players to develop the property business, the model of flats or apartments get enough attention for the community (Pratomo et al., 2020). Flats development is an alternative solution to the problem of housing and settlement needs, especially in urban areas where the population continues to increase, because the construction of flats can reduce land use, create more space area for urban community and can be used as a means for urban rejuvenation from slum areas.

The problems that arise and when living in the flat are conflicts that occur in the management of the flat, either between the association of apartment owners and occupants (P3SRS) and the developer. The phenomena arose at first, since the law cannot be enforced in order to provide fair legal protection to the community, the owner of the apartment unit due to the tug of interest between the desire to control the developer over the project he has built and the duties and responsibilities of the developer who is the facilitator in the formation P3SRS. There are also cases where the developer's reluctance to form P3SRS is due to the fact that not all of the condominium units have been sold yet, so the developer still has rights. There are also apartment projects, although

all hand overs have occurred, but developers are still reluctant to strengthen the P3SRS legal entity. This is due to the conflict of interest of the developer who wants to manage the building as well as to manage revenue through service charges or the use of apartment infrastructure to be rented out to third parties. (Wahanisa et al., 2021)

Second, the formation of P3SRS was prevented by the developer. According to Law of Apartment in Indonesia (UURS), P3SRS must be formed no more than one year after the handover of the apartment units. However, in practice the formation of the P3SRS management did not go smoothly due to the disagreements between the manager and the occupants. In that regulation, after P3SRS is formed, then ownership management within the apartment environment is formed. But the reality in fact, the developer inhibits the formation of P3SRS because they want to increase the Environmental Care Fee without discussing with the residents how much the fee should be collected (Maryati et al., 2021). In fact, if the P3SRS is formed, the issue of contributions and all expenses related to the apartment will be discussed together. And third, there is no rule that prohibits developers from becoming members of P3SRS, because of the apartment unit has not been sold.

Based on those facts, it can be concluded that the regulation regarding the P3SRS legal entity management system has departed from the basic principle of forming a community in the form of an association with a legal entity because the substance of the regulation on the formation of legal entities is not legal where a stronger law can be overridden by a law that is below it hierarchically. Indirectly, legal uncertainty has had a negative effect on the comfort of civil rights which should be protected and enjoyed by the occupants and owners of apartment. Starting from this situation, the question that arises in this research is how to build a fair legal system for the formation of associations of occupants and owners of apartment (P3SRS) to gain a sustainable management?

II. METHODOLOGY

The research method used is normative juridical which refers to the thoughts of Peter Mahmud (Hartono, 2021). The doctrinal legal concept studied is regarding the problem of P3SRS as a legal entity, how the provisions of the legislation do not work in accordance with the mandate of the Law of Apartment (UURS). Then, how it affects the basic rights that should be owned by P3SRS as the holder of communal rights which consequently has an impact on comfort.

This study uses a qualitative research method with a normative (Hopman, 2021) or doctrinal legal approach (Taekema, 2021) by looking at aspects of legal principles and rules, including legal institutions and processes to map out conflicts of interest of property law stakeholders, such as; Developers, Land Offices (BPN), Notaries and Land Deed Making Officials (PPAT), the banking, including the Judiciary. By describing the legal aspects that exist in the legal norms under study, then linking them with principles, rules, institutions, and processes to find methods or ways to optimize the P3SRS legal entity as the neglected host of the development and the implementation process of apartment management.

At the technical analysis stage, three approaches are carried out, namely: *first*, the statute approach as primary legal material in the form of laws and regulations relating to the core substance of research within the legal scope of apartments and legal entities associations, namely relating to with arrangements that have an impact on the weakening of P3SRS as a result of the dominance of the developer as the first right holder; *second*, the case approach where empirical data is used as primary data by presenting several cases that have been selected which then become tertiary legal materials to build prescriptions from research results; and *third*, to be able to produce a concept of thought and a model for the development of P3SRS legal entities in the legal system of legal entities in Indonesia with a conceptual approach (Marzuki, 2017).

III. RESULTS

A. *Comparison of Residential among Malaysia, Singapore and Indonesia*

In Malaysia, the house construction has been to apartments form, although there are still many landed houses. These apartments or flats are intended for the people with lower middle income. As for ordinary houses (landed houses) are usually intended for people with upper middle income. In implementing the housing program, the government does not only involve the public sector but also the private sector. The public sector plays a role in implementing housing programs, especially for low-income groups (Lin-Heng, 2020). While the private sector is more focused on housing development, especially for the simple and high-income groups. This is different from what happened in Indonesia, where the social housing provision system is almost 70 percent owned by the private sector, which ultimately causes house prices to rise sharply. So that prospective home owners feel unable to own the house (Rolnik, 2020).

Singapore has an apartment system that is well-organized. Approximately 80% of Singapore's population live in flats built by the government known as Housing Development Board Flats (HDB Flats) (Hin, 2020). HDB Flat can be equated with high rise building (Rumah Susun, RUSUN) in Indonesia. There are various interesting policies made by HDB. For example, to overcome social conflicts due to racial differences, an Ethnic Integration Policy is made. This is a policy that ensures there is a diverse mix of ethnic communities within the flats area.

Both Indonesia and Singapore have a form of land right that has an indefinite period of time, namely right of ownership (Yuniyanti, 2020) in the Indonesian legal system and freehold in the Singapore legal system (Dell'Anna & Bottero, 2021). In

addition to land rights which are not limited in term, there are also land rights for flats which are limited in term in the two countries, namely leasehold in Singapore (Lin-Heng, 2020) and building right in Indonesia, although there are indeed differences in the validity period.

In addition to the above similarities, Indonesia and Singapore have a concept of ownership of flats for foreigners which is quite different philosophically. This is due to the difference between Indonesian land law and Singapore land law. Indonesian land law does not recognize a Strata Title system because it adheres to European Continental law inherited from the Netherlands (Gultom et al., 2020), while Singapore land law recognizes a Strata Title system derived from English law or Common Law as well as in Malaysia (Jhaveri, 2020).

B. *Legal Entity of The Association of Apartment Owners and Residents*

A legal entity is a legal entity that has assets regardless of its members, is considered a legal subject, has the ability to carry out legal actions, has responsibilities and has rights and obligations as possessed by a person. This legal person has his own wealth, has a manager and can act alone as a party to an agreement. The occupancy policy is regulated in Law Number 1 of 2011 concerning Housing and Settlement Areas Article 34 paragraph (1) which states that legal entities that carry out housing development are obliged to realize housing with balanced occupancy. The government and/or local governments can provide incentives to legal entities to encourage the development of housing with balanced occupancy.

The Development Model for the Establishment of a Legal Entity for the Association of apartment Owners and Occupants associated with the legal optimization of a sustainable apartment management can be described in the following framework:
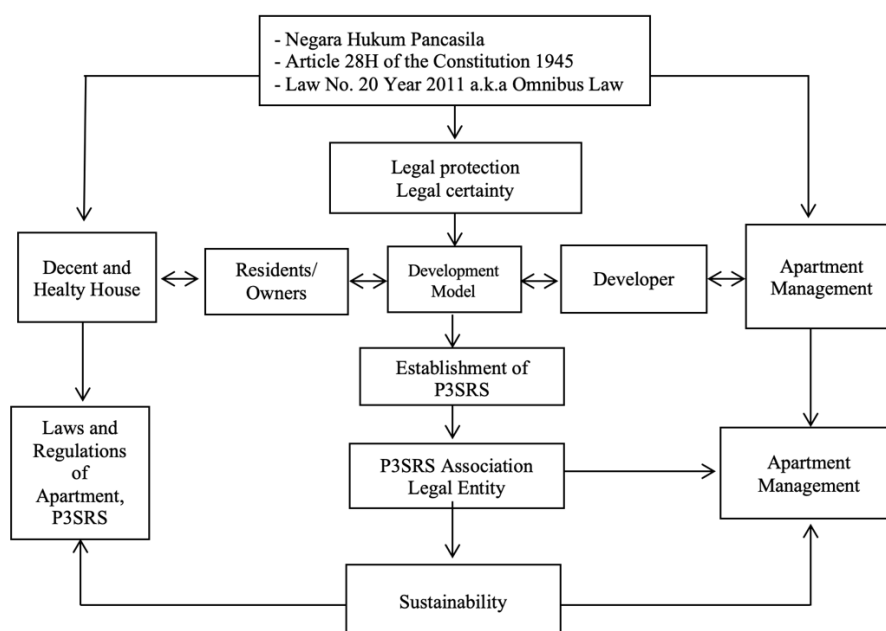
Figure 1. The Framework of P3SRS Development Model

In every apartment development, it is undeniable that there will be developer interests in the buildings they build that will be maintained. Apartment Law in Indonesia introduces a new ownership institution as a property right, namely "flat or apartment ownership", which consists of individual rights to the unit and joint rights to land, shared objects and common parts, all of which are an inseparable with the units concerned. Owners of flats, notaries, local governments as supervisors at both regional and national levels, building developer, P3SRS as well as ministers who administer government in the housing and residential areas should be able to synergize to take actions that are within their respective powers so that there are no adverse consequences for the residents.

C. *Sustainability*

The construction of apartments cannot be separated from three laws and regulations, namely The Settlement Law (No. 1/2011), The Building Law (No. 28/2002) and the Apartment Law (No. 20/2011). Article 2 of The Settlement Law contains the implementation of housing and settlement areas based on the following principles: a. well-being; b. justice and equity; c. nationalism; d. efficiency and expediency; e. affordability and convenience; f. independence and togetherness; g. partnership; h. harmony and balance; i. cohesiveness; j. health; k. sustainability and preserving; and l. safety, security, order and tidy.

Regarding the sustainability of management, the occupancy of a building is not without a limit on the age of the material property, and therefore the sustainability of its residential function will be more determined by joint decisions of occupants or apartment owners through an organization called the association of occupants, which called P3SRS. Therefore, P3SRS as a legal

entity for the management of apartment based on legal certainty and legal protection in order to ensure sustainability, especially for consumers or end-users as apartment or flat owners.

It was found from research in the field including in-depth interviews with several officials from the housing office, the National Land Agency (BPN) DKI Jakarta, banks, developers and notaries as authorized officials to issue the articles of association of the establishment of P3SRS, that there is no one institution specifically by law. The law is mandated to initiate the establishment of the said institution.

Recently, an omnibus law or Job Creation Law subjected to Employment policy, promotion of employment and employment services (No. 11/2020) has been enacted which provides many changes to the apartment law, but there are no significant changes to the formation of P3SRS. Changes to the apartment law in the Job Creation Law are regulated in Article 51. Based on the law, there are 24 changes, but the regulation regarding P3SRS does not include the amended provisions. Thus, the regulation of The Apartment Law Articles 74 – 78 related to the association of apartment owners and occupants still applies.

The amendments to The Apartment Law Article 107 which regulates administrative sanctions which include the threat of administrative sanctions against owners of apartment who do not carry out the establishment of P3SRS as referred to in Article 74 paragraph (1), do not change the threat of administrative sanctions against owners of flats.

The Minister of Public Works and Public Housing Regulation Number 14 of 2021 concerning the Association of Apartment Owners and Occupants regulates the entire process of establishing a P3SRS legal entity starting from the preparation facilitated by the developer to the hand-over of ownership to P3SRS as the manager of the apartment. In this regulation, matters concerning the establishment of P3SRS, member meetings, discussion of AD/ART, membership of the organizational structure, deed of establishment, management, guidance and supervision have been regulated. However, there is no threat of sanctions to developers if they do not facilitate the formation of the P3SRS legal entity as intended. Whereas the main key to the establishment of a P3SRS legal entity is the facilitation initiated by the developer as the initial HGB holder along with all administrative requirements that are archived by the developer in the construction of the apartment for the first time, without exception the data of the owner of the apartment unit who has made a purchase transaction.

Table 1. Legislative Provisions Related to P3SRS

No.	Laws and regulations	Article that regulates	Clauses
1	Law Number 20 of 2011 concerning Apartment (Rumah Susun) - UURS	Article 74–78	Obligations to establish P3SRS, Membership, legal entity status, facilitation of formation, handover of management of communal (communal) ownership rights, P3SRS obligations, and governance.
2	Law Number 11 of 2020 concerning Job Creation (Omnibus Law)	Article 51 amendments to UURS	There are 24 changes to UURS by the Job Creation (Omnibus Law)
3	Government Regulation Number 13 of 2021 concerning Implementation of Apartment	Article 86-103	Owners of condominium units owned by public and commercial condominium units are required to form PPPSRS. The provisions of this obligation are slightly different from the provisions in UURS, which do not limit the owner of certain condominium units to be required to form P3SRS.
4	Regulation of the Minister of Public Works and Public Housing Number 14 of 2021 concerning the Association of Apartment Owners and Occupants.	All of articles	Formation of P3SRS, member meeting, discussion of AD/ART, membership of organizational structure, deed of establishment, management, guidance and supervision.

Related to the formation of P3SRS is mandatory, the emphasis is only on the owner of the apartment unit, because of administrative sanctions to the owner of the apartment unit in the form of threats about services from the government either through written warning letters, verbal warnings, or termination of services. As for the developer, even though it has a mandatory nature as a facilitator for the formation of the said P3SRS legal entity, it's just that the provisions of the legislation do not threaten sanctions if the developer does not carry out the duties and responsibilities as described in the chapter above, owners of different backgrounds, both ethnicity, race, or class, initially did not know each other which gave the developer an opportunity to ignore the obligation to facilitate it. And this is evident from the findings of researchers in the field, where there are still 50 apartment projects in DKI Jakarta that do not yet have P3SRS as a legal entity.

This situation is very contrary to the principles of legal certainty and legal protection as expressed by Radbruch (2006) that legal certainty has an impact on legal protection as an elaboration of the opening of the fourth paragraph of the Indonesian 1945 Constitution concerning the purpose of the state, one of which is the protection of the homeland and the entire nation, which is further emphasized by the constitution of the Republic of Indonesia article 28D paragraph (1) regarding the constitutional basis for the right to recognition, guarantees, protection and legal certainty that is fair and equal treatment before the law for all Indonesian people. So that in the formation of legislation, from the Act stage to its implementing regulations, it must be subject to the state legal system adopted by the Indonesian nation and state, namely the constitution and the legislation under it. And according to Stufenbau theory (Bobbio & Zolo, 1998), the principle of Lex superior derogate lex inferior (Vranes, 2005) applies in evaluating the existence of laws and regulations if sorted down, then all regulations that contradict and are not in line with the Constitutional (UUD 1945) and the juridical basis, namely higher laws and regulations, in this paper it is recommended by the author to be adjusted, whether to improve the substance in the legislation by adding certain substances or forming new laws and regulations to replace the old regulations, in this case the author means how to develop a model of the regulations described above into at least government regulations become the juridical basis for the establishment of the P3SRS legal entity as referred to in this paper.

The law does not regulate the mandatory nature of stakeholders to establish P3SRS to the government or developers. The existing laws and regulations leave it to the developers and end-users. Due to the weakness of the legislation, there is a surplus of 132 apartment projects which as of 2021 do not yet have P3SRS.

In principle, the construction of flats that have been carried out needs to be given a function-worthy certificate and a certificate of ownership of the condominium unit and a certificate of ownership of the apartment building. The control of both simple flats and commercial flats must be done by making deeds made before an authorized official, be it a Notary or Land Deed Making Officer (PPAT). Based on the Apartments Law, it must have PPPSRS. This is based on Article 74 (1) which provides for the obligation to establish a P3SRS that has a legal entity. The formation of the P3SRS is facilitated by the developer.

The new norm that was not previously regulated in The Apartment Law is the obligation of developers to provide public flats (Rusun for low-income communities/MBR) 20 percent of the construction of commercial flats, and not to be handed over to local governments. As a rule, there is indeed a Decree of the State Minister of Public Housing Number: 06/KPTS/BKP4N/1995 concerning Guidelines for Making Deeds of Establishment, Articles of Association and By laws of Associations of Occupants of Flats which was later upgraded to Minister of PUPR Regulation Number 23/PRT/M/2018 Regarding the Association of Apartment Owners and Occupants, which specifically discuss P3SRS either as an association legal entity or other legal entity, but in the implementation stage it can be optimized by establishing a supervisory agency or a special institution that will manage P3SRS in a certain area, for example managed by DKI Jakarta Regional Government. This is in order to reduce the number of complaints and legal cases for inconvenience in the process of financing apartments managed by building management which is also an extension of the developer as the first owner of the building, which should have occurred hand-over or transfer of ownership to P3SRS. The existence of this regulation finally provides certainty for buyers and is able to maintain their rights.

Regarding these institutions, as the person in charge of the region, of course, an institution is needed that will carry out law enforcement, supervision, and implementation of the provisions referred to, so that there is no overlapping of authorities and interests of irresponsible parties.

Regulation and guidance on P3SRS which is the responsibility of the Government (Regional) so that it gets more attention and is carried out in compliance with regulations. Between relevant agencies, it is hoped that they will not make or issue conflicting regulations regarding P3SRS, thus confusing the Developer, or even creating an opportunity for the Developer to commit violations in the field.

To optimize P3SRS institutionalization in the fair management of apartment, it can be seen from the legal objectives. According to Roestamy (2017), the purpose of law includes order, justice, peace and prosperity. This must be a product of rational law, to be able to become a foothold for P3SRS as a legal entity recognized by laws and regulations.

IV. CONCLUSION

Based on this research, it is revealed that the role of P3SRS as a legal entity for the management of apartment has not been optimal, as evidenced by cases that create legal uncertainty which ultimately harms end-users. Management of apartment cannot be separated from conflicts of interest with the economic motives, so that building management becomes the object of a power struggle between the developer and P3SRS. The weakening of the status and authority of P3SRS has a negative impact on the sustainable management of apartment and is detrimental to consumers. In addition, the transfer of communal rights and the management of building management are not in line with the principles of good corporate governance. The formation of P3SRS as a continuation of the developer's tasks in initiating apartments in the early stages has not been followed by good faith by the developer to accept the consequences of losing rights due to hand-over units to end-users. This lack of good faith has the potential to cause turbulence in the management of apartment which can be calculated from the start because the initiation of the formation of P3SRS by law is borne by the buyer, not the developer. This proves that the legislators in drafting laws and regulations are

inconsistent and unfair because they impose sanctions on end-users, not on developers, so that most developers ignore the principle of good faith.

REFERENCES

1) Azian, F. U. M., Yusof, N., & Kamal, E. M. (2020). Problems in high rise residential building: From management perspective. *IOP Conference Series: Earth and Environmental Science. 452*, p. 012087. IOP Publishing. doi: http//:10.1088/1755-1315/452/1/012087

2) Bobbio, N., & Zolo, D. (1998). Hans Kelsen, the Theory of Law. *European Journal of International Law, 9*, 355-367. http://onlinelibrary.wiley.com/doi/10.1111/j.14682230.1996.tb02695.x/

3) Dell'Anna, F., & Bottero, M. (2021). Green premium in buildings: Evidence from the real estate market of Singapore. *Journal of Cleaner Production, 286*, 125327. https://doi.org/10.1016/j.jclepro.2020.125327

4) Eade, J. (. (2003). *Living the global city: Globalization as local process.* Routledge. https://doi.org/10.4324/9780203138670

5) Gultom, O. B., Lubis, B. G. M. Y., Azwar, T. K. D., & Pasaribu, M. P. J. (2020). Legal Certainty in the Land Registration Process Originating from Inheritance. *International Conference on Law, Governance and Islamic Society (ICOLGIS 2019).* https://doi.org/10.2991/assehr.k.200306.200

6) Hartono, J. (2021). Tanggung Gugat Pra Kontrak Transaksi Jual Beli Berdasar Negosiasi dengan Itikad Buruk. *Notaire, 4*(1), 43-68. http://dx.doi.org/10.20473/ntr.v4i1.24845

7) Ho, Kim Hin / David. (2020). *Housing the Nation - a Singapore Policy Story.* Singapore: Partridge Publishing Singapore. Retrieved from: https://www.partridgepublishing.com/en-sg/bookstore/bookdetails/813263-Housing-The-Nation-A-Singapore-Policy-Story

8) Hopman, M. J. (2021). Wait, what are we fighting about?–Kelsen, Ehrlich and the reconciliation of normative jurisprudence and sociology of law. *The Journal of Legal Pluralism and Unofficial Law*, 1-21. https://doi.org/10.1080/07329113.2021.1973204

9) Jhaveri, S. (2020). What's so Common about 'Common Law' Approaches to Judicial Review. *Singapore Journal of Legal Studies, 351*, 76. SSRN: https://ssrn.com/abstract=3740295

10) Lin-Heng, L. (2020). *Public housing in Singapore: a success story in sustainable development.* National University of Singapore, NUS Asia-Pacific Centre for Environmental Law. Singapore: Edward Elgar Publishing. https://law.nus.edu.sg/wp-content/uploads/2020/05/014_2020_LyeLinHeng.pdf

11) Maryati, S., Humaira, A. N. S., Afriana, A., Roekmi, R. A. K., & Suhartini, N. (2021). Developer behavior in local infrastructure provision in Indonesia: Implications for policy. *Utilities Policy, 70*, 101183. https://doi.org/10.1016/j.jup.2021.101183

12) Marzuki, P. M. (2017). *Pengantar ilmu hukum.* Jakarta: Prenada Media. https://perpusupb.files.wordpress.com/2018/07/pengantar-ilmu-hukum.pdf

13) Pratomo, R. A., Samsura, D., & van der Krabben, E. (2020). Transformation of local people's property rights induced by new town development (case studies in Peri-Urban areas in Indonesia). *Land, 9*(7), 236. https://doi.org/10.3390/land9070236

14) Radbruch, G. (2006). Five minutes of legal philosophy (1945). *Oxford Journal of Legal Studies, 26*(1), 13-15. https://doi.org/10.1093/ojls/gqi042

15) Roestamy, M. (2017). Providing Affordable Housing For Low-Income People In Indonesia (Development Of Model On Housing Law). *International E-Journal of Advances in Social Sciences, 3*(9), 1094-1103. https://doi.org/10.18769/ijasos.391631

16) Rolnik, R. (2020). Housing under the Empire of Finance 1. In R. Rolnik, *The Routledge Handbook of Financial Geography* (pp. 189-207). Routledge. https://doi.org/10.4324/9781351119061-11

17) Ta, T. L. (2009). Managing high-rise residential building in Malaysia: Where are we. *2nd Naprec Conference* (pp. 2-3). Kuala Lumpur: Inspen. Retrieved from: https://www.inspen.gov.my/images/INSPEN/PDFDoc/NAPREC-2-3.pdf

18) Taekema, S. (2021). Methodologies of Rule of Law Research: Why Legal Philosophy Needs Empirical and Doctrinal Scholarship. *Law and Philosophy, 40*(1), 33-66. https://doi.org/10.1007/s10982-020-09388-1

19) Vranes, E. (2005). Lex Superior, Lex Specialis, Lex Posterior–Zur Rechtsnatur der „Konfliktlösungsregeln". *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht, 65*, 391-405. Retrieved from: https://zaoerv.de/65_2005/65_2005_2_a_391_406.pdf

20) Wahanisa, R., Hidayat, A., Riyanto, R. B., & Anggono, B. D. (2021). Problems of disputes/conflicts over land acquisition towards development for public interest in Indonesia. *International Journal of Criminology and Sociology, 10*, 320-325. https://doi.org/10.6000/1929-4409.2021.10.39

21) Wuyts, W., Miatto, A., Sedlitzky, R., & Tanikawa, H. (2019). Extending or ending the life of residential buildings in Japan: A social circular economy approach to the problem of short-lived constructions. *Journal of Cleaner Production, 231*, 660-670. https://doi.org/10.1016/j.jclepro.2019.05.258

22) Yuniyanti, S. S. (2020). The Philosophical Foundation of the Coherence of Regulations Concerning Apartment in Indonesia. *Journal of Morality and Legal Culture, 1*(1), 18-23. https://doi.org/10.20961/jmail.v1i1.44745

Factors Influencing Academic Performance and Achievement of Students with Disabilities

Abdulhameed Hasan Talafha

Department of Special Education - College of Education - Umm Al-Qura University (2022)

ABSTRACT: Students with disabilities face diverse challenges which greatly affect their access and full participation in academic programmes at academic institutions of all levels. Therefore, the aim of the current empirical study is to identify the factors influencing the academic performance and achievement of disabled students. The study was guided by the Social Cognitive Theory (SCT). Based on the review of the relevant literature, the study concluded that there are several factors that influence the academic performance and achievement of students with disabilities such as: emotional factors such as the disabled students' fear, depression, low self-confidence, feelings of shame, withdrawal, low self-concept, and feelings of inferiority. Moreover, other factors include the disabled student' family background along with their socio-economic status, the educational level of the parents, the lack of the parents' encouragement and motivation, the authoritarian nature of some families of students with disabilities, the negative attitudes of some teachers towards the students with disabilities and the weakness of the instructional strategies implemented by the teachers, the societal attitudes towards disabled students and well as the students' attitudes towards themselves, the physical barriers within the academic institutions' environment, etc. finally, multiple detailed solutions and recommendations were suggested by the study.

KEYWORDS: learner with disability, academic performance, special needs education, parents' contribution, school facilitation contribution, Self-efficacy.

BACKGROUND OF THE STUDY

Maingi-Lore (2016) demonstrated that Special Needs Students (SNS) is defined, according to the United Nations Convention on the Equal Rights of Persons with Disabilities (2006), as those students who have physical, sensory or chronic health impairment which hinder them from their full, active participation in the society on equal basis with the others and hinder them from benefit fully from learning instructions in the regular settings. Furthermore, SNS is termed to have a special educational need if their capacity to participate in and benefit from education and benefit fully from the school curriculum are restricted due to enduring physical, sensory and mental health or learning disability SNS may have one or a combination of disabilities (disability is defined as a physical, sensory, mental or other impairment, including any visual, hearing, learning or physical incapability, which impacts adversely on social, economic or environmental participation). Hence, several appropriate adaptations (also referred to as educational accommodations) and modifications on the curriculum content, mode of delivery as well as the physical amenities are required. Actually, these adaptations and modifications are carried out in the field of Special Needs Education (SNE) which is defined as the individual educational requirements of a student suffering from any of wide range of physical disabilities, medical conditions, intellectual difficulties and emotional problems, and/or a student with a disadvantaged background, with a disability of an intellectual, sensory, physical, emotional or behavioral nature, and with a mental emotional or physical disability. SNE is further defined as the special educational requirements of students with learning difficulties, physical disabilities, emotional or behavioral problems.

So, the field of Special Needs Education (SNE), in general, is one of the most topics that has received attention at all educational levels and in all scientific fields, as it studies individuals whose needs vary greatly. In fact, the category of people studied by SNE includes: gifted, people with learning difficulties, people with language disorders, and mentally disabled people, etc. Additionally, this category has developed to include all psychological, social, educational, and other groups of individuals with disabilities (Al-Qamsh and Al-Saeeda, 2008).

On the other hand, disability has been, and still, an obsession that is inherent in all human societies since ancient times until now. Conjointly, those societies varied in their view of the disabled individuals and in their treatment of them according to the religious and social values, norms and ideas prevailing in each of them. However, with the progress of human civilization, and the development of research and studies, this category has begun to take its natural right of interest, guidance and rehabilitation for a life that they can live happily, within the framework of their capabilities and abilities, trying to transform these crippled human

forces and energies into productive forces that contribute effectively to the process of progress. The social role played by this group has become effective and positive, not negative and indifferent, as the view has shifted from being a helpless person who is unable to adapt with himself and with his society, and that his help lies in merely providing him with a helping hand and assistance in his material and moral form, to A person who appreciates and has many potentials, energies and abilities remaining after disability, which must be developed, invested and employed for the benefit of the disabled, his family and society (Al-Adra, 2016).

Furthermore, the interest in caring for disabled students has increased significantly in recent years, not only at the international level, but also at the local and Arab levels. This may be due to the challenges faced by these students, their teachers, and those who care for them in order to obtain appropriate care for them (Al-Alwan, 2006).

All international and Arab covenants have affirmed that disabled individuals have the right to obtain a comprehensive and specialized set of services that include health, educational, psychological, social, rehabilitative, professional, cultural and media aspects that guarantee the members of these groups' opportunities for integration and balanced growth. In other aspects, disabled students are the responsibility of an integrated team of physicians, nurses, technicians, teachers, psychologists, social workers, occupational trainers, rehabilitation and speech pathologists, as well as parents and others (Cozenave, *et al*. 2006).

Al-Khatib (2011) indicated that the most important rights of persons with disabilities are their right to full and equal participation in all aspects of life in society as the value and dignity of the individual are not measured by his personal effectiveness and ability to compete, but rather as a citizen with basic rights, the most important of which is the right to receive education in an appropriate, non-isolated and supportive educational environment.

PROBLEM STATEMENT

"*Historically, there has been a persistent negative attitude and social rejection of people with disabilities across all cultures. Ancient Roman and Greek cultures viewed disabled people as burdens on society and less than human. In African and Asian context, disability was viewed as a curse or punishment for sin and caused great shame and feelings of guilt on the family. The result was to hide the disabled person from the public eye*" (Balal & Rehan, 2012 in Maingi-Lore, 2016: P. 13).

Weidner (2013 in Maingi-Lore, 2016) stated that disabled students are often stigmatized and often have a tougher time learning to feel good about themselves. Moreover, disabled students feel they are often treated as socially inferior and vocationally undesirable. Hence, many of them are ended up with a 'can't-do attitude', low confidence and self-esteem, especially when they constantly realize that their body does not work like everyone else's, so it can be difficult for them to build a positive sense of self-worth.

On contrary, nowadays Special Needs Education (SNE) globally has not received the required attention from the all avenues of education to enable learners with disabilities access the desired academic achievement compared to their peers without issues of their kind (Toroitich, 2019).

Additionally, Ibrahim (2002) indicated that disabled students suffer from many psychological effects, the most important of which are: 1) Feelings of inferiority; 2) Introversion because of its negative effects on adjustment and adjustment; 3) Lack of self-reliance, dependence, inability to lead, and a constant desire to depend on others; 4) Weak sense of belonging, which makes students with in a state of incompatibility with society; 5) Difficulty of building a relationship with ordinary students; 6) Feeling of internal tension and emotional imbalance; and 7) The need to resort to the sympathy of others and try to attract their attention in different ways.

On the same line, Ghabari (2003) indicated that students with special needs suffer from many social problems, such as family problems, friends, recreational problems, economic problems, educational problems, medical and rehabilitation problems, most of which are unfair to students with special needs. On the other hand, there are several burdens on others in providing all the requirements of daily life for disabled students, starting with the students' home and the surrounding environment in the community, especially at schools.

The category of students with disabilities in general faces many obstacles in their adaptation and integration with society, especially in Arab societies that still lack a lot of legislation and regulations that enable this category to live a decent life and interact according to their capabilities. Qualification and development to transcend the view of pity, kindness, and dependence on society.

The observer of the lives of disabled students discovers the extent of the academic, social and financial difficulties they suffer in the academic life in general, and the extent to which these students suffer from negative psychological hardship and suffering from these difficulties, which may leave effects on them, including the inadequacy of the natural environment of the schools, in addition the lack of awareness of the needs of these students which may hinder their creativity and superiority, despite their scientific abilities that deserve attention (Al-Adra, 2016).

To sum up, there are several factors that influence the academic performance and achievement of the students with learning disabilities in classroom environments. The study therefore aims at investigating the factors that influence the academic performance and achievement of disabled students.

SIGNIFICANCE OF THE STUDY

Various disabilities affect the physical, health, cognitive, psychological and social aspects of the individual with a disability, and the impact is not limited to the family, but also includes those disabilities on the disabled individual himself and the society in which

Factors Influencing Academic Performance and Achievement of Students with Disabilities

he lives. In order to effectively meet the special needs of persons with disabilities, and to reach them to the maximum degree of growth allowed by their energies and abilities, various programs must be implemented at different levels that take into account the aspects affected by disability, including special education programs, therapeutic intervention and various rehabilitation programs. The success and effectiveness of these programs depends on the extent to which they eventually achieve for individuals with disabilities the adaptation and ability to live independently in an understanding family and a supportive community (Al-Smadi, 1999).

Hence, the significance of this study comes to shed light on students with disabilities and how to care for this category and provide assistance to them by diagnosing the factors that affect the performance and achievement of students with special needs, and with the increase in the number of students with disabilities in the world, there is an urgent need to activate and develop the services provided to enable them overcoming and reducing the problems and difficulties they face. The importance of the study also comes from the lack of specialized studies to identify the difficulties, problems and factors that face this group of students, because these problems have significant effects on the progress of the students' academic level, as they weaken the productivity of these students. This study also presents a perception of the size and nature of the problems and difficulties that students with disabilities suffer in order to use more scientific and objective methods of positive interaction with them, which will enable them to learn and acquire knowledge in pursuit of a respectable and decent life.

It is hoped that the findings of the current study would help the academic institutions to ensure that the good policies are being implemented fully in the teaching process of students with disabilities and special needs, formulate and implement practices that are geared towards improving the academic performance and achievement of students with special needs. The institutions may use the findings of the current study to prepare programmes that aim at sensitizing and equipping the staff with knowledge and skills needed to effectively cater for students with special needs. The findings may also be important to student with disabilities by establishing and pointing out how social justice, social inclusion and attitudes play a part in the learning potential of disabled students in their midst.

FACTORS INFLUENCING ACADEMIC PERFORMANCE AND ACHIEVEMENT OF STUDENTS WITH DISABILITIES

Special education is concerned with educating students with special needs, who suffer from shortcomings or a chronic illness that affects their abilities, whether the disability is physical, sensory, mental or social, which prevents the individual from taking full advantage of the educational and professional experiences that the ordinary individual can benefit from. It also prevents them from equal competition with other ordinary individuals in society, and therefore they are in dire need of a special kind of educational programs, retraining and developing their abilities despite their shortcomings so that they can live and adapt to the society of like ordinary people as much as possible and integrate them with them in social and academic life, which is a natural right for them (Al-Maqtari, 2017).

On the other hand, Al-Khatib (2011) indicated that the most important factors that influence the academic performance and achievement of students with disabilities are the lack of accurate statistics that limit proper planning for the provision of educational programs and services for students with disabilities, the poor quality of the programs and services provided to them and not being subject to evaluation, and the weak control over the quality of service provided. In all areas, the lack of specialized and trained educators in the field of providing educational programs and services for students with disabilities, reliance on unqualified and trained public education educators, and the lack of diagnostic and educational psychological assessment services due to the unavailability of qualified and trained specialists to make such diagnosis, the lack of standardized tools and standards, the restriction of diagnosis to the medical aspect, and the lack of the appropriate schools' buildings and their non-conformity with the standards and specifications for students with disabilities, the lack of research in the field of education for students with disabilities and the lack of support from the relevant government institutions, in addition to the absence of the media's responsibility for the field of education for students with disabilities in raising community awareness, changing misconceptions, broadcasting educational programs for students with disabilities, and supporting education programs for workers in the field, including teachers, managers, supervisors, and specialists.

Mohamed (2020) reported that there are more factors that influence the academic performance and achievement of students with disabilities, which include the inability of some teachers to employ educational activities to meet the needs of students with special needs in the integration program as a result of the poor academic preparation received by teachers. Further, the academic preparation does not sufficiently contribute to teaching special education teachers how to employ e-learning that meets students with special needs. Mohamed added that some teachers do not train disabled students to use the electronic teaching aids - to a sufficient degree - so that students with special needs do not benefit from advanced technology in the educational process.

Jaber (2012) stated that there are many factors that affect the student's achievement level and performance, some of them are related to the student himself, some are related to the school environment, others are related to the family, the process of socialization, the economic and cultural level of the family and the extent of social interdependence among its members. Particularly, these factors are:

Factors Influencing Academic Performance and Achievement of Students with Disabilities

1. Subjective factors and causes that are specific to the students with disabilities, which refer to a group of psychological and emotional factors such as fear, low self-confidence, feelings of shame, withdrawal, low self-concept, or feelings of inferiority, which negatively affect the students' academic performance and may also affect them, chronic diseases and frequent absenteeism, and malnutrition that may prevent the students from performing the activities and duties required from them.

2. Negative attitudes of some teachers towards the students with disabilities, which include the harsh treatment that the students may be subjected to by some teachers through accusing them of failure and insulting them in front of their colleagues without investigating the causes of such failure and treating it in a correct manner, which leads the students to not accept the teacher as well as the study material. In addition, if the study material is inappropriate to the student's tendencies and abilities, it will lead to the students' failure and create a negative attitude among them towards their school and their teachers. And sometimes exaggeration in giving the students with disabilities grades that are not commensurate with the level of their abilities which leads to their failure in other subjects and in the future higher school stages and which will affect their future performance.

3. The authoritarian nature of some families of students with disabilities. While these families confiscate the student's freedom to live their lives without strict rules, this might create unjustified anxiety and tension among those students, which affects their achievement and may generate introversion, shyness and fear, and may sometimes make them not interested in studying, which leads them to academic delay and failure. The extent of family bonding and the nature of the relationships between the father, mother and brothers play a key role in supporting the students with disabilities, while the ongoing disputes and the disjointed relationship negatively affect the student's achievement and performance.

It is worth noting that the teacher is one of the factors that affect the academic achievement of disabled students and the achievement of the student. a. Taking into account the individual differences between students, their general mood, personality style, and the extent of their ability to generalize and use achievement choices in a good and objective manner. The following is a presentation of the role that the teacher can play in advancing or reducing students' school achievement: for the different teaching aids. This discrepancy also appears in the teacher himself, as he/she may not use the appropriate strategy and appropriate teaching aids that take into account the individual differences among students while they are not the same for the rest of the students; b. The extent of the teacher's ability to deal with the personal and psychological patterns of different types of students, i.e. the extent of the teacher's ability to use appropriate incentives in teaching that suit different students; c. Students are affected by the teacher's psychological state and mood. If the teacher suffers from family or school problems or suffers from depression and mood swings, this negatively affects the students' achievement performance through the student's distraction in the class session and his focus on the teacher's emotions and not the content of the lesson, which creates a gap wide among students in achievement; d. The extent of the teacher's ability to design and use comprehensive and objective achievement tests. If the exam is not comprehensive and does not take into account the individual differences among students in terms of difficulty, this may lead to fluctuation of the student's scores from one exam to another, as well as lead to the discrepancy between the students' scores in the same class; e. Objectivity in the school grades given to students in light of their results on school tests. There is no doubt that if the teacher gives more marks than the student deserves or less than he deserves, this does not give a true picture of the student's achievement performance and leads to large gaps between the student's abilities and his real marks, especially if he moves from his current class to another class (ibid).

Jaber (2012 further added that curricula, school activities, exams, schoolmates, and the school's administrative system are among the factors that affect the educational attainment and performance of students with special needs. With regard to the curricula, it may be not designed for the average abilities of the students and devoid of elements of suspense and excitement, or the syllabus may be incoherent, and it deals with different topics that affect students' achievement and shows the discrepancy between their abilities, preparations and school grades. As for school activities, if the classroom program is devoid of the majority of activities and focuses on one sports activity during the week or any one activity only, this creates an atmosphere of boredom without the student enjoying the study and leads to a decrease in his motivation towards achievement. And there are factors that affect the student's achievement performance, which include the school exams, which have to take basic considerations in evaluation, objectivity and appropriate conditions for its application, and do not forget in this urgency the role of the student's colleagues in influencing his performance in terms of motivation for achievement. As for the administrative system prevailing in the school, it affects either negatively or positively on the students' achievement performance. If the relationship between the work team of the administration and the teachers is good, the effect is positive and vice versa. Also, the management style, if it is dictatorial or moderate, has an indirect effect on the students' achievement.

Similarly, Kamal, *et al.* (2014) confirmed that it is commonly believed that the disabled student' home background along with their socio-economic status affects a lot the activities and functioning of both the teachers and students with disabilities. Researchers point out that home background influences academic and educational success of students with disabilities and schoolwork, while socio-economic status reinforces the activities and functioning of the teachers and students with disabilities. The nature and quality of parents and home background of students with disabilities play a vital role in his/her academic development. Poor parental care with gross deprivation of social and economic needs of student with disabilities, usually yield poor academic performance of those students.

Factors Influencing Academic Performance and Achievement of Students with Disabilities

Furthermore, the academic performance of students with disabilities tends to be weak due to the basic reasons determining academic performance, i.e., a) special-children depression (DC), b) teachers' contribution (TC), c) parents' contribution (PC), d) school facilitation contribution (SFC), and e) contribution of poverty (CP) (ibid).

Moreover, factors associated with the academic performance of students with disabilities are analyzed from four perspectives: 1) Student level factors, including the disabled student's own physical health and social and emotional wellbeing; 2) Carer level factors, such as socioeconomic status, and the physical and mental health of carers; 3) Family and household environment factors; and 4) School environment factors.

The academic motivation is another factor that might influence the academic achievement of disabled students and their performance. The academic motivation is defined as an individual's tendency to approach, to accomplish, and to master various tasks in the academic setting (Stinnett, Oehler-Stinnett, & stout, 1991). When dealing with the school setting, academic motivation involves curiosity and persistence as well as accomplishing and mastering an academic task or activity. While the attitudes of the students with special needs towards school, self-concept, and ability to master academic content affect academic achievement (Hoffman, Paris, & Hall, 1994). The related area of motivation also plays a critical role in this academic achievement of students with special needs which resulting in grade retention or special education placement may be particularly at risk for motivation difficulties. Actually, the academic achievement motivation is an area in which educators and school psychologists should take a special interest because it affects academic performance as well as emotional functioning of the students with special needs. Educators and school psychologists must also be able to exclude motivation as the sole factor contributing to the learning difficulties of the students with special needs (Mast, 1995).

According to Reschly (1996), many regular classroom teachers report they were not prepared to address the individual learning differences in their classrooms. This was also found to be true for certain special education teachers. Problems in special education services include difficulty in diagnosing learning disabilities (LD) and limited school funding to support the assessment process.

In the same line, Maingi-Lore (2016) asserted that students with disability are unable to fully access to education due to various barriers they encounter within and outside the academic institutions. Some of the barriers include family background, inaccessible environment, and discriminative practices and policies. Maingi-Lore added that these factors are associated with the academic performance and achievement of the students with disabilities. These factors include:

1. The influence of the family background on disabled students' academic performance and achievement: actually, parents' socio-economic condition, which includes parents' academic and professional qualification, revenue and occupational affiliation, are also associated with the academic gain of the disabled students (Ali, *et al*., 2013). On the other hand, Reichman, *et al*., (2008) confirmed that due to the fact that families who are raising a disabled child also suffer and have far reaching and profound impacts such as emotional and physical demands, financial costs, and logistical complexities which can affect the entire aspects of family functioning. Hence, these children with disabilities are disproportionably represented among the poor and accordingly tended to be poorer than their counterparts without disabilities.

2. The influence of the educational level of the parents: unquestionably, parents are considered important partners in the provision of Special Needs Education (SNE) since they provide home, support, love, nurturing environment, stimulation, essential life experiences that are necessary for their disabled child's development, and above all prepare their children for school and support their learning process (Makoko & Chimutu, 2007). Davis-Keans (2005) and Grolnick & Slowiacek (1994) asserted that the parents' level of education is related to their disabled children's involvement in education. Admittedly, the parents' amount of schooling has a direct influence on how they interact with their disabled children in order to promote their academic achievement. Consequently, educated parents tend to try to make a difference in their disabled children's academic performance and achievement through their active involvement in the educational process such as their participation in planning of activities for their disabled children (Georgiou, 2007).

3. The influence of the parents' encouragement to the disabled students' academic performance and achievement: undoubtedly, the performance of the disabled students is influenced by the guidance of their parents as the parental interest in their disabled child's education is considered as the most powerful indicator of achievement. For example, a disabled student will perform well in any exams if he/she properly encouraged and guided by his/her parents (Feinstein & Symons, 1999; Hussain, 2006). Incontrovertibly, the parental involvement in their disabled child's literacy practices is a most influential factor than other variables concerning the family background such as the family's social class, size, and its educational level (Flouri & Buchanan, 2004). Assuredly, the involvement of the parents in their disabled children's learning extend beyond the realms of literacy. It influences their academic performance in a positive way which eventually lead to enable those children to achieve a higher academic performance level, show greater cognitive competence, show greater social adjustment and social competence, show greater selfdirection and self-control, show greater social and emotional development, show greater problem solving skills, show more resilience to stress, show positive and supportive peer relations, show greater mental health, show

better school attendance, show greater life satisfaction, and show more tolerance as well as fewer behavioral problems (Desforges & Abouchaar, 2003; Allen & Daly, 2002; Fan & Chen, 2001).

Weidner (2014 in Maingi-Lore, 2016) asserted that parents may inadvertently compound the problem by becoming overprotective, being negative or pushing their disabled child too hard. Parents fear that other people do not know how to interact with their children and will therefore not treat them properly. This parental fear contributes greatly to the exclusion and segregation of disabled people. As a result of a desire to protect them, many disabled people are kept inside the household at all times. Parents often want their children to attend special institutions, as they believe that they will receive specialized education and care and be protected from the ill treatment or abuse they fear in the community. Shut away in the household and in special institutions, disabled people are often invisible outside their immediate family. This can contribute further to segregation as most people don't see any disabled people within their community, so they continue to believe that disabled people cannot function outside. By focusing on building confidence, can-do attitudes and a healthy self-esteem, parents can help their children become better achievers in every aspect of life.

4. The influence of the societal attitudes towards disabled students: indeed, the societal attitudes towards disability is considered as the major barriers regarding the disabled students' full participation and one of the most influential, negative, and potent stressor in their lives in a way that inasmuch as negative attitudes towards the disabled students persist, the rightful acceptance of them in the society is far-fetched. In other words, the negative attitudes and stereotyping of the society, including the showing a sense of awkwardness, fear, and pity toward disabled students, as well as showing low expectations about what they can contribute would hold disabled students' academic performance back (Voh, 1993; Nowicki, 2005; Massie, 2006). The influence of societal stereotypes, across all cultures, and its impact on the disabled students' academic performance and achievement: stereotypes and negative beliefs plays a significant role in creating an ingrained prejudice towards disabled students which is reflected in the negative behavior (such as social rejection and the increase of social distance towards disabled students) and negative attitudes that impede the disabled students' participation in educational, social, and vocational context (Shapiro, 1999; Antonak & Livneh, 2000).

5. The influence of the students' attitudes towards themselves on their academic performance and achievement: the self-esteem level of disabled students, their attitudes towards the difficulties they experienced throughout their lives, and their attitudes towards what they can and they cannot have a critical impact on their learning outcomes (Pajeras, 1992; Bandura; 1986). On contrary, Hallum (1995), Pollock & Stewart (1990), Resnik & Hutton (1997), and King *et al* (1993) emphasized that disabled students are at a risk of social isolation and their leisure pursuits tend to be solitary and passive as they rate themselves as particularly low in social acceptance, which leads to social isolation and feelings of loneliness.

It is noteworthy that attitude, in psychology, is defined as a mental state of readiness and a set of emotions, manner, beliefs, and a learned tendency to evaluate things in a certain way (often positive, negative and/or uncertain), and the predisposition and the direction of this predisposition as well as and behaviors toward a particular object, person, thing, issue, circumstances, or event, which come as a result upbringing and experience. Attitudes have a strong influence over the human beings' behavior. Forsooth, the components of attitude include: 1) cognitive component: a person's thoughts and beliefs about the subject; 2) affective component: how the object, person, issue, or event makes a person feels; and 3) behavioral component: how attitude influences a person's behavior. Moreover, attitudes are classified into two types, namely: 1) explicit attitudes: which are those a person is consciously aware of and they clearly influence his/her behaviors and beliefs; 2) implicit attitudes: which are those unconscious but still have an effect on a person's beliefs and behaviors. Further, there are various factors that can influence how and why attitudes form, including: 1) experience; 2) social factors; 3) learning; 4) conditioning; 5) and observation (Cherry, 2021). Finally, according to Iedunote (2022), the characteristics of the attitude include the facts that: 1) an attitude is a complex combination of elements that is called personality, beliefs, values, behaviors, and motivations that can fall anywhere along a continuum from very favorable to very unfavorable; 2) every human being, irrespective of his/her status or intelligence, holds attitude/s; 3) an attitude exists in every individual's mind which contributes to define this individual's identity, guide his/her actions, and influence how h/she judges others; 4) despite the fact that the attitude's components of feelings and beliefs are internal to a person, however a person's attitude can be viewed from his/her resulting behavior; 5) an attitude assists a person to define how to see situations and define how to behave toward these situations; 6) an attitude provides a person with internal cognitions about people and objects and hence causes the person to behave in a particular way toward those people and objects; 7) since the attitude represents a summary of an individual's experience, therefore, it is grounded in direct experience and the individual's point of view which allow predicting the future behavior of the individual more precisely; 8) an attitude includes certain aspects of a human being's personality such as interests, appreciation, inclinations, and social conduct (ibid).

6. The influence of the physical facilities on the disabled students' academic performance and achievement: Hart & Williams (1995) and Johnson (2014 in Maingi-Lore, 2016: p. 15-16) stated that disabled students, on average, show concerns regarding the physical barriers within the academic institutions' environment that have not been addressed by these institutions. Johnson added that the issue of providing accessible environments across academic institutions' campuses is often restricted by

architectural and budgetary constraints. Besides, these institutions sometimes do not consider the immediate disabled students' needs (2014). Furthermore, the Persons with Disability Act, Section 22- Act 14, (PDA 2003 in Johnson, 2014) stated that persons with disabilities are entitled to a barrier free and disability friendly environment to enable them have access to buildings, roads and other social amenities and assistive devices and other equipment to promote their mobility. The previous mentioned act also confirmed that disabled students should not be excluded from participation in any instructional program due to the fact that these facilities are inaccessible or unusable by disabled students. Hence, academic institutions should be made accessible to and useful for disabled students. In addition, they operate each program or activity so that, when viewed in it's entirely, it is readily accessible to students with disabilities. Similarly, Singh (2003) asserted that even in new constructed facilities, alterations must be done to existing facilities as the students are often limited to where they move on campus and what instructional event they may attend. Additionally, the process of accommodating disabled students requires a precise and careful examining of the institutions' buildings and areas for the sake of making these buildings and areas accessible and safe as some barriers that can be found such as doors that are too narrow for wheelchairs to go through, steps leading to buildings, impassable pathways that are too slippery and narrow, vehicles that are too high or steep, toilets without grab bars, nonslip, surfaces and seats, light switches that are too high or low, inaccessible places of worship, shops or other public places. To sum up, the previous mentioned physical barriers lead to frustration to the disabled students because they make them dependent on others and lead them to ask for assistance all the time.

On the same line, Kiat (2014), Agarwal (2014), and Borland & James (1999) pointed out that rooms at educational institutions should be arranged in such a way that the disabled students can move around easily. The building should also be equipped with interconnecting areas to allow for seamless movement of the disabled students. In addition, non-slip materials should be used and the buildings floors' finishes for the sake of enhancing safety and mobility are recommended. It is also recommended to equip these buildings with special toilets for disabled students as well as an accessible car parks. Moreover, ramps at the entrances of buildings should be available which can make an institution accessible to the disabled students. Finally, Borland & James (1999) concluded that access issues for disabled students are extremely complex and need to be addressed more frequently and the existing facilities at the academic institutions need to be adjusted in such a manner that they will be made accessible to the maximum extend feasible.

7. The influence of the instructional strategies on the disabled students: an influential factor to the success of the disabled students in the classroom lies in carrying out an appropriate adaption, modification, and accommodation to the instructional process. However, many obstacles are faced by disabled students who attend mainstream schools or any educational institutions. These obstacles include: the accessible contents are unavailable and the lack of trained staff. Even the available staff lacks awareness that is related to the developments in enabling technologies' access for disabled students. In fact, the educational goals for disabled students are fundamentally similar to the goals assigned for all students. These goals include: the social competence, effective communication, employability and personal independence (A.F.B., 2014 in in Maingi-Lore, 2016).

SUGGESTED SOLUTIONS

The right to education is now accepted as a fundamental human right for everyone and important developments have taken place which aim at addressing the educational needs of persons with disabilities. Students' academic performance plays a crucial role in producing the best quality leaders and manpower for the country (Ali, *et al.*, 2009).

To address the factors that affect the academic performance and achievement of students with special needs, consideration must be given to the availability of the general competencies necessary for teachers to be able to teach students with special needs, which include: 1) The ability of the teacher to observe and record students' behavior in different classroom situations; 2) The ability of the teacher to work as an active member of the multidisciplinary team that designs, implements and evaluates inclusion programmes; 3) The teacher should have an acceptable level of knowledge about the categories of special needs and their causes and psychological educational dimensions; 4) The teacher should be aware of the characteristics of normal growth in childhood; 5) The teacher should also have the knowledge of the principles and methods of developing individual educational programs; 6) The teacher should have the ability to interpret the most important information contained in the medical and psychological-educational reports about students with special needs; 7) The teacher should build appropriate working relationships with associations and institutions concerned with training and educating students with special needs; 8) The teacher should further have the ability to adapt the various tests and assessment tools to suit the nature of special needs; 9) The teacher should have sufficient knowledge about the desirable and prohibited activities for each category of special needs; 10) The teacher should have the ability to build constructive and beneficial working relationships with families of students with special needs; 11) The teacher should have the ability to organize the classroom environment in a way that allows students with special needs to benefit and participate in educational activities to the fullest extent possible; and finally 12) The teacher should have the ability to adapt educational aids to suit the medical needs of the student (Educapsy, 2014).

Additionally, special counselors should be made available in each of the institutions of disabled students who are specially assigned the duty of lowering disabled students' anxiety and depression. Besides, special care should be given to appoint administrative and

teaching staff who give particular care to teaching and also provide due respect to the disabled students. Parents of the disabled students should be aware to educate their children without discrimination of male and female and normal/abnormal. Further, a good learning environment at school should be provided to disabled students, and teachers should be aware to teach according to the needs of disabled students' psychology (Kamal, *et al*., 2014).

Maingi-Lore (2016) indicated that in order to mitigate the influence of the factors that affect the academic performance and achievement of students with special needs, various legislations to be enforced in all learning institutions. Maingi-Lore also added that distance education as a flexible mode of study be utilized as one way of addressing the specific and unique educational needs of students with disabilities so as to improve accessibility. In addition, lecturers and support staff be given mandatory basic training on disability training and that library contents be availed in electronic formats as well as braille. It was also recommended to assist in creating a disability friendly learning and physical environment as well as helping to create confidence as well as a can-do attitude in the students with special needs. This will lead to more students with disabilities enrolling and excelling in the educational process successfully.

In fact, learning institutions must take into their consideration that the special needs of individuals with disability with respect to the entry requirements, pass marks, curriculum, examinations, auxiliary services, use of school facilities, class schedules, physical education requirements and other similar considerations education institutions are mandated by law to ensure that they take specific steps to make physical adjustments in buildings and their surroundings, avail assistive technology and other adapted learning equipment in order to make the environment accessible to students with special needs. It is also recommended that the chances of students with special needs should be improved to upgrade the academic performance and achievement of the disabled through empowering them by imparting the necessary skills and knowledge to effectively participate in development, decision-making and the democratic process. Actually, effective education takes place when students with disabilities are able to participate fully and benefit from that education (ibid).

CONCEPTUAL FRAMEWORK OF THE CURRENT STUDY

The conceptual framework on the current study is demonstrated in (Figure. 1) below, which shows the interrelationship between the factors that are influencing the disabled students' academic performance and achievement.
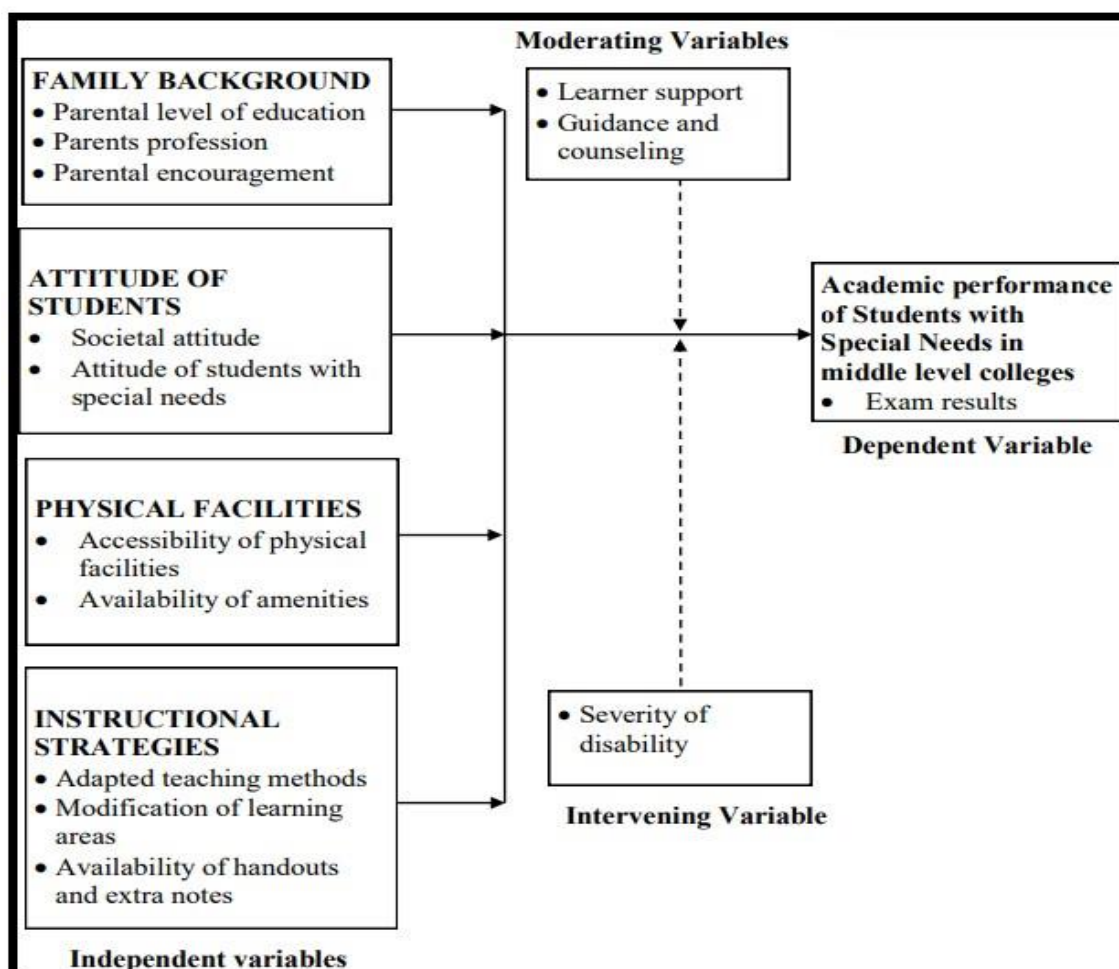
(Figure 1: The conceptual framework on the current study. Source: Maingi-Lore, 2016: p. 24)

Factors Influencing Academic Performance and Achievement of Students with Disabilities

THEORETICAL FRAMEWORK

The current study was guided by the Social Cognitive Theory (SCT) advanced by Albert Bandura (1986) emphasizes on self-belief as critical elements in the human being's motivation and behavior. In addition, the Social Cognitive theory is precisely relevant to disabled students who often view themselves as lesser than others due to the fact that they generally suffer from a low self-esteem level which extremely influences their academic performance and achievement (LaMorte, 2019). SCT posits that learning occurs in a social context with a dynamic and reciprocal interaction of the person, environment, and behavior. Additionally, SCT's emphasis on social influence and its emphasis on external and internal social reinforcement is considered as a unique feature of. the theory. SCT considers the unique way in which individuals acquire and maintain behavior, while also considering the social environment in which individuals perform the behavior. The theory takes into account a person's past experiences, which factor into whether behavioral action will occur. These past experiences influences reinforcements, expectations, and expectancies, all of which shape whether a person will engage in a specific behavior and the reasons why a person engages in that behavior (ibid). (See Figure 2 for more clarification).
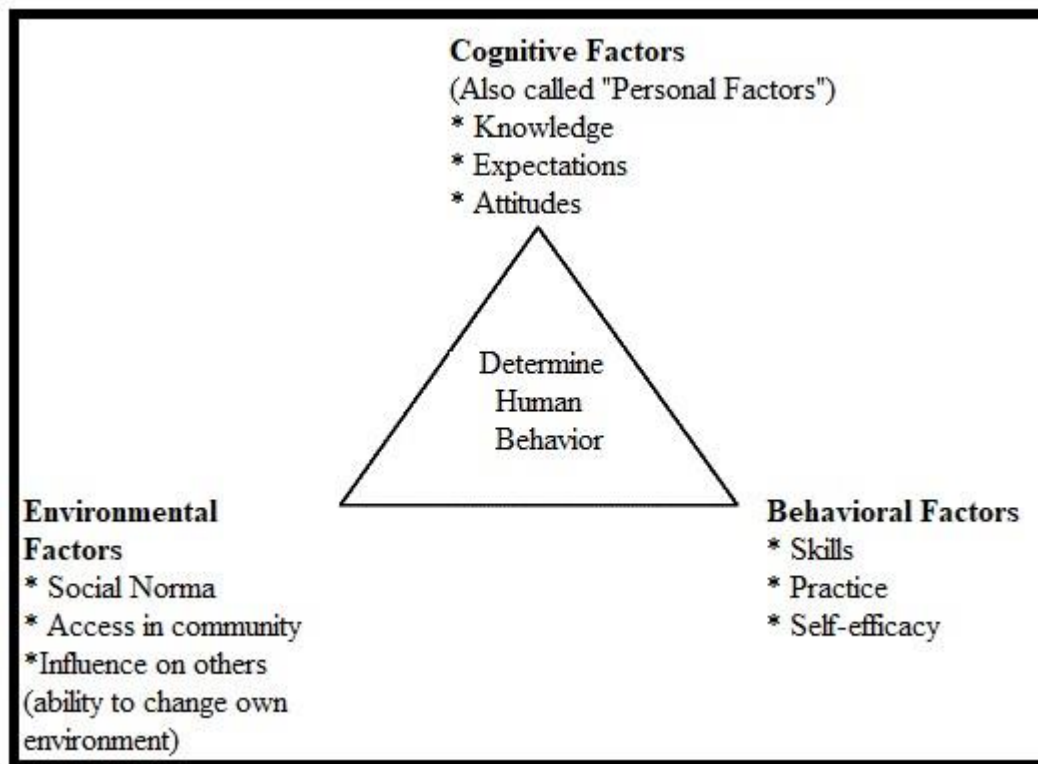
(Figure 2: Social Cognitive Theory: Bandura. Source: Jeonghwan, 2009).

The theory, which is an extension of his social learning theory in the 1960s, states that when a person observes a model performing a behavior and the consequences of that behavior, he/she remembers the events' sequence and use this information to guide subsequent behaviors. The theory also states that the observation of a model can also prompt the viewer to engage in behavior he/she already learned. In other words, a person does not learn new behaviors solely by trying them and either succeeding or failing, but rather, the person depends upon the replication of the actions of others. Depending on whether the person is rewarded or punished for his/her behavior and the outcome of the behavior, the observer may choose to replicate behavior modeled (Bandura, 1986 and Bandura, 2008).

LaMorte (2019) indicated that the Social Cognitive Theory (SCT) posits that learning occurs in a social context with a dynamic and reciprocal interaction of the person, environment, and behavior.

The unique feature of SCT is the emphasis on social influence and its emphasis on external and internal social reinforcement. SCT considers the unique way in which individuals acquire and maintain behavior, while also considering the social environment in which individuals perform the behavior. The theory takes into account a person's past experiences, which factor into whether behavioral action will occur. These past experiences influences reinforcements, expectations, and expectancies, all of which shape whether a person will engage in a specific behavior and the reasons why a person engages in that behavior.

It is worth mentioning that many theories of behavior do not consider maintenance of behavior, but rather focus on initiating behavior. On contrary, the goal of the Social Cognitive Theory is to explain how a person regulates his/her behavior through control and reinforcement to achieve goaldirected behavior that can be maintained over time. Five constructs were determined as part of the SCT. These constructs are (LaMorte, 2019):

Factors Influencing Academic Performance and Achievement of Students with Disabilities

1. Reciprocal Determinism: this is the central concept of SCT. This refers to the dynamic and reciprocal interaction of person (individual with a set of learned experiences), environment (external social context), and behavior (responses to stimuli to achieve goals).

2. Behavioral Capability: this refers to a person's actual ability to perform a behavior through essential knowledge and skills. In order to successfully perform a behavior, a person must know what to do and how to do it. People learn from the consequences of their behavior, which also affects the environment in which they live.

3. Observational Learning: this asserts that people can witness and observe a behavior conducted by others, and then reproduce those actions. This is often exhibited through "modeling" of behaviors. If individuals see successful demonstration of a behavior, they can also complete the behavior successfully.

4. Reinforcements: this refers to the internal or external responses to a person's behavior that affect the likelihood of continuing or discontinuing the behavior. Reinforcements can be self-initiated or in the environment, and reinforcements can be positive or negative. This is the construct of SCT that most closely ties to the reciprocal relationship between behavior and environment.

5. Expectations: this refers to the anticipated consequences of a person's behavior. Outcome expectations can be health-related or not health-related. People anticipate the consequences of their actions before engaging in the behavior, and these anticipated consequences can influence successful completion of the behavior. Expectations derive largely from previous experience. While expectancies also derive from previous experience, expectancies focus on the value that is placed on the outcome and are subjective to the individual.

6. Self-efficacy: this refers to the level of a person's confidence in his or her ability to successfully perform a behavior. Self-efficacy, which is unique to SCT, is influenced by a person's specific capabilities and other individual factors, as well as by environmental factors (barriers and facilitators) (ibid). Actually, Bandura (1986) indicated that selfefficacy has been prominent in the educational research as self-efficacy beliefs represent a critical determinant of the life choices that students make and the course of action they pursue. In addition, self-efficacy beliefs provide the foundation for disabled students' motivation, well-being and personal accomplishments. Based on that, self-efficious disabled students, while having lesser anxiety, they work harder, achieve more, persist longer, persevere and have greater optimism. Further, they engage in activities in which they feel competent and avoid those in which they do not. In addition, self-efficacy is crucial in the formation of a 'can-do' attitude among disabled students which is later translated into personal accomplishments. On contrary, Pajeras (2006) mentioned that selfefficious disabled students who are confident anticipate successful outcomes and those who are also confident in their social skills anticipate successful social encounters. Additionally, self-efficious disabled students who are confident in their academic skills expect high marks on exams and expect the quality of their work to reap academic benefits. The opposite is true for those who lack self-efficacy, they often envision rejection or ridicule even before they achieve academically or establish social contact. To sum up, unless disabled students believe that their actions can produce the outcomes they desire, they have little incentive to act or to persevere in the face of difficulties.

GENERAL PRINCIPLES OF TEACHING STUDENTS WITH DISABILITIES

Effective education provided for students with special needs includes a number of sequential and interrelated steps, the most important of which are (ibid):

a. The relationship between the teacher and the student with special needs: It is the need for the teacher to show realistic trends, adopt supportive attitudes and understand and take into account individual differences. One of the most important factors in this regard is expressing confidence in the disabled students' ability to learn and grow, and taking care to organize the classroom environment in a warm and cooperative growth.

b. Quick execution of teaching: Effective teaching necessarily takes into account the speed of transition from one educational task to another. It is known that the teacher must provide sufficient opportunities for the student with special needs to acquire and generalize the skill, and this is necessary in special education in particular. Repetition and additional opportunities for learning, so the teacher should adjust the speed of teaching implementation based on the student's performance and progress.

c. The use of assistive and adaptive tools: Although the general principle in special education is the use of natural tools in training students with disabilities, teachers and therapists often need to employ assistive and adapted tools to achieve educational goals or design new technological or non-technological tools to help the disabled students to use it functionally and usefully.

d. Adopting appropriate teaching method/s: The varying difficulties and problems faced by students with special educational needs prompted their teachers to develop different strategies, design various educational settings, and adopt different educational philosophies. It is not possible to rely on one method and provide educational contents to all students with special needs or to all students who belong to the same disability category. In any case, teachers adopt teaching methods in light of three variables:

  1. The disability category: The methods and tools that are employed in the educational process often differ from one category to another. For example, normal reading is not acceptable with blind students, and oral-based methods are not suitable for dealing with the deaf. Likewise, students with severe physical disabilities are not expected to participate in traditional sports educational programs. In fact, it is not appropriate to teach mentally retarded students by traditional group methods.

Factors Influencing Academic Performance and Achievement of Students with Disabilities

2. The severity of disability: The severity of the student's disability is no less important than the disability category in terms of adopting the appropriate teaching methods. It is not expected that the student who suffers from a very severe disability will benefit from the methods that are used with the student with simple disabilities. Actually, the more severe the disability, the greater the student's need to education in a special educational setting.

3. The chronological age: The third variable that must be taken into account when choosing teaching methods is the chronological age of the student with special needs. The desired methods and objectives of the curriculum are determined in light of the developmental needs and tasks of each age stage. In general, programs for young children focus on a developmental approach, and programs for students at different school levels focus on basic academic, personal and social skills, while after school programs focus on professional and functional skills.

e. Diagnostic-Therapeutic Curve: Although the various special teaching methods are generally based on the diagnostic-therapeutic curve, this model includes diagnosing the problem and developing a plan to treat it. This curve includes the following four steps:

1. Students' assessment: Before starting the teaching process, the teacher should evaluate the student's performance, collecting information about him/her using observation or the known formal psychological tests.

2. Teaching implementation: Based on the information collected about the student's performance, teaching plans are drawn up by the teacher to implement the student's individual educational plan.

3. Execution of the teaching plan: Where the teaching plan is put into practice and the educational strategies are employed and implemented by the teacher, and these strategies may include direct education (skills analysis model or direct education, skills training model).

4. Evaluation of teaching effectiveness: After completing the implementation of the teaching plan, the student's performance is evaluated again to see the extent of progress that has occurred in the students' performance, in light of the criteria that have been approved in the plan.

In addition, it is worth noting that special education includes the development of corrective programs that aim to overcome disability and any existing barriers through training and education and implement compensatory programs that aim to give students with special needs alternative means to coexist with their disability, and in both cases, the aim is to teach the student with disabilities the basic skills necessary for independence. Further, these skills may be academic, social, or personal. The disability may limit the student's ability to learn through regular teaching methods, which requires providing the student with special educational programs that include the use of adapted and modified teaching aids, tools and methods. Accordingly, a disability may impose one or more of the following procedures:

a. Modify the teaching content.
b. Changing educational goals.
c. Changing the educational environment.

Furthermore, when discussing teaching strategies in special education, the following facts must be taken into consideration (ibid):

a. There is no method, educational style, environmental organization, tools, or methods that will suit all students with disabilities in the classroom.
b. Educational environments (educational alternatives) are more diverse for students with disabilities.
c. The severity and type of disability are two factors that influence teaching planning and the choice of educational placement.
d. Teaching is considered ineffective if the student's behavior is not under control.
e. The philosophy a teacher has toward students with disabilities influences the type of teaching strategies the teacher uses.

RELEVANT LITERATURE

In their study titled '*Factors Affecting Academic Performance of Special Students: A Case of Peshawar District*', Kamal*, et al*., (2014) reported that the disabled students' home background along with their socio-economic status affects a lot the activities and functioning of both the teachers and students. Researchers also concluded that home background influences the academic and educational success of disabled students and schoolwork, while socio-economic status reinforces the activities and functioning of the teachers and students. The nature and quality of parents and home background of disabled student play a vital role in their academic development. Finally, poor parental care with gross deprivation of social and economic needs of a disabled student usually yield poor academic performance of the student.

Lytton (2010), on his study entitled '*Problems and Issues in Education*', stated that good parenting supported by strong economic home background could enhance strong academic performance of the child with disability. Further, Lytton's argument assists in the process of predicting the child courses and vocation that matches his/her mental ability, interest and capability differences in

performance and achievement. Lytton added that poverty alone does not account for all the differences in the performance of the students. Poverty of parents has elastic effects on their children with disability academic works as they lack enough resources and funds to sponsor their education and good schools, good housing facilities, medical care and social welfare services. Poverty of the parents also makes education and learning impossible for children, especially disabled children in the rural areas. Besides, poverty causes other problems, such as disease, frustration, poor performance, and psychological problems, etc.

On contrary, Davis (1994 in Kamal, *et al*., 2014) mentioned that there are other factors that compliment environmental and socio-economic factors to produce high academic achievements and performance of the disabled students. These factors include good teaching, counseling, good administration, good seating arrangement and good building. Dilapidating buildings, lacking mental stimulating facilities that are characterized with low or no seating arrangement will also be destructive.

Reschly (1996) pointed out that there are two factors that affect the academic performance and achievement of students with disabilities within the field of special education. First, disabled students that are diagnosed with a disability may not be getting the help that they need, due to varying rules according to their geographic location. Second, there is the lack of funding that is available for the students. In other words, funding for services is insufficient to meet the need of disabled students. Hence, Reschly asserted that there is a need to revise the funding system to adequately support the specialized education of disabled students. Besides, Reschly described the identification and assessment of students with disabilities for the purpose of determining eligibility for special education services. Reschly described the (10) stages of diagnosis, classification, and then finally treatment. Firstly, Reschly mentioned that there are (13) disabilities, including autism, deaf-blindness, deafness, hearing impairment, mental retardation, multiple disabilities, orthopedic impairment, other health impairment, serious emotional disturbance, learning disability, speech or language impairment, traumatic brain injury and visual impairment. Secondly, the (10) stages on diagnosis, classification and treatment are "pre-referral, referral, preplacement evaluation, eligibility determination, Individualized Education Programs (IEP) development, determination of placement, provisions of services, annual evaluation of progress, and triennial reevaluation" (Reschly, 1996, p. 45). However, Reschly argued that there are problems with these stages, such as parents do not want their children stigmatized by a label, there is no clear understanding of the time frame that a child needs assistance, and in terms of testing, many tools have limited reliability for assessment purposes. Finally, categorization and treatment options are inconsistent (1996).

Kunnen & Steenbeek (1999) pointed out that children who have special needs have below average motivation compared to their peers. In fact, there are ways that teachers can help to motivate children with disabilities, particularly those who may not have the motivation and self-discipline to persist a task independently, which became an educational issue in many classrooms. There are two different types of motivation, low motivation and perceived control. They state that these different motivations are aligned with different strategies, to help motivate students and keep them focused on the task at hand. Hence, Kunnen & Steenbeek recommended that discussions with parents and teachers faced with this type of situation in a classroom or at home, can work together. Actually, parents and teachers who are new to taking an active role in working together, with some options or strategies that may be useful in school and home settings, they can gain the knowledge that is needed and become more aware the factors that affect the academic performance and achievement of students with disabilities.

Maingi-Lore (2016) carried out a study titled "*Factors influencing academic performance of students with special needs in institutions of higher learning*". The study aimed to find out factors influencing the academic performance of students with special needs in middle level colleges in Machakos County in Kenya. The study concluded that students with disabilities face diverse challenges in institutions of higher learning which greatly affect their access and full participation in academic programmes. The factors include family background which influences the academic performance of students with special needs, the attitudes of students with special needs which influence their academic performance, and the infrastructural facilities as well as the instructional strategies which influence the academic performance of students with special needs. The findings of the study also indicated that adapted classrooms and extra notes and hand-outs influence the academic performance of students with special needs.

CONCLUSION

Students with disabilities face diverse challenges which greatly affect their access and full participation in academic programmes at academic institutions of all levels. Therefore, the aim of the current empirical study is to identify the factors influencing the academic performance and achievement of disabled students. The study was guided by the Social Cognitive Theory (SCT). Based on the review of the relevant literature, the study concluded that there are several factors that influence the academic performance and achievement of students with disabilities.

The study has concluded that disabled students are often stigmatized and often have a tougher time learning to feel good about themselves. Moreover, disabled students feel they are often treated as socially inferior and vocationally undesirable. They also suffer from many psychological effects such as feelings of inferiority, introversion, lack of self-reliance, dependence, inability to lead, and a constant desire to depend on others, weak sense of belonging, difficulty of building a relationship with ordinary students, feeling of internal tension and emotional imbalance; and the need to resort to the sympathy of others and try to attract their attention in different ways. Likewise, disabled students suffer from many social problems, such as their inability to adaptation and integration

Factors Influencing Academic Performance and Achievement of Students with Disabilities

with society, family problems, friends, recreational problems, economic problems, educational problems, medical and rehabilitation problems. Further, they suffer from shortcomings or a chronic illness that affects their abilities, whether the disability is physical, sensory, mental or social, which prevents the individual from taking full advantage of the educational experiences that the ordinary individual can benefit from. Additionally, the societal attitudes towards disabled students which is considered as the major barriers regarding the disabled students' full participation and one of the most influential, negative, and potent stressor in their lives in a way that inasmuch as negative attitudes towards the disabled students persist, the rightful acceptance of them in the society is farfetched Educationally, the study has further concluded that disable students also suffer from the lack of the lack of academic motivation and encouragement as well as the lack of appropriate school environment including the schools' buildings and their non-conformity with the standards and specifications for students with disabilities, as well as the poor quality of the programs and services provided to them and the lack of specialized and trained educators who often have negative attitudes towards the students with disabilities. Additionally, disabled students also suffer from the inability of some untrained teachers to design and use comprehensive and objective achievement tests for disabled students and employ educational activities to meet the needs of disabled students in the integration program and the inability of the teachers to allow disabled students to use the electronic teaching aids - to a sufficient degree - so that students with special needs do not benefit from advanced technology in the educational process. Furthermore, some teacher may not use the appropriate strategy and appropriate teaching aids that take into account the individual differences among disabled students. actually, the curricula, school activities, exams, schoolmates, and the school's administrative system are among the factors that affect the educational attainment and performance of disabled students. similarly, the academic performance of students with disabilities tends to be weak due to disabled students' depression, teachers' contribution, and school facilitation contribution. Moreover, students with disability are unable to fully access to education due to various barriers they encounter within and outside the academic institutions. Some of the barriers include the inaccessible environment and discriminative practices and policies in some academic institutions. By the same token, some academic institutions' buildings and areas are not accessible and safe for the disabled students due to some barriers that can be found such as doors that are too narrow for wheelchairs to go through, steps leading to buildings, impassable pathways that are too slippery and narrow, vehicles that are too high or steep, toilets without grab bars, nonslip, surfaces and seats, light switches that are too high or low, inaccessible places of worship, shops or other public places. The previous mentioned physical barriers lead to frustration to the disabled students because they make them dependent on others and lead them to ask for assistance.

The study has further concluded that other factors associated with the academic performance and achievement of students with disabilities are their own physical health and social and emotional wellbeing, the carers' socioeconomic status, the physical and mental health of carers, and the family and household environment. For example, the authoritarian nature of some families of students with disabilities represents a factor that has an influential and negative impact on the disabled students. Besides, the disabled students parents' socio-economic condition, which includes parents' academic and professional qualification (i.e., the educational level of the parents), revenue occupational affiliation, and the lack of parents' encouragement to the disabled students are also associated with the academic gain of the disabled students.

In addition, the findings of the study reported that the influence of the students' attitudes towards themselves on their academic performance and achievement. The self-esteem level of disabled students, their attitudes towards the difficulties they experienced throughout their lives, and their attitudes towards what they can and they cannot have a critical impact on their learning outcomes. Hence, many of them are ended up with a 'can't-do attitude', low confidence and self-esteem, especially when they constantly realize that their body does not work like everyone else's, so it can be difficult for them to build a positive sense of self-worth.

Based on the previous mentioned factors, the study asserted that disabled students have the right to obtain a comprehensive and specialized set of health, educational, psychological, social, rehabilitative, professional, and cultural services. Besides, they have the right of having a full and equal participation in all aspects of life in the societies where the reside. The study also asserted that appropriate adaption, modification, and accommodation to the instructional process should be carried out. Such procedures must be built on the fact that the educational goals for disabled students are fundamentally similar to the goals assigned for all students. These goals include: the social competence, effective communication, employability and personal independence.

As mentioned before, the current study was guided by Albert Bandura's (1986) Social Cognitive Theory (SCT). The findings on the current study go in line with the theory in a way that the findings reflected the purports and implications of the theory. In fact, the findings agree with the contents of the theory that emphasizes on self-belief of a disabled person which is a critical element in his/her motivation and behavior. Similarly, the findings, based on the theory, demonstrated that disabled students who often view themselves as lesser than others due to the fact that they generally suffer from a low self-esteem level which extremely influences their academic performance and achievement especially as learning occurs in a social context (on external and internal social reinforcement) with a dynamic and reciprocal interaction of the disabled person, environment, and behavior. Hence, a disabled person regulates his/her behavior through control and reinforcement to achieve goal-directed behavior.

Finally, the study suggested several solutions and recommendations to help disabled students, their parents, and academic institutions to encounter the factors that influence the academic performance and achievement of the students with disabilities.

RECOMMENDATIONS

The current study recommends the following procedures to be fulfilled in order to reduce the influence of the factors, discussed earlier, that effect the academic performance and achievement of the students with disabilities:

- Develop and implement a comprehensive long-term education plan that clarifies the concept of special education in line with international standards.
- Take the necessary measures to provide individual support for disabled students.
  Involve children with disabilities and their parents or family members in consultations, decision-making and monitoring processes, as well as develop strategies to increase community and family participation.
- Train and support parents of children with disability, including through regular parent meetings to share information and provide peer support.
- Employing personnel with the necessary competence and experience to ensure that a quality education is provided to disabled students.
- Develop guidelines and standards for teachers and principals and establish procedures to ensure that they are met.
- Allocate adequate funding for special education for disabled students, including targeted funding for development assistance.
- Adaptation of the curriculum for special education. Develop appropriate curricula and assessment systems.
- Ensure that all exams meet the needs of all disabled students.
- Ensure that each school has a team dedicated to developing individual education plans and discussing accommodations and modifications when needed to meet disabled students' needs.
- Review teachers' training materials to reflect special teaching methods and raise awareness about disabled students.
- Training of all teachers and school principals on special education methods and practical skills, including the ways and means of communication, such as basic sign language.
- Develop or strengthen early detection and intervention programs consistent with a comprehensive approach to education and take steps to ensure that disabled students have access to development programmes.
- Train teachers and school principals on how to avoid and address bullying, teasing, or other discriminatory and degrading treatment of children with disabilities in classrooms.
- Provide ongoing training, support, and guidance for teachers and assistants of disabled students, through resource centers and professional exchanges.

REFERENCES

1) Agarwal, A. & Steele, A. (2016). "*Disability considerations for infrastructure programmes*". 1st ed. Evidence on demand, UK. 2016: viii + 31 pp. Available at:
   https://assets.publishing.service.gov.uk/media/57a08954ed915d3cfd0001c4/EoD_HDYr3_21_40
   _March_2016_Disability_Infrastructure.pdf
2) Al-Adra, Ibrahim. (2016). "The challenges facing students with disabilities at the University of Jordan: A field study". *Dirasat Journal of Humanities and Social Sciences, Volume 43*: issue 5. 2016. Ali Norhidayan, et al (2009). "Factors influencing students' performance at Universiti Teknologi MARA Kedah, Malaysia". *Canadian Research & Development Center of Sciences and Cultures: Vol 3*. No 4.
3) Al-Khatib, C. (2011). "*Teaching Strategies for Students with Special Needs*". Dar Al-Fikr: Amman, Jordan.
4) Allen, S.M. & Daly, K. (2002). "The effects of father involvement: A summary of the research evidence". *The F11-O News, Vol(1)*. 1-11.
5) Al-Maqtari, Y., S. (2017). "The reality of the use of inclusion teachers for assistive technologies with students with special needs in some public schools in basic education in the United Arab Emirates". *Journal of Educational Sciences, Vol. 1, Issue. 2*, p. 46.
6) Al-Smadi, c. (1999). "*Family Counseling for Families with Special Needs*". The Second Educational Counseling Conference: Counseling is the right of every child and the duty of every educator: 25-27/4/1999, Directorate of Education, Madaba Governorate. Jordan.
7) Alwan, B., I. (2006). "*Satisfaction with life and its relationship to self-esteem. A comparative study between practitioners and non-practitioners of physical activity for the physically disabled in Jordan*". Unpublished PhD thesis, College of Higher Studies, University of Jordan, Jordan. Antonak R.F., & Livneh H. (2000). "Measurement of attitudes towards persons with disabilities". *Disability and Rehabilitation,22*.211-224.
8) Bandura, A. (1986). "*Social foundations of thought and action: a social cognitive theory*". Englewood Cliffs, N.J.: Prentice-Hall.

9) Bandura, A. (2008). "*Social cognitive theory of mass communication*". In J. Bryant & M. B. Oliver (Eds.), Media Effects: Advances in Theory and Research (pp. 94-124). New York, NY: Routledge.

10) Jeonghwan, C. (2009). "*Social Cognitive Theory: Bandura*". Published on 28th, July, 2009. Available at: https://leadershipcenter.tistory.com/180

11) Borland, J. & James, S. (1999). "The Learning Experience of Students with Disabilities in Higher Education. A case study of a U K university". *Disability and Society 14*(1).

12) Cherry, K. (2021). "*Attitudes and behavior in psychology*". Very-well-mind: published on February 20, 202. Available at: https://www.verywellmind.com/attitudes-how-they-form-changeshape-behavior-2795897

13) Cozenave, N. peultier, A. Lefort, G. (2006). "L'activité physique et sportive et l'estime de soi chez les adolescents handicapes: le cas de la pathologie du pied bot". *Science Direct. Annales medico psychologiques.166*. 789-793.

14) Davis-Kean, P. (2005). "The influence of parents Education and Family Income on Child Achievement: The indirect role of parental expectations and the home environment". *Journal of Family Psychology, 19* (2), 294-304

15) Desforges, c. & Abouchaar, A. (2003). "*The impact of parental involvement, parental support and family education on pupil achievement and adjustment: A literature review*". London: Department of Education and Skills.

16) Educapsy. (2014). "*General competencies necessary for teachers to teach students with special needs*". Published on 20th, January, 2014. Available at: https://educapsy.com/blog/competenceseducateur-education-specile-57

17) Fan, X & Chen, M. (2001). "Parental involvement and students' academic achievement: A meta- Analysis". *Educational Psychology Review, 13* (1), 1-22.

18) Feinstein, L., & Symons, J. (1999). "*Attainment in secondary school*". Oxford Economic Papers, 51, 300-321.

19) Georgiou, S. N. (2007). "Parental involvement: Beyond demographics". *International Journal about Parents in Education: Vol.1*, No. 0, 59-62.

20) Ghobari, M. (2003). "*Caring for special groups in the context of social service, caring for the disabled*". Modern university office, Alexandria, Egypt.

21) Grolnick, W. S., & Slowiaczek, M. L. (1994). "Parents' Involvement in Children's Schooling: A Multidimensional Conceptualization and Motivational Model". *Child Development: 64*, 237-252. https://doi.org/10.2307/1131378

22) Hallum, A. (1995). "*Disability and the transition to adulthood: Issues for the disabled child, the family, the pediatrician*". Current problems in pediatrics, January, 12- 50.

23) Hart, R., & Williams, D. (1995). "Able-bodied instructors and students with physical disabilities: A relationship handicapped by communication. *Communication Education. 44*, 140-154.

24) Hoffman, L., Paris, s., & Hall, E. (1995). "*Cognition: Intelligence and schooling*". Developmental Psychology Today. (pp. 333-336) McGraw Hill Inc.

25) Husain, A. (2006). "Effects of Guidance Services on Study Habits and Academic Achievement of Secondary School Students". *Bulletin of Education and Research, Vol. 28*, No 1 (35-45).

26) Ibrahim, M., S. (2002). "*The Problems of Blind Students in Jordanian Universities*". Unpublished MA thesis, University of Jordan, Amman. Iedunote. (2022). "*Attitude: Definition, Nature and Characteristics*". Available at: https://www.iedunote.com/attitude-definition-characteristics-types

27) Jaber, F. (2012). "*Educational retardation*". Al Manal Magazine: August, 2012. Available at: https://almanalmagazine.com/

28) Kamal, S.; Asrar, M.; Younes, M.; and Chishti, A. (2014). "*Factors Affecting Academic Performance of Special Students: A Case of Peshawar District*". Research Gate: January 2014.

29) DOI:10.2139/ssrn.2755144. available at: https://www.researchgate.net/publication/324670378_Factors_Affecting_Academic_Performance_of_Special_Students_A_Case_of_Peshawar_District

30) Khatib, j. (2011). "*Strategies for Teaching Students with Special Needs*". Dar Al-Fikr: Amman.

31) Kiat, O., S. (2014). "*Enforce law on handicap parking more strictly*". The Straits Times, 29 Dec 2014, available at: http://www.straitstimes.com/premium/forum-letters/story/enforce-lawhandicap-parking-more-strictly-20141229

32) King, G.A., Capman, I.Z., Silorman, K., & Zakman. (1993). "Self-evaluation and self-concept of adolescents with physical disabilities". *American Journal of Occupational Therapy, 47*, 2 (1993), pp. 132-140.

33) Kunnen, E.S., & Steenbeek, H.W. (1999). "Differences in problems of motivation in different special groups". *Child: Care, Health & Development, 25* (6), 429-446

34) LaMorte, W., W. (2019). "*The Social Cognitive Theory*". Boston University School of Public Health. Published on September 9, 2019. Available at:

35) https://sphweb.bumc.bu.edu/otlt/mphmodules/sb/behavioralchangetheories/behavioralchangethe_ories5.html louri, E., & Buchanan, A. (2004). "Early father's and mother's involvement and child's later educational outcomes". *British Journal of Educational Psychology, 74*(2), 141– 153. https://doi.org/10.1348/000709904773839806

36) Lytton, S. (2010). "*Problems and Issues in Education*". NewBook. Makhe Sons, USA.

37) Maingi-Lore, M. (2016). "*Factors influencing academic performance of students with special needs in institutions of higher learning: The case of middle level college in Machakos county, Kenya*". Thesis: University of Nairobi.

38) Makoko A.J.L. and Chimutu, P. (2007). "*The Catholic University of Malawi Baseline Study Report on the Status of Special Needs Education in Malawi*". Catholic University of Malawi: Blantyre. p. 1-32.

39) Massie, B. (2006). "*Participation – have we got an Attitude Problem?*". Paper presented in the NDA 5th Annual Conference Civic, Cultural and Social Participation: Building an Inclusive Society Dublin, Ireland, 16th November.

40) Mast, S., L. (1995). "*Differences in Academic Achievement Motivation Among Retained, Special Education, and Regular Education Students*". Masters Theses: Eastern Illinois University. Available at: https://thekeep.eiu.edu/theses/2312

41) Mohamed, A. (2020). "The awareness of special needs Teachers of the Electronic – learning importance in Sultanate of Oman". *Generation Journal of Humanities and Social Sciences, Issue 66*, page 151.

42) Nowicki, E., A. (2005). "A cross-sectional multivariate analysis of children's attitudes towards disabilities". *Journal of Intellectual Disability Research: 7* November 2005. Available at: https://doi.org/10.1111/j.1365-2788.2005.00781.x

43) Qamsh, M & Al-Saeeda, N. (2008). "*Recent issues and trends in special education*". Dar Al Masirah for Publishing, Distribution and Printing, Amman.

44) Pajares, M., F. (1992). "Teacher Beliefs and Educational Research: Clearing Up a Messy Construct*". Review of Educational Research, 62* (3), 307-332.

45) Pollock N. MD. & Steward D. (1990). "A survey on Activity Patterns and Vocational Readiness of Young Adults with Physical Disabilities". *Canadian Journal of Rehabilitation, 4*, 17-26. Reichman, N, E., Corman, H., & Noonan, K. (2008). "Impact of child disability on the family". *Maternal and Child Health Journal. 12*(6), 679-683.

46) Reschly, D. J. (1996). "Identification and assessment of students with disabilities". *The Future of Children 6* (1) 40-53. Retrieved from http://www.jstor.org/stable/1602493\

47) Resnik, M.D. & Hutton, L. (1987). "Resilliency among physically disabled adolescents". *Pediatric Annals, 17*, 796-800.

48) Shapiro, A. H. (1999). "*Everybody Belongs: Changing Negative Attitudes Towards Classmates with Disabilities*". 2 World Member Libraries Worldwide: 63.

49) Singh, D. K. (2003). "Students with disabilities and higher education". *College Student Journal, 37*(3), 367-375.

50) Stinnett, T.A., Oehler-Stinnett, J.J., & Stout, L.J. {1991). "Development of the Teacher Rating of Academic Achievement Motivation: TRAAM". *School Psychology Review, 2* .0. (4), 609-622.

51) Toroitich, M. (2019). "*Factors influencing academic achievement of pupils with learning disabilities in public primary schools in Koibatek sub country, Baringo county, Kenya*". Thesis:

52) Africa Nazarene University. Available at:
https://www.repository.anu.ac.ke/bitstream/handle/123456789/622/MARGARET%20TOROITICH_%20MED.pdf?sequence=1&isAllowed=y

53) Voh, J. (1993). "*On Belonging: A place to stand, a gift to give*". în A.P. Turnbull, J.A.Patterson, S.K. Behr, D.L. Murphy, J.G. Marquis, MJ Blue-Banning (Eds) CognitiveCoping, families and disability (pp. 151-163) Baltimore: Brookes.

Living between two cultures: Muslim Women's Identity in Soueif's "In the Eye of the Sun" & "Janmohamed's Love in a Headscarf: Muslim Woman Seeks the One"

Elsayed Abdalla Ahmed

English Department, College of Arts, Jouf University

ABSTRACT: This study aimed at negotiating the paradoxical representation of Muslim women identity in two literary text; Ahdaf Soueif's *In the Eye of the Sun* (1992) and Shelina Zahra Janmohamed memoir *Love in a Headscarf* (2009) in a multicultural British society. These two texts show and explore a third space, reclaiming Muslim identity reconciled with Britishness. The two texts run against Orientalist perspective that respectively represent Muslim women as concubines, harem and other apparatuses of female subjugation and thus gives Muslim women a demeaning identity. Both authors refuse to fit into the conventional categories and stereotypes of subservient Muslim women portrayed by Orientalists. Moreover, they attempt to make sense of being British and Muslim and dispel the assumed irreconcilability between Islam and many key traditional British values. Instead of rejecting their Muslim identity, they reconcile it with Britishness. They belong to a British-based growing group of writers who capture the various moments of their life in Britain as Muslims as well as British citizens. The two texts undermined the dominant narratives of Muslim women as silent victims by means of representations of love, sex, romance in multicultural Britain.

KEYWORDS: hybridity; Islam; liminality; third space; veil

1. INTRODUCTION

Ahdaf Souief and Shelina Zahra Janmohamed create possibilities for articulations of Muslim femininity that move beyond the binary. Hybridity is a product of the post-colonial era where 'the diasporic arrivals adopt aspects of the host culture and rework, reform and reconfigure' producing a new culture (Bhaba, 2005, p.71). A comparative study of both texts will expose how the two authors deal with the effects of dynamic upbringing and identity in their fictional writings. This analysis will be preceded by a discussion of the existing body of academic theories on the topic of hybridity in postcolonial studies. The Third Space is an in-between state which is characterized by ambiguity and ambivalence (Bolatagici, 2004, p.78), where the traditional binaries of culture 'enter, encounter and transform each other' (Papastergiadis, 1997 cited in Werbner and Modood, 1997, p.258). Souief's and Janmohamed's protagonists experience a sense of in betweenness or liminality. Liminality is successfully negotiated a hybrid identity of Eastern and Western cultures.

2. DISCUSSION

Ahdaf Soueif's fiction shows that no one can describe with certainty who s/he is, as Edward Said (1994) says, "No one today is purely one thing" (p. 407), In her fictional writings, on the other hand, hybridity is consolidated as a theme and expressed either peacefully as the condition of bilingual/bicultural upbringing. Geoffrey Nash (2009) states that education creates isolation and exile. Amin Malak (2005) describes Soueif's fiction as a hybrid of numerous forms, East and West, urban and rural, and classical and modern (p. 127). In the Eye of the Sun, Soueif explores many polemical issues she often discusses in her writings such as nationalism, identarian Islam, gender politics and female sexuality. The book is a dense epic-length novel that expands into eight hundred pages depicting the emotional, sexual and intellectual journey of Asya in Egypt and England. Asya is portrayed as a contemporary hybrid; an Arabic speaking woman who speaks English as though "she'd 'just come from Oxford'" (Soueif, 1999, p. 97). Asya is obsessively concerned with her sexuality and intellectual identity throughout the novel.

3. NARRATION

When Saif and Asya meet at the library steps, Saif calls Asya by her first name, and he will never call her by her name after that. Asya narrates the same scene and the voice of Said limits her sentences and subverts the normal rules of narrative: "he was proud of his perfect feet and his smooth, muscled, brown back. 'So what the hell did you feel when you touched the bastard'" (Soueif, 1999, p. 99). Boccardi (2004) describes their encounter as "epidermic" (p. 316) and it is seen that the multiplicity of perspectives

Living between two cultures: Muslim Women's Identity in Soueif's "In the Eye of the Sun" & "Janmohamed's Love in a Headscarf: Muslim Woman Seeks the One"

decentres the consciousness in the novel when the reader learns in the opening that Asya will betray Saif. Booth (1994) emphasises that the first-person musings of Saif "cut across our intimate knowledge of Asya" (p. 204). As a correlative way of interpreting, Asya's narrative stands as a testimony and after-narrative because it is clear that she knows Saif as if they met long ago.

She draws flowcharts about her emotions and rejects when Saif wants her to describe her betrayal in a flowchart. She theoretically and coldly defines the components of life: "Love: a quarterly visit to a husband who treats her like a pet; to be indulged and given treats as long as she behaves – a husband who turns his back on her every night" (Soueif, 1999, p. 353). She criticizes Saif because he likes naming feelings. She likes exams because they are defined and finite and when she writes her dissertation, only one category does not trouble her: time. The novel's conclusion reasserts her contradictions and does not solve them because ambivalence is at the center of the novel, and hybridity and alterity keep this center at the center.

Like Dorothea, Asya constructs her identity as a response to her husband and her increasing understanding of her marriage puts her in a confining cul-de-sac. Gerald wants her to excise herself completely and to survive, as a subaltern female, on the negativity of annihilation. He wants her to be his self-reflection. Post-colonial voice stems from the web of filaments that maintain her connection to Egypt, and she recognizes that she cannot reconcile either with England or Egypt, but with her hybridity. The ending shows that she can do this, as Edward Said (2012) says

Soueif does not in the end fall for the East versus West, or Arab versus European, formulas. Instead, she works them out patiently, and then goes with Asya, who is neither fully one thing nor another, at least so far as ideologies of that sort are concerned (p. 410).

3.1. A novel of self-discovery in the midst of clashing cultures. her self-discovery is filled with self-doubt, self-contradiction and sometimes self-destruction

This section attempts to explore and evaluate the hybridity in Souief's *In the Eye of the* Sun and the ways in which Souief interweaves the Eastern (Arabic-Islamic) tradition with the Western tradition(s). Souief's text rests on ambivalence and hybridity. Indeed, living in the in-between spaces and between two different worlds brings the person a merged identity and full of ambivalence and contradictory. Ahdaf Souief's *In the Eye of the Sun* (1992) voices intercultural love and marriage of Asya al-Ulama. Asya has been trapped between two cultures. Yet, characters' hybrid identities and the situation of being torn between two identities, two spaces and cultures led to a traumatic and painful experience along with a psychological disturbance. Asya, harbors the values of two different cultures; Egyptian and British cultures but, unlike, Shelina, cannot integrate them into a coherent whole. She is a young Egyptian woman who grows up in an upper-middle-class family in Cairo and travels to England to do her Ph.D. Asya's family is 'secular' (Ahmed, 1993). Asya's father is an image of an educated and open-minded man, but at the same time, he is "patriarch". Asya's mother is successful and empowered woman, but behind the closed doors she is submissive wife. Asya inherits from her mother "a whole freer way of life and thought" (Soueif, 1999, pp. 458-459).

The novel details Asya's relationship with her husband Saif Madi and her English lover Gerald Stone. Saif refuses to consummate their sexual desires before marriage despite Asya's insistent requests,because they 'are not married.' (190). The unconsummated relationship led to Asya's loneliness which has been intensified by her husband indifferent attitude. In addition to Asya's suffering is her unexpected pregnancy "You are pregnant. You're a married woman and you are pregnant. (261). Asya's reaction reflects her desire not to have a child now since things are not going well with Saif as they hardly sleep with each other and, at the same time, she doesn't want to live on pretence that she is the happily perfect wife when she is not (444). In an act of resistance of her painful situation, we find Asya falls in love with Mario and Umberto. (391). After thinking of more than one man other than her husband, she has met Gerald Stone, an English man, with whom she has a complicated affair; an affair of which she doesn't feel guilty (550). In spite of her failed marriage with Saif and a disastrous affair with Gerald, Asya has eventually reached her own individuality (Valassapoulos, 2008, p. 126). She eventually completes her doctorate and then returns to Egypt. When she goes back to Egypt and starts teaching at the university, she ridicules the way the veiled girls look by describing them as 'those who wear those horrible long pastel-coloured gowns, the gloves and the angled veil; they've screened themselves off entirely, held on to their privacy' (Soueif 2000, p. 753). Asya seems to be in binary opposition to the veiled student and all 'the others who thought like her', representation of either a pure, veiled East or a degenerate West (Chakravorty ,2007, p. 146)

To conclude, Asya harbors the values of two different cultures and cannot integrate them into a coherent whole. Asya behaves conservatively in Egypt and keeps the western values in England. She swings between the values of the Egyptian culture of chastity and western culture of sexual freedom. In the following section I shall discusses Love in a Headscarf's liminality in order to articulate concerns similar or rather dissimilar to those found in Souief's *In the Eye of The Sun*.

3.2. Shelina Zahra Janmohamed's Love in a Headscarf: Muslim Woman Seeks the One
Janmohamed's *Love in a Headscarf* can be regarded as a response to a long tradition of Orientalist and neo-Orientalist literatures. Her literary revolution constitutes a post-colonial intervention and a departure from the usual *conflict between the colonizers and the once-colonized*, as it includes a cultural battle "between those within the same culture, where one adopts a colonial perspective

toward those who challenge them". This new literary tradition seeks fulfilment through Islam which is not confined to any geographical boundary. *Love in a Headscarf* is a memoir, a Bildungsroman and, and chick lit novel. Evaluating Muslim matrimonial sites such as 'Buxom Aunties' and other fixers, who are depicted in *Love in a Headscarf* (2009: 46) as setting up meetings with potential husbands. Without straying too far from our primary focus, it should also be observed that chick lit in general and Janmohamed's work in particular often reinforce traditional gender binaries. She reframes British Muslim female sexuality as happy, healthy and ordinary. The Internet is regarded as a convenient and efficient space in which to find a fellow Muslim life partner without having to adjust to the risky world of '"Western-style" dating' (2016: 92). She suggests, 'discussions that were already happening about Islam and sexuality, pushing for greater openness and understanding' (2016: 189). She then moves swiftly on to repeat a rather conservative point made in 'What Muslim Women Really Want in the Bedroom' – namely, that the modern world's 'highly sexualized' atmosphere is difficult and fraught for 'those Muslims who want to live a chaste life – especially in environments where virginity is often seen as freakish' (2016: 189; see also 2013: n.p.).

Janmohamed refers religion to the private sphere. Janmohamed integrates an experience of speed dating into *Love in a Headscarf* by depicting the 'paired' couples at the event dissolving into the multitudes surrounding the sacred Kaaba at Mecca on her subsequent Hajj pilgrimage. Watching the respectful crowd, her narrator positions love as a communitarian:

> "I had been searching to find a partner to love and had been trying to learn about Divine love. In front of me now I realized that there was one more kind of love that was essential: the love for other human beings" (2009: 246).

To conclude, *Love in a Headscarf* can be regarded as one of the foundational pieces of global "Islamic literature" that articulate the life stories of Muslim women who "are neither victims nor escapees of Islam but willingly committed to their faith", they rather gain activity from Islam and hence do not need any Western rescue mission to counteract patriarchy. Widely regarded as Islamic feminists, Janmohamed invents and as well as initiates new forms of conversations across what were previously thought to be unbridgeable gaps. Importantly and Janmohamed indirectly and subtly fictionalize the concept of the so-called dar al-Islam (literally abode of Islam) as one not confined to any territorial limits. It is rather a question of security and insecurity and the freedom for Muslims to practise their religion. In her respect, the question—not generally asked in reference to other religious groups—whether British Muslims are British first or Muslim first is irrelevant. If both Islam and Britishness were territorial entities, then Muslims would have to make a choice. But Islam crosses spatiotemporal boundaries and has the potential to feel at home in various parts of the world; hence, it cannot be equated with spatial differentiation or geographical space. By presenting Muslim women's identity in such an open and enabling way, Janmohamed writes back to multiple discourses that project Islam and Muslim women in a narrow and essentialist way. The protagonist in Janmohamed's Love in a Headscarf is in continuous conflict not necessarily with the West, her difficulty is not defined in geographical terms and hence she does not harbor any hatred to the host society which enables her Muslim identity.

4. CONCLUSION

Souief's and Janmohamed's personalities appear to have been influenced by their parents as well as western education. They belong to a British- group of writers who quench their thirst for alternative narratives and capture the various moments of their life in Britain as Muslims. *Love in Headscarf* investigated the failure of secularism and re-emergence of Islam. Her image of Islam and Muslims is and more authentic Muslim voice. Janmohamed adopts Islam as her first identity in metropolitan London, to be inside both of them, unlike some of the western writers who look at Islam from outside, and unlike, too, those Muslim writers who look at the West from the outside. She builds into her writing a constructive spirit which attempts to facilitate better understanding of each other's cultures. By contrast Soueif's is in harmony with the immigrants gradually absorb the values and norms which predominate in their host society. Unlike, Souief, Janmohamed adjusts the conventions by reorganizing them within an Islamic framework, where the text departs from sexual relations. Janmohamed's and Souief's enact alternatives to the perceived binary between Islam and the liberal values. Souief's protagonist Asya suffers in the host society of London, but it is also the place where she re-discovers herself. Equally, Janmohamed's protagonist does not harbour any hatred to the host society which enables her Muslim identity. D'Alessandro (2011) emphasizes that Soueif's female characters cannot manage to see themselves as "integrated subjects" (p. 44)

REFERENCES

1) Allen, Halliday, F. 2010 (2nd ed.) Britain's First Muslims: Portrait of an Arab Community,I.B. Tauris & Co Ltd, London.
2) Ahmad W. and Evergeti V. 2010. The making and representation of Muslim identity in Britain: conversations with British Muslim 'elites.' Ethnic and Racial Studies. Vol.33 No. 10 November 2010 pp. 1697-1717
3) Bolatagici, T. 2004. "Claiming the (N)either/ (N)or of 'Third Space': (Re)presenting Hybrid Identity and the Embodiment of Mixed Race," Journal of Intercultural Studies 25(1): 75–85.
4) Barbara Stowasser, Women in the Qur'an, Traditions and Interpretation (New York: Oxford University Press, 1994), 49.

5) Chakravorty, Mrinalini, 2007. To undo what the North has done: fragments of a nation and Arab collectivism in the fiction of Ahdaf Soueif. In: Nawar Al-Hassan Golley, ed. Arab women's lives retold: exploring identity through writing. Syracuse: Syracuse University Press, 129–154

6) Cohen, P., 2012, Recognising the Inferno that Which is Not: Reflections on Writing a Memoir. History Workshop Journal, Issue 74, 173-191, Oxford University Press,Oxford

7) Hoogvelt, A. Globalization and the Postcolonial World: The New Political Economy of Development. Baltimore: The John Hopkins University Press, 1997. Print.

8) Haleh Afshar, 'Can I see your hair? Choice, agency and attitudes: the dilemma of faith and feminism for Muslim women who cover', Ethnic and Racial Studies (Vol. 31, no. 2, 2008), p. 412

9) Hassanpour, Farough and Ruzy, Suliza Hashim. (2012). Reading Forough Farrokhzad's.

10) Jelodar, Esmaeil Zeiny, Noraini, Md. Yusof and Mahmoodi, Khalil. (2013). Bearers of Culture: Images of Veiling in Marjane Satrapi"s ersepolis. 3L: Language Linguistics Literature, Southeast Asian Journal of English Language Studies. 19(2), 65-74.

11) Malak, A. (2005). Muslim narratives and the discourse of English. Albany: State University of New York Press.

12) Pnina Werbner, 'Veiled interventions in pure space: honour, shame and embodied struggles among Muslims in Britain and France', Theory, Culture and Society (Vol. 24, no. 2, 2007), p. 191.

13) Poetry from the Perspective of Systemic Functional Linguistics. GEMA Online Journal of Language Studies. 12(3), 923-937.

14) Soueif, A. (1999). *In the Eye of the Sun*. London: Bloomsbury.

15) Shelina Zahra Janmohamed, Love in a Headscarf, Boston: Beacon Press, 2009.

16) Valassopoulos, A. (2008). Contemporary Arab women writers, cultural expression in context. Retrieved fromhttps://www.routledge.com/Contemporary-Arab-Women-Writers-Cultural-Expression-inContext/Valassopoulos/p/book/9781138010345 .

17) Wendy K. Kolmar and Frances Bartkowski, "Lexicon of the Debates," in Feminist Theory: A Reader, 2nd ed. (New York: McGraw Hill, 2005), 60.
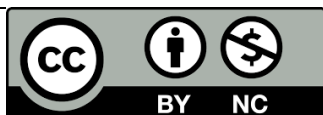
Some Issues on Improving Learners' Creative Thinking Competence

Ta Thuy Nguyen Duong

PhD student in Philosophy, Course 26.2, Academy of Journalism and Communication

ABSTRACT: One of the trends in the primary and comprehensive renovation of education in Vietnam today is the promotion of learner-centered teaching methods, moving from the content-based educational program to the competency-based learner approach. That is, interested in what learners can apply through learning. Therefore, studying the general problems of creative thinking skills is essential to guide the learner's approach. Within the scope of the article, the author focuses on the analysis of available theoretical concerns about creative thinking and offers some suggestions to promote creative thinking skills for learners.

KEYWORDS: competence, creative thinking, learners

1. SOME GENERAL THEORETICAL ISSUES ABOUT THINKING, CREATIVE THINKING AND CREATIVE THINKING SKILLS

1.1 Thinking

Thinking is a high stage of the cognitive process, going deep into nature and discovering the laws of things in forms such as symbols, concepts, judgments, and inferences. According to the dictionary psychology, thinking is a psychological process that reflects the essential properties, relationships and internal relationships of things and phenomena in objective reality that we did not know before. According to the dictionary of philosophy, thinking reflects the objective world in concepts, judgments and theories. Thinking appears in human social production and is indirectly responsible for reflecting reality (Dictionary of Psychology, 2001; Hayes & Stratton, 2022, p. 376).

From the above statements, it can be seen that thinking is a product of the human brain and is a process that positively reflects the objectively real world. In doing so, the author believes that thinking is a process of perceiving and remembering what people do not know about the objective world through forms such as judgment, inference, and observation. Thinking is a dynamic and creative process that leads to a specific result.

1.2 Creative thinking

1.2.1. The concept of creative thinking

Creative thinking is thinking activities that give rise to new initiatives, and these activities must be innovative, different and unique. Creativity creates anything that is both novel and valuable simultaneous (within a specific application) (Phan, 2005, p. 92). It means that in any area of everyday life of the physical and mental world, things that are different from the already existing ones of the same kind have the potential to bring about new benefits or to improve those that already exist properly applied in specific spatial and contextual conditions is called creativity. Therefore, it can be defined that "creativity is the process of coming up with a new idea or new way of looking at an issue or an existing thing in a suitable time and space. This new idea or different perspective brings the most value determined".

1.2.2. The nature of the creative thinking process

Creative thinking is a process with the following characteristics:

(1) Flexibility: The plasticity of thought is the ability to quickly go from one intellectual activity to another, from one thought manipulation to another, to use activities, synthesis, comparison, abstraction, generalization, concretization, and methods of reasoning such as induction, deduction, analogy. It is easy to switch from one solution to another and correct when obstacles arise.

(2) Fluency: The fluidity of thinking is reflected in the ability to quickly establish a relationship and synthesis between the individual elements of situations and situations and to and with new hypotheses. Fluency is characterized by the ability to generate a certain number of ideas. The more ideas they have, the more likely they will come up with a unique concept.

Faced with a problem to be solved, a person with a sound mind quickly finds and proposes many different solutions and finds the optimal solution. Fluency is also clearly demonstrated in the following two characteristics: (i) Multiple ways of dealing

with situations and finding different perspectives and positions (Gube & Lajoie, 2020). (ii) The ability to consider objects from many different perspectives, to have a vivid view of things and phenomena from many angles, not a fixed, one-sided, rigid view.

1.2.3. Features of the creative thinking process

The creative thinking process has some of the following characteristics:

(1) *Originality:* The originality of creative thinking manifests itself when we think about problems that are often not stereotyped according to rules or common knowledge and how to solve problems flexibly and improvised. For example, a person goes to buy eggs but forgets to bring his bag, only has an umbrella in his hand. Does that become that unique bag if that person's original mind knows how to open an umbrella and turn it upside down? Now, bringing back eggs is not a problem to think about. The originality of thinking requires us to try our best to eliminate the old thinking stereotypes and consider the problem from the point of fresh view from many different perspectives. Creative thinking brings about seemingly impossible things, demonstrating the limitlessness of human thought (Mumford & McIntosh, 2017).

(2) *Diffusion:* When we are asked to name round objects. Ordinary people are limited to everyday objects such as dishes, cups, and so forth. Creative thinkers include round and spherical things and car wheels and human organs, animal eggs; something as large as the sun, earth, moon or something is small, cells, atoms. When people think creatively, their thinking can be very diffuse and "strange." The degree of diffusion of thought can be considered one of the criteria to evaluate the high or low level. That is why some people call creative thinking diffuse thinking.

(3) *Flexibility:* The flexibility of creative thinking is reflected in the way of recognizing and solving problems from many different approaches. Faced with a problem that needs to be solved, creative thinking helps people to propose many ideas. However, they will choose the one that best suits the situation, space, time, not encapsulated in the approach and solve problems in a rigid, restrained manner.

(4) *Sensibility:* The sensitivity of creative thinking is the ability to spot problems quickly or lack logic in what already exists. Since then, there has been a need to explore and come up with new ideas to overcome or adjust the problem in a more complete and positive direction.

(5) *Completeness:* Completeness is the ability to plan and coordinate proposed ideas, implement them in practice, test the applicability and practicality of opinions and evaluate the feasibility thought suggested.

1.3. Competence

"competence (also competency) - the ability to do something successfully or efficiently; the scope of a person's or group's knowledge or ability; a skill or ability" "Competence is a set of characteristics or qualities of an individual's psyche, acting as an internal condition, facilitating the good performance of a certain activity" (Nguyen, 2014). Competences are the unique attributes of an individual suitable for the specific requirements of a particular activity that the activity is booming. That is, competence is something special to each person; this particular thing can bring into full play its role with a particular activity, under the characteristics of that activity and increase the effectiveness of that activity (Vu, 2002, p. 117). Similarly, Weinert states that "Competence may be understood as intellectual abilities, that is, an individual's general cognitive resources for mastering challenging tasks across different contents, acquiring the necessary knowledge, and achieving high performance." (Weinert, 1999)

According to OECD (The Organisation for Economic Co-operation and Development), in 2006, after a significant study extensive the required competencies of high school students, it was shown that "A competence is defined as the ability to successfully meet complex demands in a particular context through the mobilization of knowledge, (cognitive, metacognitive, socio-emotional and practical) skills, attitudes and values." (Rychen, 2016)

The above approaches can be defined as competence is a separate attribute belonging to each individual, suitable for specific characteristics of a particular activity or problem, which is a decisive factor and ensure the efficiency of the operation of the matter being carried out. Competence is not a single attribute but rather the total of many interrelated and interrelated factors. Competence is formed, developed and expressed through positive human activities. It can be said that competence development is the ultimate goal of the teaching and learning process.

1.4. Creative thinking skills
1.4.1. The concept of creative thinking skills

In this day and age, when people's awareness has reached a higher level, the thinking ability also requires people in addition to the cognitive ability to create new things to improve the existing ones, constantly advocating and changing to meet the needs of society.

According to American psychologist Willson M., "creativity is the process whose result is the creativity of necessary new combinations of ideas as energy, units of information, objects or combinations of two or three stated elements"; or "creating, basing on existing ideas as documents, then cropping, selecting, synthesizing to form a new image." This concept emphasizes what is known as the basis for creativity.

Some Issues on Improving Learners' Creative Thinking Competence

In the dictionary of philosophy, creativity is defined as "is the process of human activities creating new material, spiritual and qualitative values. Types of creativity are determined by professional characteristics such as science, technology, literature, art, organization, military. It can be said that creativity is present in all areas of the material and non-material world" (Yudin, 1976).

In short, it can be assumed that "creative thinking is the ability to create ideas and products with unique, different and efficient applications in the most space and time. determined".

1.4.2. Manifestations of creative thinking ability

(1) Flexibility

Flexibility is the ability to switch from one mental activity to another quickly, including (i) Easy transition from one mental activity to another; ease of switching from one solution to another; (ii) Thinking without stereotypes, without mechanically applying existing knowledge, experiences and skills to new conditions and circumstances, including changed factors; (iii) Being able to escape the influence of existing experiences, methods and ways of thinking; (iv) Identify new problems in familiar terms.

(2) Maturity

Maturity represents the ability to master thinking, master knowledge and skills, and demonstrate a variety of ways to handle problems when solving problems. Maturity is reflected in the following characteristics: (i) The ability to consider the subject in many different aspects; have a multi-dimensional, comprehensive view of an issue; (ii) The ability to find many solutions to a problem from which to filter the solutions to choose the optimal solution.

(3) Uniqueness

Uniqueness is characterized by the following abilities: (i) The ability to find new associations and combinations; (ii) The ability to find connections in events. The above characteristics of creative thinking are not separate from each other. Still, they are closely related and complement each other, in which originality is said to be the most important in creative expression.

2. SOME SUGGESTIONS TO PROMOTE CREATIVE THINKING SKILLS FOR LEARNERS

Creative thinking tends to discover and explain the nature of things in a new way or create new ideas without any precedent. Creative thinking has many characteristics such as flexibility, maturity, originality, problem sensitivity, criticality, independence, detail, ability to solve problems in new ways.

2.1 General suggestions orientation

Creative thinking skills can be developed in individuals by specific pedagogical methods and measures such as: creating a "creative atmosphere" in the classroom (Tran et al., 2016); teaching learners in their desire and interest in absorbing new things; correct learning motivation orientation; creating challenges and opportunities for students to form the habit of looking at problems from different angles; encourage students to solve problems in many ways, to systematize and apply knowledge in practice; forge the habit of finding new and reasonable solutions to the exercises; using questions to stimulate students' cognitive and discovery needs (Mumford & McIntosh, 2017; Tran et al., 2016; Walberg, 2010); develop the habit of quickly detecting mistakes, lack of logic in the solution or in the process of solving problems

2.2 Some particular recommendations
Firstly, Create a creative environment in the classroom

The creative environment in the school classroom can be understood as a classroom space that stimulates learners' creativity (Tran et al., 2016). A creative environment is considered as the external condition of creative activities. If the environment is good, it will strengthen individual psychoactive properties, developing those attributes that make up creative activities. To create a creative environment for people, we suggest the following ways:

(1) Educating learners with excitement and passion for learning new things. To be creative, students must have passion, desire to know and discover, and learning must become a need and source of joy. Learners can be influenced by satisfaction when they receive appropriate praise from the teacher—suggestions for solving problems when learners tend to be stuck.

(2) Orienting the right learning motivation for learners: Creativity is very important because it is the creative motive that motivates people to be creative. To achieve the goal of developing creative thinking, learners must learn voluntarily. Learning to be self-disciplined requires learners to have a sense of the plans to be executed and create an inner motivation that motivates the learners to carry out activities to achieve those goals. Hence, to develop and orient the learning motivation for learners, the teacher can start from the content directed at the cognitive needs life needs and mobilize high excitement so that the students can be active and self-motivated in acquiring new knowledge.

(3) Creating a challenge - spark creativity: Teaching theory indicates that it is necessary to turn the program's requirements into the cognitive needs of learners by creating mental situations, bringing learners to the climax of the "conflicts" containing difficulties that are suitable for learners. Therefore, to develop creative thinking for learners, teachers need to create challenges using situations exercises of appropriate complexity that require learners to overcome. It will mobilize the highest intellectual efforts in learners.

(4) Removing obstacles that prevent learners' creative activities: The impediments that hinder learners' creativity as fear, over-criticism, and laziness. Because fear makes people less confident in their rich imagination, which sparks creative activities, excessive criticism will make learners lack confidence, blinding all thoughts and creativity. Therefore, for learners to promote creativity, teachers should eliminate the fear and laziness of learners by educating them on courage, perseverance (determination to the end for all learning situations and problems); at the same time, and awareness of behavior towards learners.

(5) Eliminate the psychological obstacle "old thinking path." It is one of the significant obstacles to creative thinking is thinking patterns. In teaching, teachers need to help learners put aside the conventional ways of thinking, experiences to think differently, with different assumptions than usual. It will help the learners overcome the psychological "inertia" in the thinking process, an obstacle to creative thinking.

(6) Encourage creative positivity in learners—exploration and discovery (positivity is the initiative or desire to v). In the learning process of learners, creative positivity is expressed from a low level to a high level as follows: Imitation (activity shown in the effort to follow the pattern of actions, manipulations, gestures) only acts or repeats what has been done, ever done).

Second, Design guided self-study topics according to sub-modules

Self-study is utterly absent from teachers; learners have no contact with teachers and between a form of learning with no interaction between teachers and students. Therefore, learners must be self-reliant through properly designed materials by teachers to acquire knowledge. This situation requires that learners who want to learn effectively are independent. Learners cannot draw self-study, so it is necessary to study how to guide learners and create conditions to carry out self-study activities successfully. Self-study guidance shows learners how to effectively and creatively occupy knowledge and guides learners to self-assess their abilities.

Guided self-study can be done directly between teachers and students: in-class lessons (conversational methods, problem-based teaching methods, active methods of human activities); It can also be done indirectly in the form of assigning tasks (homework, worksheets) can also be done indirectly between teachers and learners through redesigning topics according to a module.

Third, Use homework

Homework and practice are two parts of the teaching job that are very familiar to teachers. These activities allow learners to deepen their knowledge and practice mastery of skills related to the lesson content taught by the teacher in class.

Assigning homework usually has two purposes practicing and preparing new lessons or improving old ones. When homework is given for practice, it needs to be structured around very familiar content. Practicing a skill that students are unfamiliar with has no effect and contributes to making many mistakes and causing misunderstandings. Secondly, as homework, they convey new content to the students or deepen what they have already learned. The effectiveness of homework assignments varies widely, in part depending on the level of detail and precision with which the teacher, as an examiner, provides evaluative comments on the completion of the assignment (Walberg, 1999). Teachers must grade homework and provide detailed feedback for homework to be effective.

Fourth, Use exercises with many solutions

The analysis of the content of the exercise proposes many different solutions, significantly contributing to training the fluency and originality of creative thinking. Depending on each learner's ability, many other solutions can be given. Therefore, teachers can choose and use practices with multiple solutions.

3. CONCLUSION

The promotion of the human factor is one of the driving forces that play a decisive role in the country's development strategy in the current period. That motivation can only turn into strength when each develops creative thinking skills. Therefore, the study of creative thinking skills has profound theoretical and practical significance. The solutions that have been given to promote creative thinking are vital and can be applied quickly to help learners truly become the center of the teaching process. Educational institutions need to increase investment in facilities with a training plan for teachers and learners, especially supporting teachers in the composition and design of lesson topics to develop learners' creative thinking skills.

REFERENCES

1) *Dictionary of Psychology*. (2001). Ves Mir Publishers. [Russian translation]
2) Gube, M., & Lajoie, S. (2020). Adaptive expertise and creative thinking: A synthetic review and implications for practice. *Thinking Skills and Creativity*, *35*, 100630. https://doi.org/10.1016/j.tsc.2020.100630
3) Hayes, N., & Stratton, P. (2022). *A student's dictionary of psychology and neuroscience* (7th ed.). Routledge. https://doi.org/10.4324/9781003158899
4) Mumford, M. D., & McIntosh, T. (2017). Creative Thinking Processes: The Past and the Future. *The Journal of Creative Behavior*, *51*(4), 317-322. https://doi.org/10.1002/jocb.197
5) Nguyen, A. D. (2014). Developing creative capability through rehearsing mathematical research for high school students for the gifted. *Journal of Educational Sciences*(110), 17-19.

6) Phan, D. (2005). *The world inside the creative man*. National University of Ho Chi Minh City Press.

7) Rychen, D. (2016). *E2030 conceptual framework: key competencies for 2030 (DeSeCo 2.0)*.
https://www.oecd.org/education/2030/E2030-CONCEPTUAL-FRAMEWORK-KEY-COMPETENCIES-FOR-2030.pdf

8) Tran, L. T. B., Ho, N. T., & Hurle, R. J. (2016). Teaching for creativity development: Lessons learned from a preliminary study of Vietnamese and international upper (high) secondary school teachers' perceptions and lesson plans. *Creative Education*, *7*(7), 1024-1043. https://doi.org/10.4236/ce.2016.77107

9) Vu, C. D. (2002). *Methodology of scientific research*. Science and Technics Publishing House.

10) Walberg, H. (2010). *Improving Student Learning: Action Principles for Families, Classrooms, Schools, Districts, and States*. Information Age Publishing. https://www.adi.org/about/downloads/ImprvStdntLrng4Web.pdf

11) Walberg, H. J. (1999). *Promoting creativity for high school students*. Culture Information Publishing House.

12) Weinert, F. E. (1999). *Concepts of Competence* [working paper]. Max Planck Institute for Psychological Research, Munich, Germany. http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.111.1152

13) Yudin, P. (1976). *A Dictionary of Philosophy*. Progress Publishers.

Commuter Satisfaction: The Foundation for a Feasibility Study of a New Transportation Terminal

Rosalie Grace S. De La Cruz, D.I.T.[1], Raul D. Deguma, ME[2]

[1,2]Northern Iloilo Polytechnic State College Estancia, Iloilo, Philippines

ABSTRACT: Commuting is regularly recurring movement between one's place of residence and place of employment, or research, and in doing so exceed the boundaries of their residential group. The research focuses on the urban – rural bus service commuter's satisfaction level in the selected settlements in the Municipality of Estancia. Estancia is to represent the Northern part of Western Visayas. This is still in a developing stage, which is yet to reach the advance level of large town. The main objectives are to evaluate the public transport service quality through commuter's satisfaction survey. A total of 100 questionnaire forms are collected. The result indicates socio – demographic trip characteristics that have affected the level of satisfaction and aspirations of the commuters for potential terminal improvements. It was assessed as acceptability in terms of existing terminal operations, environment, architectural design and location. It offers a deeper understanding of the commuter's attitude towards public transport and the sense of convenience in public transport services. Other than that, it was found that there is a difference between modes of transport in terms of commuter's preferences over public transport. The result will help to improve the quality of operation of transport providers according to the satisfaction, expectations of the various modes of transport and acts as a guide for possible public transport terminal construction.

KEYWORDS: commuter, public, satisfaction, terminal, transport.

INTRODUCTION

Public transportation networks are the most popular, accessible, and widely available means of public transportation in many urban and rural regions across the world. A good public transportation system is required to facilitate economic development, population growth, and the expansion of urban or rural activities. Bachok et al (2014) Current transport systems embraced by many towns and cities, particularly those in the Municipality of Estancia, are not adequate and prepared to meet the needs of settlement types, socio-demographic and trips that are characteristic of a successful urbanization process. Thus these networks reflect a weak picture of general accessibility and mobility in urban or rural parts of the Municipality of Estancia, Philippines. A public transit service can have good connectivity, leading to a secure safe and intelligent transport system that is easy and efficient. Amiril et al (2014) In addition, an effective public transit infrastructure improves personal economic prospects, saves electricity, saves money and decreases environmental impacts.

Increased travel demand and expectations for private vehicle use are driving fast motorization in many nations worldwide. The majority of residents are now highly reliant on private motorized transportation. The beauty of the vehicle, as well as the eagerness of the people to drive, contributed to this impact. Greater private motorization has led to increased road congestion, resulting in lengthier commute times for many households. Aside from pollution, private motorization frequently compromises the safety of handicapped road users, necessitates the use of non-renewable energy, and poses substantial difficulties to the quality of human environments. To avoid further difficulties caused by this increase in motorization, many experts and governmental decision-makers highly suggest that many cities have an appealing public transit service as an alternative mode of transportation.

In practice, however, if service quality is poor and inefficient, public buses, vans, and PUV services appear to degrade the transportation system. There are a number of issues with public transportation systems, including infrastructural limitations, the employment of low-quality public buses and interchange facilities, the nuisance fleet, the dispatch of low-passenger routes, and excessive waiting periods. Rohani et al (2013) As a result, specific measures to analyse the current performance of the transportation system should be enforced in order to encourage high-quality delivery of existing transportation services. The usual level of service (LOS) of public bus, van, and PUV operation or the degree of customer satisfaction may be used to assess the quality of transportation services. Ismail et al (2012) , Kamaruddin et al (2012), Noor et al (2014) In order to offer effective and efficient public transportation networks, transportation partners in the Municipality of Estancia must assure service supply. This is to maintain the current loads of travellers, which will surely increase in the future.

Commuter Satisfaction: The Foundation for a Feasibility Study of a New Transportation Terminal

The Estancia Passenger Terminal is the subject of this investigation. Estancia is located in the northern portion of the province of Iloilo, roughly 135 kilometres (84 miles) from the regional center of Iloilo City. The population is 48, 546 people, according to the 2015 consensus. High population growth and positive demographic trends would imply a high need for travel both today and in the future. The present passenger terminal in Estancia lacks the essential amenities to serve the public. There are no restrooms or a shaded waiting area for tourists, and the area is not built of concrete.

OBJECTIVES OF THE STUDY

The purpose of this research was to assist the current transportation systems in the Municipality of Estancia as well as to build a sustainable public transportation infrastructure for the future public transportation terminal. Specifically examine the socio-demographic and travel variables that have influenced commuter satisfaction with prospective terminal alterations. In addition, the acceptability of present terminal operations, environment, architectural design, and location of the existing terminal must be determined.

MATERIALS AND METHODS

Using a descriptive research approach, the study's objective is to determine commuter satisfaction with Estancia's existing passenger terminal.

This section explains the research technique utilized in this article, as well as the study focus, site selection, methodologies employed, and processes used in the selection process. This study made extensive use of descriptive research architecture.

Site Selection

The original study method was to find potential interviewees and a suitable field location, namely a terminal inside the Estancia district, which was shown to be inappropriate and inadequate for commuters to fully meet their demands.

Selection of Respondents

Respondents to this survey were randomly chosen passengers from the Estancia Passenger Terminal. Using Sloven's algorithm formula to be able to figure out the error of tolerance. With a confidence level of 90% giving a margin error of 10%, the number of respondents is 100. It was computed by taking first the real amount of the overall population of commuters every day. The precise number of passengers utilizing the terminal from 2:30 a.m. on the first trip of the day to the last journey was observed in order to meet the average passenger population for the whole day. It is 6:30 p.m. As a consequence, 389 bus commuters, 380 truck commuters, and 143 jeep commuters made up the total of 912 terminal commuters.

Locale of the Study

The investigation was carried out at the Estancia Passenger Terminal in Barangay Bayuyan Estancia, Iloilo, Philippines. Estancia Municipality is located in the northern section of Western Visayas.

Sampling Criteria

The research is descriptive in nature. A survey of commuters who use the Estancia terminal was undertaken. The Estancia Terminal, however, is the sampling frame. On-board passengers aged 12 to 60 are the target demographic. The age range was chosen because, historically, these people used public transportation on a regular basis. Ismail et al (2012). During an on-board survey of four predetermined pathways, a total of 100 survey questionnaire forms are given and collated utilizing a simple sampling technique.

Table 1. Distribution sampling unit for on board survey

Locality	Terminal	No. of Respondent	Percentage %
Batad	Estancia	22	22%
Sara	Estancia	27	27%
Iloilo	Estancia	18	18%
Balasan	Estancia	33	33%

Data Gathering Instrument

This study makes use of a questionnaire created by the researchers. The study instrument is intended to assess commuter satisfaction with the current Estancia passenger terminal. It is divided into two sections. Part one gathered respondent's information which includes types of passengers, name, age, gender of respondent, residence, employment status, place of destination, and mode of transportation. Part two determine the level of satisfaction of commuters which is sub-divided into four categorized components of questions with regards to operations, environment, design, and location of the existing Estancia passenger terminal.

Commuter Satisfaction: The Foundation for a Feasibility Study of a New Transportation Terminal

Data Gathering Procedure

Several bus, van, and PUV trip sessions are surveyed during the day's service. On-board passenger replies are mostly recorded between 4:00 a.m. and 7:00 p.m. for bus trips, 2:00 a.m. to 7:00 p.m. for truck trips, and 7:00 a.m. to 5:00 p.m. for PUV trips. There are four distinct routes with the minimal aim of capturing 100 commuters on four different routes throughout the given duration.

On – board transit survey

The on-board, face-to-face survey method was utilized to collect the commuter's demographic and trip characteristics. On-board transit is the most effective survey to collect credible and precise statistics Yaakub et al (2011) .

During the on-board survey, the passenger satisfaction and ambition survey is used. Normal questions on the respondent's history, the kind of travelers, the point of arrival, and the mode of transportation will be utilized and filled out by the enumerators.

Reliability

The self-created questionnaire, which was responded by four classes, namely: working age (55 years old), college age (18-25 years old), secondary student age (13-17 years old), and retired age (above 60 years old), revealed a consistency of replies. By ensuring anonymity, secrecy, and overall physical comfort, the physical and psychological environment in which data is acquired has been eased. To maintain anonymity, respondents were advised not to provide their names on the form.

Validity

The consistency with which the questionnaire was administered ensured that the content was relevant. All surveys were provided directly to the respondent by the researcher. For clarity and simplicity of comprehension, the questions have been written in simple English. The respondent was given specific instructions, and the researcher finished the questionnaire for those who couldn't read it. Many of the respondents completed the surveys in the presence of the researcher. This was done to dissuade respondents from entrusting surveys to others to fill on their behalf. The questionnaire was forwarded to the researcher statistician for validation. As a result, more concerns have been included to provide greater representation. Some questions were re framed to make them easier to understand, and more relevant other response choices were added to the closed – completed questions to allow for proper data interpretation. Risks to external legitimacy may be evaluated, according on the number of people who were contacted and rejected to participate in the survey.

Data Analysis

After the data was processed, it was organized and evaluated. Closed-ended inquiries were evaluated using the Statistical Package for Social Science (SPSS) program. Descriptive statistics were used to analyse the data. Frequency tables were created, and the data was shown in pie diagrams and bar graphs. The researcher used a quantitative content analysis to evaluate the open-ended questions in order to quantify emergent features and notions.

Table 2 shows a 5-point scale with the appropriate description and clarification used as a way of labeling to assess commuter satisfaction with the new Estancia Passenger Terminal.

Table 2. Scale Used in Interpreting the Data on Commuters' Satisfaction with the Existing Estancia Passenger Terminal.

Mean	Interpretation/Categories
4.21 – 5.0	Very Satisfied
3.41– 4.2	Satisfied
2.61 – 3.4	Neutral
1.81 – 2.6	Dissatisfied
1.0 – 1.8	Very Dissatisfied

Interpretation Table

The interpretation for traveller satisfaction with the present Estancia Passenger Terminal was based on a weighted means computation performed using IBM SPSS Statistics version 19. At the start of the investigation, it was determined randomly that the weight means would be interpreted as follows:

Table 3. Scoring System for Data Interpretation.

Numerical Value	Description	Interpretation
5	Very Satisfied	Practices and Implementation of standards of the component being set are properly followed with utmost effort exceeds the expectation.

4	Satisfied	Practices and Implementation of standards of the component being set are properly followed with consistency and efficiency.
3	Neutral	Practices and Implementation of standards of the component set are inconsistent, lenient and occasionally followed.
2	Dissatisfied	Practices and Implementation of standards of the component set are observed rarely and minimal.
1	Very Dissatisfied	Practices and Implementation of standards of the component set are not observed, functional, or trailed.

Limitation

The outcomes in this study are subject to the data gathered based on the analysis convenience and the authorization granted by the operators. Within one day, data is collected during the off-peak hours of public transportation services. Furthermore, statistics were obtained on school days in several metropolitan areas, such as the Municipality of Estancia. Findings may change if the survey is conducted over a longer period of time or if more money is invested in an on-board survey for more than one trip/route, even if the survey is conducted by a larger number of enumerators. Despite the approach's flexibility to diverse case studies, there are several significant flaws. A variety of planned time-limits for data collection could not be fulfilled during a thorough survey owing to bus breakdowns, driver behavior/attitude difficulties, and modified/altered schedules, frequency, and route defixing. The scenario with buses, vans, and PUVs varies from ride to ride. Buses, vans, and PUV bodywork, engines, and comfort and convenience requirements can all be differentiated from one another.

RESULTS AND DISCUSSION

According to the survey, the categories of respondents are mostly commuters who use bus, van, and PUV services as a method of transportation between destinations on a variety of occasions. Out of a total of 100 responders, 39.20% (22-55 years of age), 18% are from the college age group (18 – 25 years old), followed by 20.98% from the student age group (13 – 17 years old), and 7.64% from the senior group (over 60 years of age). Respondents' itineraries in the metropolitan region are predetermined by operators who provide authorization to conduct surveys on their buses, vans, and PUVs. Among those polled, female commuters (58 percent) are more dissatisfied than male commuters (42 percent). In defining the typical characteristics of commuters in public transportation, there is evidence of gender discrepancy.

The overall results of the socio-demographic percentage distributions are based on two components of the socio-demographic surveys (age and gender), which suggest a larger tendency for respondents to be dissatisfied with present bus services. On the other hand, the proportion of passengers of school and college age who are dissatisfied with transportation systems is higher.

The study also revealed that the features of the journey impact the degree of satisfaction among commuters from various towns, with the intent of the trip, mode of public transportation, and distance of the trip being predictors of passenger satisfaction. Observation. The results also revealed that there is a disparity between the socio-demographic factors and the trip features that impact the degree of happiness among respondents, with the geographical area being one of the key variables.

All of these situations illustrate the link between operational, environmental, architectural design, and location issues and the level of satisfaction with bus services. Some variables, such as the outdated bus service plan, the only operator, and the low frequency of bus travels, influence respondents' level of satisfaction.

Table 4. Satisfaction based on the Overall Satisfaction of Commuters.

	Satisfaction	Operation	Environment	Design	Location
Mean	1.7667	2.2667	1.7000	1.5222	1.5111
N	90	90	90	90	90
Std. Deviation	0.68777	0.64998	0.79958	0.65733	0.64030
Median	2.0000	2.0000	1.0000	1.0000	1.0000

Commuter Satisfaction: The Foundation for a Feasibility Study of a New Transportation Terminal

Table 4 indicates the overall satisfaction of the commuters in terms of operation, which has a mean of 2,2667 which is neutral, an environment of 1,700 which is very dissatisfied, an architectural design of 1,522 which is very dissatisfied and a location of 1,511 which is very dissatisfied.

The study indicates that more respondents are unhappy with existing travel systems.

CONCLUSION

In order to improve the existing transportation system, it is necessary to conduct a passenger satisfaction survey using quantifiable metrics for operation, environment, architectural design, and location of the present terminal, as well as comfort and convenience. Satisfaction with current service and prospective ambition toward a variety of quality indicators of these qualities is the best approach to analyse the future trajectory of demand and benchmark, as well as the degree of quality services supplied. Furthermore, the commuter's degree of pleasure indicates the feasibility of the current and future Estancia Terminal Building. The study's findings suggest that demographic and travel characteristics variables impact commuter happiness on various routes. They explain how variables such as terminal operation, environment, architectural design, and the location of the current terminal may impact the services offered, as well as passengers' impression of the quality of the services given. Essentially, the characteristics of the level of transportation service measurement, such as travel time, waiting time, occupancy level, regularity of service or reliability, convenience, cleanliness, and crew conduct, will be directly influenced by the position of the demographic profile of passengers and the characteristics of the journey. Both of these satisfaction characteristics are critical in identifying the true difficulties with bus services at Estancia Terminal. The findings of this study should be regarded as a standard for the development of transportation systems for the future public transportation system, particularly for the reconstruction of Estancia Terminal.

RECOMMENDATION

It is recommended that the commuters who use the Estancia terminal be given suitable action in response to their discontent with the environment, architectural design, and placement of the present Estancia passenger terminal. In terms of the functioning of the Estancia passenger terminal, there is no need to modify processes if there is room for improvement, and researchers are encouraged to do so. For the prospective design and planning of a new transportation hub, collaboration with the Local Government Unit (LGU) is recommended. This study's ongoing growth is promoted in order to meet the demands of the Policy, Management, Engineering, and Construction industries.

REFERENCES

1) Amiril, A., Nawawi, A. H., Takim, R., & Latif, S. N. F. A. (2014). Transportation infrastructure project sustainability factors and performance. Procedia - Social and Behavioral Sciences, 153, 90–98. doi: 10.1016/j.sbspro.2014.10.044.
2) Bachok, S., Osman, M. M., & Ponrahono, Z. (2014). Passenger's aspiration towards sustainable public transportation system: Kerian District, Perak, Malaysia. Procedia - Social and Behavioral Sciences, 153,553–565. doi:10.1016/j.sbspro.2014.10.088.
3) Ismail, R., Hafezi, M. H., Nor, R. M., & Ambak, K. (2012). Passengers preference and satisfaction of public transport in Malaysia. Australian Journal of Basic and Applied Sciences, 6(8), 410–416.
4) Kamaruddin, R., Osman, I., Anizaliana, C., & Pei, C. (2012). Customer expectations and its relationship towards public transport in Klang Valley. Journal of ASIAN Behavioural Studies, 2(5), 29–38.
5) Noor, H. M., Nasrudin, N., & Foo, J. (2014). Determinants of customer satisfaction of service quality: City bus service in Kota Kinabalu, Malaysia. Procedia - Social and Behavioral Sciences, 153, 595–605. doi:10.1016/j.sbspro.2014.10.092.
6) Rohani, M. M., Wijeyesekera, D. C., & Karim, A. T. A. (2013). Bus operation, quality service and the role of bus provider and driver. Procedia Engineering, 53, 167–178. doi:10.1016/j.proeng.2013.02.022.
7) Yaakub, N., & Napiah, M. (2011). Public bus passenger demographic and travel characteristics. IEEE, 1–6.
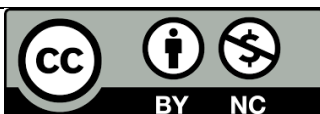
Development of Stem-Based Learning Tools to Increase the HOTS of Class X SMA Students on Environmental Change Materials

Pery Jayanto[1], Suhartini[2]

[1,2]Master of Biology Education, Faculty of Mathematics and Sains, Yogyakarta State University

ABSTRACT: Pery Jayanto, Development of STEM-Based Learning Tools to Increase HOTS of Class X SMA Students on Change Material. Yogyakarta: Faculty of Mathematics and Natural Sciences Yogyakarta State University, 2021. The objectives of this research are (1) to produce STEM-based learning device products in the form of RPP, LKPD and valid assessment instruments so that they are feasible to be applied in learning activities, (2) produce practical STEM-based learning device products that are easy to apply in learning activities, and (3) produce effective learning equipment products to increase the HOTS of class X SMA students on Environmental Change Material.

This research is a research and development (R&D) using the ADDIE model which consists of the stages of analysis, design, development, implementation, and evaluation. STEM-based learning tools developed are evaluated for the validity of the learning tools developed determined from the opinions of experts. Experts in this case are UNY Postgraduate lecturers, material experts and instrument experts who will provide suggestions and assessments related to the validity of the learning tools developed and then tested for practicality on the developed learning tools that can be determined through teacher and student assessments. This assessment is used to determine the responses of users of the learning tools developed. This assessment is about how suitable and easy the learning device is to apply and test its effectiveness on class X SMA students using a quasi-experimental pretest-posttest control group design. Data collection used interview guides, needs analysis questionnaires, validity assessment questionnaires for material experts and learning experts, practical assessment questionnaires by biology teachers and students and students' HOTS tests. The data analysis technique used n-gain and independent sample t-test.

The results obtained based on the research that has been carried out show (1) according to the results of the validation of material experts and instrument experts, the STEM-based learning tools developed are declared valid and suitable for use in terms of construction, material and language aspects (2) the use of STEM-based learning tools in activities practical learning to use according to the teacher's assessment which is assessed from the material aspects, lesson plans and student worksheets, while the practicality of learning tools by students is assessed from the aspect of ease and assistance of students in using LKS, and (3) learning using STEM-based learning tools can increase participant HOTS SMA XI class students on environmental change material with a value <0.05.

KEYWORDS: Learning tools, STEM, HOTS, Environmental Change

INTRODUCTION

Learning tools are tools that are prepared and used to carry out learning activities in the form of a syllabus, learning implementation plan (RPP), teaching materials, and assessment instruments that refer to the content standards (Qamar, 2020). Learning tools are prepared by the teacher referring to the principles of their development and contain components that have been minimally stipulated in the referenced education ministerial regulation (Syakila et al., 2021). Higher Order Thinking Skills (HOTS) is a complex thinking process in describing material, making conclusions, building representations, analyzing, and building relationships involving the most basic mental activities (Misrom et al., 2020). HOTS involves cognitive skills, namely skills to analyze, synthesize (Wijaya & Andriyono, 2020). Students who have HOTS are more open to differences or diversity, are not easy to accept information without evidence or grounded reasons, are not easily influenced or carried away, they are independent in thinking and acting, can distinguish important things and priorities so that they can produce work (Ichsan et al., 2019). In the end, HOTS is needed to improve the quality of human life (Sidiq et al., 2021).

STEM education is an approach in education where Science, Technology, Engineering, Mathematics are integrated with the educational process focusing on solving problems in real everyday life as well as in professional life (Stohlmann et al., 2012). STEM education shows students how concepts, principles, science, technology, engineering and mathematics (STEM) concepts

Development of Stem-Based Learning Tools to Increase the HOTS of Class X SMA Students on Environmental Change Materials

are used in an integrated manner to develop products, processes, and systems that are beneficial to human life (Kennedy & Odell, 2014). Learning tools that are applied in learning activities are applied in the form of a syllabus, lesson plans, LKPD and question instruments. LKPD is a sheet that contains a summary or instructions or steps for implementing work that must be done by students which refers to the competencies that must be achieved. LKPD is developed by applying the STEM pattern known as EDP (Engineering Design Process) or the process of designing a work or machine (Liu et al., 2020).

In this study, the topic of Environmental Change was chosen using the STEM approach because based on the results of the study it contained the scope of knowledge or science related to certain technologies that could be engineered by considering mathematical calculations (Kaleci & Korkmaz, 2018). From a scientific perspective, this topic will discuss factual knowledge about environmental damage/pollution and environmental conservation; conceptual knowledge includes hazardous substances in environmental pollution and recycling processes; procedural knowledge that can be learned includes testing various environmental pollution wastes; and metacognitive knowledge about how to prevent environmental pollution disturbances. In terms of technology, this unit will discuss "Waste Treatment Technology" using a simple water filter or filter. From the engineering side, students will be asked to design filters to minimize environmental pollution by performing some mathematical calculations related to the volume of the designed filter and the required budget. With the STEM approach to biology learning, it can stimulate the creativity and soft skills of students, as has been mandated in the 2013 curriculum.

In implementing the 2013 curriculum in the field, there are still several obstacles in its implementation in schools, one of which is SMA Negeri 1 Wates. From the results of an interview with one of the biology teachers at SMA Negeri 1 Wates who teaches in class X, some of the obstacles expressed include the teacher not being able to make a learning device that is in accordance with the procedures and mandated in the 2013 curriculum, where the learning tools used by the teacher are: obtained by downloading without modifying or developing it first, and the learning is still unsatisfactory in the range of less than 70, namely 63,43 in emphasizing the reasoning level so that it has not been maximized in generating HOTS students in accordance with the 2013 curriculum mandate. 2019 at SMA 1 Wates, the material that is of concern in this research is the subject of biology on indicators of environmental change which is still relatively low with the percentage of students who answered correctly 59,43, while the percentage of students who answered correctly at the provincial level was 68,92 and un for the National level 60,09.

Based on these problems, the researchers tried to conduct a study entitled, "Development of STEM-Based Learning Devices to Improve HOTS for Class X Students of SMA Negeri 1 Wates on Environmental Change Materials". From this research, it is expected to produce products that are suitable for use in order to improve the skills of students in SMA/MA.

METHOD

This research is a Research and Development (R&D) using the ADDIE model which consists of the stages of analysis, design, development, implementation, and evaluation. The developed STEM-Based Learning Toolkit was evaluated for the level of validity of the developed learning device which was determined from the opinions of experts. The experts in this case are UNY Postgraduate lecturers who are material experts and instrument experts who will provide advice and assessments related to the aspects of the validity of the learning tools developed and then tested the level of practicality on the learning tools developed can be determined through teacher and student assessments. This assessment is used to determine user responses to the developed learning device. The assessment was about how suitable and easy the learning tools were to apply and tested their effectiveness on class X SMA students using a quasi-experiment pretest-posttest control group design. Collecting data using interview guides, needs analysis questionnaires, validity assessment questionnaires for material experts and learning experts, practicality assessment questionnaires by biology teachers and students, and students' HOTS tests. The data analysis technique used n-gain and independent sample t-test.

RESULTS AND DISCUSSION
A. Initial Product Development Results
1. Analysis Phase
   a. Field Study Analysis
      1) The school has implemented the 2013 curriculum in class X, so the teacher has also understood the application of the PjBL model as a learning activity which will be presented using the STEM approach.
      2) The low ability to analyze, evaluate, and create students in the conceptual, procedural, and metacognitive domains because biology teachers' knowledge of HOTS is still lacking, this can be seen from the learning tools previously used by teachers that did not contain HOTS.
      3) Learning activities that emphasize the relative increase in HOTS have not been carried out.
      4) Cognitive aspects of remembering and understanding are prioritized in applied learning activities compared to cognitive aspects of analyzing, evaluating, and creating.Sekolah telah menerapkan kurikulum 2013 di kelas X, maka

guru juga telah memahami penerapan model PjBL sebagai kegiatan pembelajaran yang nantinya akan disajikan dengan menggunakan pendekatan STEM.

b. Literature Review

In learning activities regarding learning approaches and skills that need to be possessed by students, it is necessary to conduct an assessment of the development of learning tools in ongoing learning activities. The results of the study show that the learning tools implemented by the teacher in learning activities can increase the HOTS of students.

c. Analysis of Research Needs

Analysis of research needs is based on the results of the analysis of field studies and literature reviews conducted. Based on the results of the study conducted, STEM learning activities can increase students' HOTS. The HOTS of students is improved by training students to use their abilities to try to solve the problems they face independently so that learning objectives are achieved.

2. Design Phase

a. STEM-Based Syllabus Design

The syllabus design refers to Permendikbud Number 22 of 2016 which at least contains subject identity, school identity, KI, KD, subject matter, learning, assessment, time allocation, and learning resources. Based on the components of the syllabus, it is adapted to STEM aspects, especially in terms of material that applies the concepts of science, technology, engineering, and mathematics then learning activities that apply EDP or engineering engineering processes which are important components that must exist in STEM learning which is applied to the syllabus and assessment of learning activities is carried out by measuring tests and non-tests, namely tests are used to measure students' HOTS, while non-tests are used to measure students' attitudes and skills.

b. STEM-Based RPP Design

The design of the RPP refers to Permendikbud Number 22 of 2016 at least containing school identity, subject identity, class/semester, subject matter, time allocation, learning objectives, KD and GPA, learning materials, learning media, learning resources, learning steps, and assessment of learning outcomes. Based on the components of the syllabus, it is adapted to STEM aspects, especially in terms of material that applies the concepts of science, technology, engineering, and mathematics then learning activities that apply EDP or engineering engineering processes which are important components that must exist in STEM learning which is applied to the syllabus and assessment of learning activities is carried out by measuring tests and non-tests, namely tests are used to measure students' HOTS, while non-tests are used to measure students' attitudes and skills.

c. STEM-Based LKPD Design

As one of the learning tools that contains problems where there are natural phenomena that are designed based on everyday life with the help of a STEM approach that is able to assist students in identifying and finding solutions that are realized through EDP or engineering design processes in STEM activities that play a direct role in solving a problem in real life to train students' HOTS to improve.

B. Product Trial Results

1. Development Phase

a. Learning Tool Validation Results by Instrument Experts

The results of the assessment were analyzed statistically using Microsoft Excel, so the average value obtained was 3.38 with very good criteria. The mean value obtained indicates that the STEM-based learning device is valid and feasible to use for this study.

b. Learning Tool Validation Results by Material Experts

The results of the assessment were analyzed statistically using Microsoft Excel, so the average value obtained was 2.69 with good criteria. The mean value obtained indicates that the STEM-based learning device is valid and feasible to use for this study.

c. Limited Trial Results

1) Practicality of STEM-Based Learning Devices according to Biology Teachers

The data on the practicality of STEM-based learning tools were obtained from two biology teachers, then statistically analyzed using Microsoft Excel. Based on the recapitulation of data acquisition from two practitioners in a limited trial, the results obtained an average of 3.65 which in general the product is categorized as very good.

2) Practicality of STEM-Based LKPD according to Students

The results of student assessments regarding the practicality of STEM-based worksheets were tabulated for statistical analysis using Microsoft Excel. Based on the recapitulation of student assessments in the limited trial, the results obtained with an average value of 3.78, in general the product was categorized as very good.

2. Implementation Phase

Development of Stem-Based Learning Tools to Increase the HOTS of Class X SMA Students on Environmental Change Materials

  a. Field Trial
    1) Student HOTS Analysis
      a) Statistical Descriptive Data Results

Table 17. Statistical Descriptive Data Results

	Pretest		Posttest	
	Experiment Class	Control Class	Experiment Class	Control Class
The highest score	67.50	62.50	90.00	83.75
The lowest score	41.25	41.25	70.00	60.00
Deviation Std.	7.502	6.499	6.193	7.242
Average	55.43	48.70	81.42	71.99

    2) Prerequisite Test Analysis Results
      a) Normality Test
         The experimental class data showed normality test results were normally distributed with p-value (sig) = 0.200 > 0.05, while control class data showed normality test p-value (sig) = 0.107 > 0.05, so it was declared normally distributed. Table 18 below presents the results of the normality test.

Table 18. HOTS . Normality Test Results

	Kolmogorov-Smirnov[a]			
	Class	**Statistic**	**df**	**Sig.**
HOTS	Experiment	,129	29	,200[*]
	Control	,148	29	,107

      b) Homogeneity Test
         The results of the homogeneity test of the two classes based on the mean (table test of homogeneity of variance) show the probability results of homogeneous value. Table 19 below presents the results of the homogeneity test.

Table 19. HOTS . Homogeneity Test Results

		Levene Statistic	df1	df2	Sig.
HOTS	Based on Mean	,650	1	56	,423
	Based on Median	,310	1	56	,580
	Based on Median and with adjusted df	,310	1	49,703	,580
	Based on trimmed mean	,631	1	56	,430
	Based on Mean	,650	1	56	,423

      c) Test Independent Sample T-test

Table 20. Results of Analysis of the Independent Sample T-test HOTS

		T-test for Equality of Means			
		T	Df	Sig. (2-tailed)	Mean Difference
Posttest	Equal Variances assumed	5,328	56	,000	9,43103

Tests on the independent sample t-test obtained the results of tcount is 5,328. When comparing ttable with a significance level of 95% and df = 56, namely 2,003, then tcount = 5,328 > ttable 2,003 and it can be seen from the significance level of 0.000 < = 0.05. The analysis results obtained indicate that H0 and Ha are accepted, which means that there is a significant difference between the two classes. Draw the conclusion that the HOTS of students in the experimental class increased because learning biology using STEM-based learning tools on environmental change materials was more active than the control class that did not use STEM-based learning tools.

Development of Stem-Based Learning Tools to Increase the HOTS of Class X SMA Students on Environmental Change Materials

C. Product Revision
 1. Evaluation Phase
    a. Post-Validation Product Revision
     Based on the purpose of validation to get revisions from expert validators. Expert validators provide suggestions for improvement in the STEM-based syllabus, lesson plans, and LKPD sections. Revision in detail at this stage is as follows:
     1) Three-dimensional learning from STEM has not been shown on the question instrument grid and LKPD.
     2) The questions do not meet the HOTS
     3) The material is not presented in the syllabus so it is not possible to assess the breadth and depth in accordance with KD or not.
     4) The material does not exist so that the validator cannot assess the material related because it is not explained in the syllabus or lesson plans.
     5) The questions should be in accordance with the learning indicators, lesson plans and LKPD.
    b. Test Result Product Revision
     Product revisions in the form of input generated at the stage of trial results sourced from teachers and students which are described in detail as follows:
     1) The time allocation given to make the product is not enough, so the product is not optimal
     2) Should be given a limit on the costs incurred
     3) The language used in writing instructions for learning activities should use a simpler language
     4) It is necessary to add a little more information, for example the processing time, so that students can know the time limit.

D. Final Product Study
 1. The Validity of STEM-Based Learning Devices in the Process of Biology Learning Activities
    After obtaining validation data according to two expert lecturers, then conducting an analysis to determine the validity of the product developed. Most of the results of the analysis stated that the product components had been validly used but a small part of the product components had to be revised before being used. Based on all the results of the analysis data obtained, the product developed in the form of a valid STEM-based learning device is implemented in the process of biology learning activities.
 2. Practicality of STEM-Based Learning Devices in the Process of Biology Learning Activities
    The results of the data analysis of the practicality of the product based on the assessments of teachers and students in a limited trial got a very good category. Based on all the results of the analysis data obtained, the product developed in the form of STEM-based learning tools is practically implemented in the process of biology learning activities. Based on the results, according to two biology teachers and students, they stated that the STEM-based learning tools that had been developed obtained very good criteria, which means that the products developed were practical to be implemented by teachers and students during biology learning activities that took place in class.
 3. The Effectiveness of STEM-Based Learning Tools to Improve Students' HOTS
    The results of increasing the average pretest and posttest scores of students referring to the KKM standard of the school in the experimental class and control class prove the effectiveness of the product developed. The results of the analysis on the HOTS result variable, namely the average value of students compared to the standard KKM score so that it can be seen whether there is an increase in the average pretest and posttest scores of students in the experimental class. Based on the results of the analysis, the use of learning tools in environmental change materials is effective in increasing the HOTS of students in the experimental class to a higher level. The average value of N-gain in the experimental class is 0.587 with moderate criteria, meaning that there is a significant change but the value of N-gain is not higher, this can be caused because there are several items with Sensitivity Index (IS) values. with sufficient criteria, so that there are some students who are unable to answer the prettest and posttest questions.

CONCLUSIONS

Regarding the elaboration of the discussion in the previous chapter regarding the research that has been carried out, it is concluded that:
1. The developed STEM-based learning device is valid because it has fulfilled the material, construction and language aspects based on the validation results by material expert lecturers and learning expert lecturers.
2. STEM-based learning tools that are developed are practical for students to use by obtaining an average result of 3.65 which in general the product is categorized as very good according to the teacher's assessment and LKDP obtains results with an average value of 3.78 so in general the product is categorized as very good according to the assessment of students.

Development of Stem-Based Learning Tools to Increase the HOTS of Class X SMA Students on Environmental Change Materials

3. Learning using STEM-based learning tools on environmental change materials effectively helps increase students' HOTS with a value <0.05. This happens because the STEM stage is able to train students' analytical skills in asking critical questions about what they want to create at the ask stage, practice brainstorming skills and develop solutions as much as possible at the imagine stage, and train to evaluate the best ideas in the plan stage. training to create by building products at the create stage which makes ideas come true, and training to evaluate to make products better at the improve stage.

REFERENCES

1) Ichsan, I. Z., Sigit, D. V., Miarsyah, M., Ali, A., Arif, W. P., & Prayitno, T. A. (2019). HOTS-AEP: Higher order thinking skills from elementary to master students in environmental learning. *European Journal of Educational Research*, *8*(4), 935–942. https://doi.org/10.12973/eu-jer.8.4.935

2) Kaleci, D., & Korkmaz, Ö. (2018). STEM education research: Content analysis. *Universal Journal of Educational Research*, *6*(11), 2404–2412. https://doi.org/10.13189/ujer.2018.061102

3) Kennedy, T. J., & Odell, M. R. L. (2014). Engaging Students In STEM Education. *Science Education International*, *25*(3), 246–258.

4) Liu, Z. Y., Chubarkova, E., & Kharakhordina, M. (2020). Online technologies in STEM education. *International Journal of Emerging Technologies in Learning*, *15*(15), 20–32. https://doi.org/10.3991/ijet.v15i15.14677

5) Misrom, N. S., Abdurrahman, M. S., Abdullah, A. H., Osman, S., Hamzah, M. H., & Fauzan, A. (2020). Enhancing students' higher-order thinking skills (HOTS) through an inductive reasoning strategy using geogebra. *International Journal of Emerging Technologies in Learning*, *15*(3), 156–179. https://doi.org/10.3991/ijet.v15i03.9839

6) Qamar, A. H. (2020). Quarantined-at-Home Teaching Experience: My E-Learning Plan and Implementation. *Journal of Teaching and Learning*, *14*(1), 120–132. https://doi.org/10.22329/jtl.v14i1.6250

7) Sidiq, Y., Ishartono, N., Desstya, A., Prayitno, H. J., Anif, S., & Hidayat, M. L. (2021). Improving elementary school students' critical thinking skill in science through hots-based science questions: A quasi-experimental study. *Jurnal Pendidikan IPA Indonesia*, *10*(3), 378–386. https://doi.org/10.15294/JPII.V10I3.30891

8) Stohlmann, M., Moore, T., & Roehrig, G. (2012). Considerations for Teaching Integrated STEM Education. *Journal of Pre-College Engineering Education Research*, *2*(1), 28–34. https://doi.org/10.5703/1288284314653

9) Syakila, S. N. W., Setyowati, W., & Lestari, D. E. (2021). Independent Learning Program Policies in the Preparation of the Thematic Learning Implementation Plan (RPP). *Buana Pendidikan: Jurnal Fakultas Keguruan Dan Ilmu Pendidikan*, *17*(2), 168–174. https://doi.org/10.36456/bp.vol17.no2.a4390

10) Wijaya, A. B., & Andriyono, R. O. (2020). Penerapan HOTs Pada Media Pembelajaran Game Matamatika Dengan Metode DGBL. *JITU : Journal Informatic Technology And Communication*, *4*(2), 25–33. https://doi.org/10.36596/jitu.v4i2.258

Advaita Epistemology and Metaphysics - *A Critical Analysis*

Dr. Kalo Sona Roy, M.A., M. Phil,Ph.D.

Assistant Professor, Department of Philosophy, Dr. G.M. Roy College, Monteswar, Purba Burdwan. West Bengal.

ABSTRACT: In India the philosophers, except the Madhyamika Buddhists and Jayarasi Bhatta, maintain that determination of an object depends on a *pramana,* a source of cognition. Similarly, *pramana* depends on *prameya padhartha.* In the present paper I will deal with the relationship between epistemology and metaphysics from the Advaita point of view.

According to Advaita Vedanta, Brahman is the only highest reality. It does never get contradicted. Brahman is *sat-cit-ananda* i.e. Eternal Existence, Eternal Consciousness and Eternal Bliss. The three aspects -sot, *cit* and *ananda*- constitute the essence of Brahman. Brahman is unknown and unknowable. All sources of cognitions *[pramana-s)* fail to cognize Brahman. It is *avanmanasagacara.* The nature of Brahman can be explained through the methods of *adhyaropa* and *apavoda.* Advaita Vedanta does not admit any relationship between *pramiti* and Brahman from the higher standpoint.

The teachers of Advaita Vedanta hold that the relationship between a *pramana* and a *prameya* is real from the lower standpoint. In Advaita epistemology *prama'nacaitanya* is called *vrtticaitanya.* According to Dharmaraja, vrtti means modification of mind in respect of the object of cognition *[prameya kara).* In visual perception of the jar mind goes out of the body through the eye, reaches the jar and takes the form of the jar. Dharmaraja gives an example of visual perception only. But other teachers of Advaita Vedanta admit two types of *antahkaranavrtti - pratyaksavrtti* and *paroksavrtti.* In Advaita Vedanta epistemology, the four factors, namely *pramatr, prameya, pramana and pramiti-* are conditioned consciousness, which are real in the lower level of existence. All forms of worldly and Vedic behaviors that are connected with valid means of cognition and objects of cognition are illusory *(adhyasika).*

Notably, the teachers of Advaita Vedanta refuse to accept any relationship between *pramiti* and Brahman, but they admit the relationship, between *pramana* and Brahman. They deny *brahmajnana,* but they admit *brahmakara antahkaranavrtti,* which is secondarily called *brahmajnana.* After a careful analysis it comes to light that in Advaita scheme a knowable object *(prameya)* is related with both *pramana* and *prameya* from the lower standpoint whereas Brahman is exclusively related with *pramana* from higher standpoint.

KEYWORDS: Pramana, Prameya, Mulajnana, Sat-cit-ananda, Pramatrcaitanya, Visayacaitanya, Pramanacaitanya, Pramiticaitanya, Paramarthika, Vyavaharika, Prativhasika, Antahkaranavrtti, Svaprakasa.

In the Indian philosophical systems epistemology plays a vital role. Notably, the Madhyamika Buddhists and Jayarasi Bhatta deny the validity of cognitions and epistemological projects in general. All other philosophers in India are of the view that determination of an object depends on a pramana, a source of cognition. Similarly, a pramana also depends on a prameya padartha. So there is an invariable relationship between them. As a matter of fact a pramana leads a reader to the veridicality and the philosophical value as well. In the present paper I will deal with the relationship between epistemology and metaphysics from the Advaita point of view.

According to Advaita Vedanta, Brahman is the only highest reality. It remains ever uncontradicted. The world having names and forms is unreal or false i.e. anirvacya. It is the derivative of primordial ne-science (mulajnana). It has no reality of its own. Due to mulajnana one Brahman appears to be many. Brahman is sat-cit-ananda i.e. Eternal Existence, Eternal Consciousness and Eternal Bliss. Sat, Cit and Ananda are not the properties of Brahman, but Its essence. These are not the different natures of Brahman. These three aspects constitute the one essence of Brahman. Consciousness is nothing but Existence and Existence is nothing but Bliss. The Consciousness-aspect of Brahman and the Existence -aspect of Brahman are revealed to us, whereas Its Bliss-aspect remains obscured. Brahman is unknown and unknowable. All sources of cognitions {pramana-s) fail to cognize Brahman. The eye cannot see Brahman, the word cannot express It and mind cannot think of It. The Kenopanisad declares na tatra caksir gacchati na

Advaita Epistemology and Metaphysics - *A Critical Analysis*

vag gacchati na manah[1]. Brahman is called avanmanasagocara. The Advaita Vedantins maintain that the nature of Brahman can be explained through the methods of adhyaropa and apavada.

The term apavada denotes negation i.e. 'this is not', 'this is not' (neti, neti). Brahman is neither body, nor senses, nor mind and so on. So the Advaita Vedantins proclaim that sat-cit-ananda is to be understood negatively. They interpret sat-cit-ananda as different from asat, different from acit and different from duhkha. We notice three characters namely asatta, jadatva and duhkha in the objects of the world. Brahman, according to Advaita Vedanta, is asadbhinna, acidbhinna and duhkhabhinna. So Brahman is called pratyagatman. If anybody says he knows Brahman, he actually does not know all-pervasive Brahman. He wrongfully knows Brahman either as body, or as senses or as mind or as any other limited object. On the contrary, he who thinks Brahman is not capable of being known by a means of right cognition (pramana), somehow knows Brahman. The seer of the Kenopanisad declares yasyamatam tasya matam matam yasya na veda sah.[2] Thus it comes to light that the Advaita Vedantins do not admit any relationship between pramiti or valid cognition and Brahman from the higher standpoint.

We may mention in this connection that the teachers belonging to the Sankara School of Advaita Vedanta are of the view that the relationship between a pramana and a prameya is real from the lower standpoint. The cognition of a thing depends on the four factors, namely, pramatrcaitanya , visyacaitanya, pramanacaitanya and pramiticaitanya. Pramatrcaitanya is the knowing agent, visayacaitanya is the object of cognition, pramanacaitanya is the source of cognition and pramiticaitanya is the resultant cognition. In Advaita epistemology pramanacaitanya is called vrtticaitanya. There are two types of vrtti- antahkaranavrtti and avidyavrtti. The former is the source of right cognition and the latter is the source of error. According to Advaita Vedanta, pramana or antahkaranavrtti means modification of mind in respect of the object of cognition. Mind is made of light. It has no form. But in the process of cognition it becomes modified. This is called antahkaranavrtti i.e. pramana. Dharmaraja in the Vedantaparibhasa" asserts that in visual perception of the jar mind goes out of the body through the eye, reaches the jar and takes the form of the jar. So ghatakara antahkaranavrtti i.e. modification of mind in respect of jar is here pramana.

Traditionally, the pramanas accepted by the Advaitins are held to be six: pratyaksa, anumana, upamana, sabda. arthapatti and anupalabdhi. But Dharmaraja gives an example of visual perception only. He does not deal with other pramana-s as vrtti. In Advaita epistemology, we see two types of antahkaranavrtti a pratyaksavrtti and paroksavrtti. The former may further be classified into two - caksusavrtti and acaksusavrtti. In the case of caksusavrtti vrtti means modification of mind in the form of object. But in the case of acaksusavrtti it means getting in touch with the object and in paroksavrtti it means a particular state of mind. In Advaita Vedanta, the four factors, namely pramatr, prameya, pramana and pramiti- are conditioned consciousness, which are real in the lower level of existence. The followers of Sankara admit three levels of existence- transcendental [paramarthika) existence, empirical [vyavaharika) existence and apparent {pratibhasika) existence. The last two levels of existence represent the lower standpoint. The illusory objects and dream-objects are apparently real, but in the higher level of existence they get cancelled by normal experience. The objects experienced in the waking state are empirically real, but they get cancelled in the transcendental level of existence.

Sankara in his commentary on the Brahmasutra mentions two types of padartha- atman or the subject and anatman or the object. Atman is Consciousness and anatman is inert object. The former is technically known as visayi and the latter as visaya. The former is expressed by the term asmat and the latter by the word yusmat. The former is self-luminous {svaprakasa) and the latter is cidbhasya i.e. revealed by Consciousness (paraprakasa). The former is the Real (satya) and the latter is the Unreal (anrta). So they are absolutely distinct. But under a spell of primordial ne-science {mulajnana) an ordinary man couples the Real and the Unreal and superimposes anatman on atman and vice versa, and says the body is my Self and sickness, death, children, wealth etc. belong to my Self (aham idam, mamedam). Sankara in his Adhyasabhasya observes atatantabibiktayo dharmadharmino mithyajnananimitta satyanrita mithunikritya "aham idam","mama idam" iti naisargik ayam lokavyavara.[3] Thus Sankara and his followers maintain that all forms of worldly and Vedic behavior that are connected with valid means of cognition and objects of cognition, are illusory (adhyasika) Sankara says atmanatmanoh itaretaradhyasam puraskrtya sarve pramanaprameyavyavaharah laukikah vaidikasca pravrttah [4]

The superimposition of the atman and anatman and vice versa is the presupposition on which all the practical distinctions between the means of cognition (pramana) and the object of cognition (prameya) depend. Sankara says avidyavadvisayani eva pratyaksadini pramani sastrani ca.[5] The means of (right cognition or pramana) cannot operate unless there be a pramatr knowing personality. Again, a man without self-identification with the body, mind, sense etc. cannot become a cognizer. Perception and other means of cognition cannot operate without the employment of the senses, and without the body i.e basis or adhisthana the senses cannot operate. Nobody can act by means of cognition on which the nature of the Self is not superimposed. In the Brahmasutrabhasya Sankara says na hi indriyani anupaddya pratyaksadivyavaharah sambhavati. na ca adhisthdnam antarena indriyanam vyavaharah sambhavati. na ca anadhyastabhdvena dehena kascid vyaptreyate.[6]
.

Advaita Epistemology and Metaphysics - *A Critical Analysis*

Interestingly, there is no difference of men from animals in regard to empirical behavior. When animals notice a man approaching them with a stick in his hand, they think that he wants to hurt them. So they run away. But animals approach a man carrying green grass in his hand. Similarly, men also run away when they see strong fierce-looking fellows coming near with swords. But they confidently approach men of opposite nature. So men and animals follow the same course of procedure with regard to the means and object of cognition. It is well known that the procedure of animals bases on non-discrimination of the Self and body. From the fact of similarity the Advaitins assert that men also proceed with regard to perception and so on, in the same way as the animals do. Sankara rightly observes atah samanah paivadibhih purusanam pramanaprameyavyavaharah.[7] Thus we see that the teachers belonging to Sankara School of Advaita Vedanta maintain a relationship between pramana and prameya from the lower standpoint.

I would like to point out here that Advaita Vedanta does not deny the role of pramana in the higher level of existence. In empirical state an object is related to the mental mode i.e. antahkaranavrtti and resultant cognition i.e. pramiticaitanya which is also called phalacaitanya. The Advaitins admit two types of visayavyapti, namely vrttivyapti and phalavyapti. Vrttivyapti means the relation of object with antahkaranavrtti and phalavyapti means the relation of object with right cognition or prama. In the right cognition of a jar the pramana or ghatakara antahkaranavrtti removes the ignorance {ajnana) of the jar and phalacaitanya reveals the jar. The jar is an inert object. So it needs cognition for its revelation. It is true that the teachers of Advaita Vedanta refuse to accept any relationship between pramiti and Brahman, but they admit the relationship between pramana and Brahman. They deny brahmajnana, but they admit brahmakara antahkaranvrtti. The Upanisadic mahdvakya-s like tattvamasi through the methods of sravana, manana ana nididhyasana produce braamakara antahkaranavrtti which is secondarily called brahmajnana. According to Advaita Vedanta, the mental mode (vrtti) is primarily known as pramana. But it is secondarily called pramiti. So Brahman becomes the object of pramana, not of pramiti. As Brahman is self-luminous (svaprakasa). It does not depend on phalacaitanya for Its revelation. After a careful analysis it comes to light that in Advaita scheme from the lower standpoint a knowable object [prameya) is related with both pramana and prameya, whereas from higher standpoint Brahman is exclusively related with pramana.

REFERENCES

1) Kenoponisad   1/3
2) kenoponisad   2/3
3) Adhyasabhasya 1/1/1. Page-23,Vedanta Darsana, Chidghananda Puri,Ed
4) Sankarabhasya   1/1/1 page 54,ibid
5) See.ibid
6) Sankarabhasya 1/1/1 page 55, ibid
7) Sankarabhasya 1/1/1 page 57 ibid

Bibliography

1) Addhvarindra Dharmaraja, Vedantaparibhasa, ed. Panchanan Bhattachrya. Sanskrit Pustak Bhander, Calcutta (1377 B.S.)
2) Sri Arabinda , Kenoponisad. Sri Arabinda Ashram Pandichary 1972
3) Sankara, Brahmasutra- Sankarabhasya, ed. Ananta krisna Sastri, Nirnay Sagar Press, Bombay 1938

Adjusting Parameters in Optimize Function PSO

Le Thi Bao Tran[1], Nguyen Thu Nguyet Minh[2], Tra Van Dong[3]
[1]Ho Chi Minh City University Of Foreign Languages - Information Technology, Vietnam.
[2,3] Van Lang of University, Vietnam

ABSTRACT: Particel Swarm Optimization (PSO) is a form of population evolutionary algorithm introduced in the early 1995 by two American scientists, sociologist James Kennedy and electrical engineer. Russell. This thesis mainly deals with the PSO optimization algorithm and the methods of adaptive adjustment of the parameters of the PSO optimization. The thesis also presents some basic problems of PSO, from PSO history to two basic PSO algorithms and improved PSO algorithms. Some improved PSO algorithms will be presented in the thesis, including: airspeed limit, inertial weighting, and coefficient limit. These improvements are aimed at improving the quality of PSO, finding solutions to speed up the convergence of PSO.

After presenting the basic problems of the PSO algorithm, the thesis focuses on studying the influence of adjusting parameters on the ability to converge in PSO algorithms. PSO algorithms with adaptively adjusted parameters are applied in solving real function optimization problems. The results are compared with the basic PSO algorithm, showing that the methods of adaptive adjustment of the parameters improve the efficiency of the PSO algorithm in finding the optimal solutions.

1. INTRODUCTION

Particle Swarm Optimization (PSO) is a form of population evolutionary algorithms. There have been many proposed and studied population-based evolutionary algorithms such as genetic algorithm (GA), ant colony algorithm (ACO). However, PSO differs from GA in that it favors using the interactions between individuals in a population to explore the search space. PSO is the result of modeling the flight of birds in search of food, so it is often classified as algorithms that use swarm intelligence. Introduced in 1995 at an IEEE conference by James Kennedy and engineer Russell C.Eberhart. Algorithms have many important applications in many fields where it is required to solve optimization problems.

Although the PSO algorithm has been shown to be highly effective in solving many optimization problems in practice, one of the weaknesses of the PSO algorithm is that it has a lot of parameters in the algorithm model. Some parameters can greatly affect the efficiency of the algorithm such as: population size, acceleration coefficients, coefficient of inertia,.... Usually, these parameters will be selected manually by researchers and experimenters of PSO algorithms using previously available knowledge. However, such manual selection does not guarantee that the algorithm will give good results. This topic will focus on studying methods of adaptively adjusting parameters for PSO algorithm in order to improve the efficiency of the algorithm in finding optimal solutions for problems.

Particle Swarm Optimization (PSO) was developed by social psychologist (James Kenned) and electrical engineer (Russel Eberhart) in 1995 [1], starting from initial experiments. on bird behavior by biologists (Frank Heppner). Since then PSO has made strong progress and has many applications in solving practical problems. There have been many studies showing that PSO is more efficient than some other well-known algorithms (eg Gen algorithm) in solving some practical problems.

In Vietnam, the research and application of PSO is relatively small. Therefore, this topic aims to learn about PSO and study methods of adaptive adjustment of parameters of PSO.

2. LITERATURE REVIEW HISTORY OF PSO

Swarm optimization (PSO) refers to a family of algorithms used to find globally optimized solutions. PSO can be easily implemented in many languages and has been proven effective when it comes to solving optimization problems.

PSO was originally developed by a social psychologist (James Kennedy) and an electrical engineer (Russel Eberhart) in 1995 [1], having emerged from previous experiments by a biologist (Frank Heppner) describes the foraging behavior of flocks of birds. According to Heppner [24], the description of a flock of birds has the following characteristics: The birds start by flying around the target but do not know the exact coordinates. If a leader bird flies over an area at the correct location, all the birds in the flock are attracted to follow the leader and fly into that exact location. Each bird tries to fly among the birds near it. They are always drawn (influenced) from the leader and the one next to him. The affected birds follow the leader more and more until the whole flock reaches the right spot. Eberhart and Kennedy in [1] explain Heppner's description as follows: Finding a leader is similar to

Adjusting Parameters in Optimize Function PSO

finding a solution among possible solutions. The way in which a leader bird guides the nearby birds to follow it, increases the range they will find it, it is the focal point for the entire flock of birds to follow it.

A bird, similar to a solution, can fly through a solution space and arrive at the best solution. Particles learn from their successes in the past, just as we learn from our own experiences in the past. Individuals (individuals) learn primarily from the successes of the birds next to them. It is similar to when we compare ourselves to others and we imitate the behavior of others who have had success with the things we care about.

2.1. Full model of pso
PSO simulates the behavior of birds.

Assume the following scenario [24]: a flock of birds is randomly foraging in the area. Only a little food in the area is being sought. The whole flock of birds do not know the exact location of the food, but they do know the distance to the food during each iteration of the search. Therefore, the answer to the question must be sought, what is the best strategy for foraging?

PSO learns from that scenario and uses it to solve optimization problems. In PSO, for each solution called a "Particle", is a bird in the search space. Each particle has a suitable value, evaluated by optimized objective functions, and has a velocity to indicate its flight path. The PSO is initialized with a random pool of particles, and search optimization is performed by updating the next generation of particles. Put $x_i(t)$ in the position of Particle i at step t. The Particle's position is changed by adding a velocity, $v_i(t)$ to the current position. As a result, the position of Particle i in the $(t + 1)$th step can be calculated as follows:

$x_i(t+1) = x_i(t) + v_i(t+1)$ (2.1)

It is the velocity vector that affects the flight of each particle. It is also the experience knowledge of the particles and the exchange of common information from its neighbors. The acquired knowledge experience of a particle is often called the cognitive component (learning factor), which is proportional to the distance of the particle from its best position in the past. The social exchange of information is called the social component of the Particle.

The way a Particle communicates depends on the extent of its neighbors. If the neighbor of each particle is the entire swarm, then the particle is said to be the best global PSO; conversely, if the neighbors of each particle are only part of the swarm, then this is called the local best PSO.

2.2. Global PSO
Global optimal PSO (gbest PSO), when the neighbor of each particle is the entire swarm. Information exchanged between particles reflects information obtained from all particles in the swarm

Given gbest PSO, the velocity of Particle i at the iteration at t+1 is calculated as [1]:

$$v_{ij}(t+1) = v_{ij}(t) + c_1 r_{1j}[y_{ij}(t) - x_{ij}(t)] + c_2 r_{2j}[y'_j(t) - x_{ij}(t)]$$ (2.2)

Condition :

$v_{ij}(t)$ is the velocity of Particle i at dimension $j = 1,2…nx$ at step t

$x_{ij}(t)$ is the position of Particle i at dimension $j = 1,2…, nx$ at step t

c_1 , c_2 are learning factors (velocity acceleration factor), they are used to increase the contribution based on the experience and the swarm population in a predetermined order.

$r_{1j}(t)$, $r_{2j}(t)$ is the random value in the interval [0,1], $r_{1j}(t)$, $r_{2j}(t)$ is the storage environment of the algorithm.

$y_{ij}(t)$ is the best individual position of Particle i at dimension j in the first step. It is the best position of Particle i since the first step. The best position of each individual in the $t +1$ step is calculated as follows:

$$y_{ij}(t + 1) = \begin{cases} y_i(t) & if \ f(x_i(t + 1)) \geq f(y_i(t)) \\ x_i(t + 1) & if \ f(x_i(t + 1)) < f(y_i(t)) \end{cases}$$ (2.3)

when f : is a suitable function value, evaluate the approximate value that is close to the optimized solution.

$y'_j(t)$: is the global best position of all particles in the swarm at direction j. The global best value $y'(t)$ at step t is defined by

$y'(t) = \min\{ f(y_0(t)), f(y_1(t)),…., f(y_{ns}(t))\}$ (2.4)

when n_s is all particles in the swarm.

2.3. The algorithm gbest PSO
The velocity of each particle in the swarm is calculated by equation (2.2), the algorithm used to find optimization problems according to [1]: The optimization algorithm is as follows:

Step 1: Initialize the swarm S with nx dimensions

Put $y_i = x_i$

Put $y' = x_1$

Step 2:

Repeat:

For each particle i= 1,2,…,n_s do

// best position the Particle itself

Adjusting Parameters in Optimize Function PSO

        if $f(x_i) < f(y_i)$ then

                $y_i = x_i$

        end

        // Global best position reset

        if $f(y_i) < f(y')$ then

                $y' = y_i$

        end

    end

    for each particle $i = 1,2,…,n_s$ do

        Update the velocity in the formula (2.5)

        Update position in formula (2.1)

end

        When the condition is met, stop the algorithm.

2.4. Geometry show

Geometric methods are used to describe the motion of particles in global PSO algorithms. For simplicity, we consider a Particle in two-dimensional space as follows:
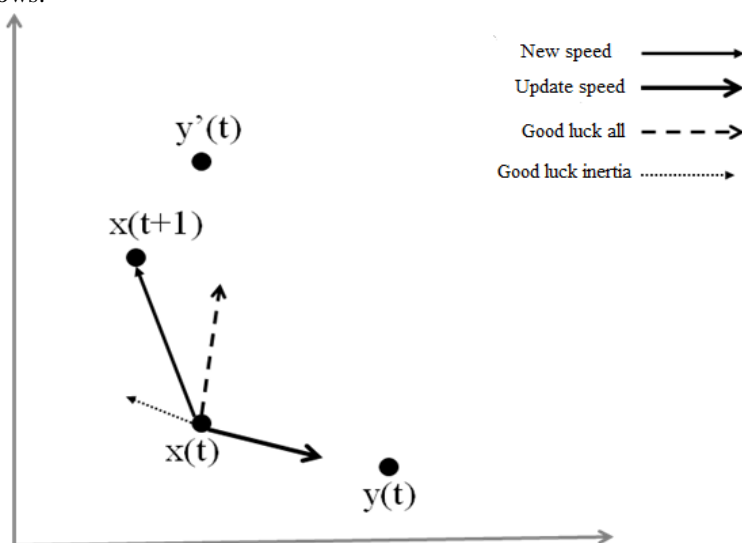
Figure 2.1 : Particle's position at step t+1.[1]
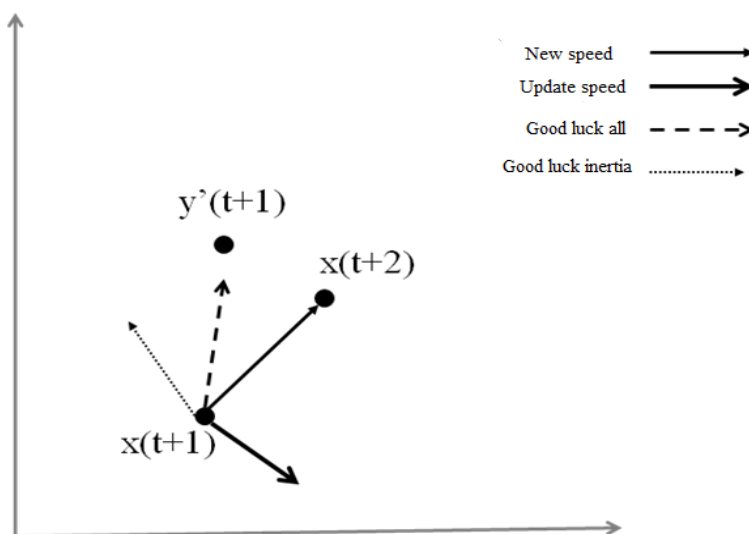
Figure 2.2 : Particle's position at step t+2.[1]

    Suppose that in the tth step Particle is at the position shown in Figure 2.1, the best and the best Particle instances globally at the positions shown in the figure are under the influence of three components (update velocity, swarm velocity) , inertial velocity),

Adjusting Parameters in Optimize Function PSO

the position of the particle at step (t+1) is closer to the global best position. In Figure 2.2, it is shown that the particles move from step (t+1) and to a new position when in step (t+2). In the new location, there can be two cases for a Particle [1] :

Case 1: The solution at the new location is better than the current global best. In this case the new position will become the new global best position, and all the Particles in the swarm will be attracted to the direction of the Particle in this new location.

Case 2: New solution found in new location is still as good as global best Particle. Then, in the next step, herd perceptions of the three-component effects will guide the whole swarm particles back in the direction of the global best.

2.5. Local best PSO

In the best-to-all PSO, the neighbor of each particle is the whole herd. For the local best PSO, the neighbor of each Particle is just a Particle number [1]. The components reflect the exchange of information between Particle's neighbors, in lbest PSO, the rate is calculated as [1] :

$$v_{ij}(t+1) = v_{ij}(t) + c_1 r_{1j}[y_{ij}(t) - x_{ij}(t)] + c_2 r_{2j}[y'_{ij}(t) - x_{ij}(t)] \tag{2.5}$$

when $y'_{ij}(t)$ is the best position found from the neighbor of the ith particle in the j direction in the tth step. The local best particle position, y'_i, the best position found in the neighbor N_i is defined as

$$y'_i(t+1) \in \{N_i | f(y'(t+1)) = \min\{f(x)\}, \forall \ x \in N_i\} \tag{2.6}$$

With N_i neighbors are counted

$$N_i = \{y_{i-N_i+1}(t), \ldots, y_i(t), \ldots, y_{i+N_i}(t)\} \tag{2.7}$$

It should be noted that for basic PSO, the selection of neighboring particles is based on the Particle indexes. In fact, there are also other approaches in which neighboring particles are selected based on the distance between particles [9], but this is not considered in this thesis. There are two main reasons why Particle neighbors based on Particle indexes are used [1]: -One is because it is computationally expensive, since it is not necessary to consider the spacing between particles. For these approaches from the distance between particles are used to form neighbors, and usually the Euclidean distance between all pairs of particles, which requires a complexity O(n2) .

Second, because it helps to promote the spread of information from a good solution, obtained for all particles, regardless of their position in the spatial search. It is also important to note that neighboring particles can be overlapped. Each Particle can join several neighborhoods. This connection ensures that the swarm convergence will be at a single point. In fact, the global best PSO is just a special case of the local best PSO when $n_{N_i} = n_s$

The algorithm lbest PSO

The lbest PSO algorithms are the same as gbest PSO, except for some differences in the equation for updating the velocity, which is summarized as follows:

Step 1: Khởi tạo bầy S với n_x chiều

        Put $y_i = x_i$

        Put $y'_i = x_i$

Step 2:

  Repeat:

    For each particle i= 1,2,…,n_s do

        // best position the Particle itself

        If $f(x_i) < f(y_i)$ then

            $y_i = x_i$

        end

        // Local best position reset   if

$f(y_i) < f(y'_i)$ then

            $y'_i = y_i$

        end

    end

    for each particle i = 1,2,…,n_s do

        Update the velocity in the formula (2.5)

  Update position in formula (2.1)

    end

When the condition is met, stop the algorithm.

3. COMPONENTS OF BASIC PSO

This section presents some components of the PSO model that can affect its effectiveness. These components include the Particle initialization and the stopping condition of the algorithm, besides the basic parameters are also mentioned.

3.1. Initialize PSO

The first step of the PSO algorithm is to initialize the swarm using the Pseu-dorandom method. Assume that an optimal is placed in the domain defined by two vectors x_{min} and x_{max}, representing the lower and upper bounds in each dimension of the search space, respectively. Then a maximum efficiency of the two vectors x_{max} and x_{min}
in the constructor for Particle positions can be [1]:

$$x_{ij}(0) = x_{min,j} + r_i(x_{max,j} - x_{min,j}), \forall_{j}=1,\ldots,n_x, \forall_{i}=1,\ldots,n_s \qquad (3.1)$$

when r_j is a random number in the range [0,1] The initialization velocity can be initialized to 0, that is, $v_{ij} = 0$, it is possible to initialize the velocity to random values, but must be done with care. The initial value of the particle velocity and position is random, the particle velocity is zero (that is, they are fixed), when the particle starts up at a non-zero velocity and with a value that is not too large. A large initial velocity will have a large initial effect leading to a large initial position update. This makes the particle go beyond the boundaries of the search space, causing the swarm to iterate many times before meeting. converge to the optimum point.

3.2. Algorithm stop condition

The second factor affecting the performance of PSO is the stopping condition of the algorithm, which is the criterion used to terminate the iteration in the search process. The following two principles are considered when selecting some of the repetition termination criteria: The stopping condition of the algorithm is not the cause for the early convergence of PSO when the optimal solution is selected. -The stopping condition should not lead to overcomputing for the suitable value of the function, if the stopping condition requires frequent calculation of the value of the suitable function, the computational complexity will increase significantly in search process. There are documents that use some stopping conditions as follows [1]: -Stop the algorithm when the maximum number of repetitions exceeds the specified number of times. It is easy to see that if the number of iterations is too small, before a good solution is found, stopping the algorithm may be too early. So this status is only used to evaluate the best solution found within the specified time period.   - Stopping the algorithm when it finds x* is an accepted optimal solution, assuming it is an optimal objective function, then this condition terminates the search as soon as a particle is found that $f(xi) \leq |f(x^*) - \varepsilon|$; that is, when with an acceptable error probability threshold found, the threshold ε is chosen carefully, if ε is too large the search process ends up with a solution that does not meet the optimal conditions. On the other hand, if ε is small, the search does not end at all. Assume a stop condition that tells the algorithm about the global optimization value, where the optimal is usually zero.

-Algorithm stops when observation in some iterations still does not improve, Some progress can be the standard by which to judge in some ways [1], such as if the average position changes of particles is small, the swarm can be considered convergent, otherwise if the average velocity of the particle over a number of iterations is approximately zero, only a small position update is performed, then the search may stop. again. The search can also be stopped if after a number of iterations there is still no significant improvement.

-Terminate the algorithm when the radius of the normal swarm is close to zero. The swarm radius is calculated as follows [7] :

$$R_{norm} = \frac{R_{max}}{diameter(S)} \qquad (3.2)$$

When diameter (S) is the diameter of the original swarm and R is the maximum radius.

$$R_{max} = \left\| x_m - y' \right\|, m = 1,\ldots,n_s \qquad (3.3)$$

With

$$\left\| x_m - y' \right\| \geq \left\| x_i - y' \right\|, \forall_i = 1,\ldots,n_s \qquad (3.4)$$

- Stop the algorithm when the objective function value approaches zero. The above conditions only stop to consider the relative position of the particles, but not the slip of the objective function. Changes in the objective function are considered proportionally [7]:

$$f' = (f(y'(t)) - f(y'(t-1))) / (f(y',(t)) \qquad (3.5)$$

if f'<ε for some continuous iteration, the swarm seems to have converged. The stopping condition has a problem as the search will terminate if some particles are stuck to the local minimum, even though other particles may still be in probing the search space. To solve this problem, this condition can be used in combination with radius methods to check that all particles have indeed converged to the same point in time before terminating the search.

Adjusting Parameters in Optimize Function PSO

3.3. Basic PSO parameters

This section discusses the parameters that affect two basic PSO algorithms. Those parameters are the swarm size, the distance between the particles in the swarm, the learning factor. The size of the swarm ns is the number of particles in the swarm, the particles in the swarm are larger than the initial diversity of the swarm, provided that a well-distributed and well-distributed initialization method is used to initialize the particles [1]. A large Swarm allows most of the search space to be safe for each iteration. However, with many particles the computational complexity increases. In some real studies, it has been demonstrated that PSO has the ability to find the optimal solution with small swarm size from 10 to 30 particles [4]. Even with the number of elements in the swarm less than 10, success is still obtained [7]. At the same time, experimentally studying a general solution of swarm ns∈[10,30], the problem depends on the optimal size of the swarm, a fine search space usually needs a very small number of particles than the rough surface. determining the optimal solution location. Particle Neighbor Size: The size of the swarm determines the mutual interaction between the particles in the swarm. The smaller the neighbor size of the particle, the less interaction occurs and can slow down the convergence of the PSO. These factors give PSO a more reliable convergence with respect to the global optimization method [1], which takes advantage of small and large neighbor sizes. PSOs can be searched with small sizes and gradually increased in number [9]. Learning factor (or acceleration factor): The coefficients $c1$ and $c2$ with random vectors $r1$ and $r2$, control the effect of starting a process of cognitive and social components on the velocity of the particles. [first]. While $c1$ represents the confidence of a particle itself, $c2$ represents the confidence contained in the neighboring particles of a particle. If $c1 = c2 = 0$ Particles keep their current magnetic velocity until they reach the boundary of the search space. If $c1 > 0$ and $c2 = 0$, all particles climb the hill independently. On the other hand, if $c2 > 0$ and $c1 = 0$, the whole swarm is attracted to a single point y'. The swarm becomes a random climber . Usually, $c1$ and $c2$ are chosen to be equal.

3.4. Performance Indicators

This section presents various measures to quantify the performance of PSO algorithms. Measures, as in other optimization methods, are based on several criteria such as accuracy, reliability, stability, efficiency, diversity and coherence.

3.4.1. accuracy

Accuracy refers to the quality of the solutions obtained. If prior knowledge of optimization is available, quality can be expressed as errors of the global best position. For example, if the optimal value is known, the correctness of the solution y'(t), can be defined as:

$$accuracy(S,t)=|f(y'(t) - f(x^*))| \qquad (3.6)$$

where x* represents the theoretical optimal. If PSO is used to train a neural network, the accuracy is simply the mean squared error (MSE) or squared error (SSE) over the samples in the dataset provided to train the network. neural, f(x*) is usually zero. If there is no information about the optimization, the swarm accuracy at step t is simply the global best-fit Particles, i.e.

$$accuracy(S,t)=f(y'(t) \qquad (3.7)$$

3.4.2. reliability

Since the start-up of the PSO algorithms is random, their performance is evaluated over a sufficiently large number of simulations. Reliability refers to the simulation rate to achieve a certain accuracy (fit or error value). The reliability of a swarm can be defined

[1]: $$reliability(S(t), \varepsilon) = \frac{n_\varepsilon}{N} \times 100 \qquad (3.8)$$

where ε is a predetermined level of precision, N is the total number of simulations, and $n\varepsilon$ is the number of simulations that reach a certain accuracy. The larger the value of reliability (S(t), ε), the more reliable the flock.

3.4.3. Stability

The stability of the PSO can be measured by the variance of a performance standard across several simulations. The stability of a swarm can be expressed as [1]:

$$robustness(S(t)) = [\bar{\theta} - \sigma, \bar{\theta} + \sigma] \quad (2.16)$$

where is the average of performance benchmarks over a number of simulation, and σ is the difference in performance criteria.

3.4.4. Effective

The swarm efficiency is expressed as the number of iterations, or the number of matches, to find a solution with specified precision ε. The swarm efficiency represents the relative time to reach a desired solution.

3.4.5. Diversity

Diversity is important for optimization based on the number of algorithms. The great variety ensures that a larger area of the search space can be explored. The diversity of the flock can be calculated as [1]:

$$diversity(S(t)) = \frac{1}{n_s} \sum_{i=1}^{n_s} \sqrt{\sum_{j=1}^{n_s} (x_{ij}(t) - \bar{x}_j(t))^2} \qquad (3.9)$$

trong đó $x_j(t)$ là trung bình của chiều thứ j trên tất cả các Particle, tức là

Adjusting Parameters in Optimize Function PSO

$$\bar{x}_j(t) = \frac{\sum_{i=1}^{n_s} x_{ij}(t)}{n_s} \tag{3.10}$$

Một cách cách khác để đánh giá đa dạng của các bầy đã được đưa ra trong [22]

$$diversity(S(t)) = \frac{1}{diameter(S(t))} \frac{1}{n_s} \sum_{i=1}^{n_s} \sqrt{\sum_{j=1}^{n_s} (x_{ij}(t) - \bar{x}_j(t))^2} \tag{3.11}$$

when diameter (S(t)) is the diameter of the swarm defined as the distance between two distal outer paticles. It can be seen that the construction of diversity in equation (3.11) is independent of the swarm size, the number of dimensions of the search space and the search scope in each dimension.

4. METHODS OF ADJUSTING PARAMETERS FOR PSO

As mentioned above, although the PSO algorithm has been shown to be effective for many optimization problems, one of the limitations of PSO has a lot of parameters in the algorithm model. Often the parameters will be selected manually by the researcher or the PSO user. However, this manual selection does not guarantee that the algorithm will give good results on many problems of interest to the user. Therefore, in order to overcome that drawback, many researchers propose methods to adjust parameters for PSO. In this section we will present some methods of adjusting that parameter. In the following section, we will use the inertial weight model to adjust the parameters of the PSO. As described in Section 2, in the inertial weighted model, the velocities of the particles are updated using the following formula:

$v_{ij}(t+1) = wv_{ij}(t) + c_1r_{1j}[y_{ij}(t) - x_{ij}(t)] + c_2r_{2j}[y'_j(t) - x_{ij}(t)]$ (4.1)

After the velocity of the particles has been updated, the position of that particle will be recalculated according to formula (2.1). It can be seen that, in formula (3.1), if the value of w is chosen to be fixed as 1, then that is the basic PSO model. Thus, in this model, there are three parameters that need attention: inertial weight, w, and acceleration coefficients c1, c2. In section 3.1, we will present the adaptive adjustment method w. The tuning algorithm c1, c2 will be presented

4.1. Adaptive tuning of inertial weights

As mentioned in Chapter 2 when talking about inertial weights, there are many methods for adaptively tuning the inertial weight w. Some of the basic methods will be presented below: -Random tuning: a different number of inertia is randomly chosen each iteration. One common way is to sample from a distributed Gaussian, for example

$w \sim N(0.71, \sigma)$ (4.2)

where σ is small enough to ensure that $w \leq 1$. In addition, Peng and colleagues used: [15]

$w = (c_1r_1 + c_2r_2)$ (4.3)

no random scaling of cognitive and social components -Linear reduction: A large value of inertia (usually 0.9) is chosen as at the beginning and then it is reduced to a small value (usually 0.4). It was calculated in [16] as

$$w(t) = \left(w(0) - w(n_t)\right)\frac{(n_t - t)}{n_t} + w(n_t) \tag{4.4}$$

where nt is the maximum number of iterations, w(0) is the initial inertia weight, w(nt) is the final value of inertia, and w(t) is the mass of inertia at step t. -Nonlinear reduction: It is similar to linear reduction but the formula for inertia reduction is non-linear. The nonlinear reduction method allows a shorter amount of exploration time than the linear reduction method. Therefore, these methods will be more suitable for smoother search space. The following nonlinear reduction methods have been proposed in the literature:

- Naka et al. [16],

$$w(t+1) = \frac{(w(t) - 0.4)(n_t - t)}{n_t + 0.4} \tag{4.5}$$

- Venter and Sobieszczanski-Sobieski [23],

     $w(t+1) = \alpha w(t')$ (4.6)

where $\alpha = 0.975$, and t' is the time step when the final inertia changes. - Clerc proposed an adaptive inertia approach where the amount of change in the inertial weights is proportional to the improvement in swarm relations [17]. The inertia weights are adjusted according to:

$$w_i(t+1) = w(0) + (w(n_t) - w(0))\frac{e^{m_i(t)} - 1}{e^{m_i(t)} + 1} \tag{4.7}$$

$$m_i(t) = \frac{f(y'_i(t)) - f(x_i(t))}{f(y'_i(t)) + f(x_i(t))}$$

when the improvement is relative, mi is approximately the same as

     (4.8)

Adjusting Parameters in Optimize Function PSO

with $w(n_t) \approx 0.5$ and $w(0) < 1$

3.2. Adjust the acceleration coefficients c1, c2

This method was introduced by authors Li Guo and Xu Chen in 2009 [6]. This method comes from the observation that the nature of the search process using the PSO algorithm is dynamic and adaptive. Therefore, fixing the acceleration coefficients c1 and c2 is contrary to the nature of the PSO algorithm and can lead to a reduction in the efficiency of the algorithm. This is completely understandable for two reasons: First, even if the particles have good fitness values, fixing the acceleration coefficients can hinder the convergence of these particles. Second, when the PSO algorithm is stuck to local extremes and the PSO algorithm cannot escape these local extremes if the coefficients c1 and c2 are fixed.

Based on that analysis, Guo and Chen propose a new method for adaptive tuning of parameters c1 and c2. Details of this method are presented in the following section.

Particle's velocity is updated according to the formula:

$$v_{id}(k+1) = C. [v_{id}(k) + c_i(k).r_1.(p_{id}(k) - x_{id}(k)) + c_i(k).r_2.g_d(k) - x_{id}(k)] \qquad (4.9)$$

From formula (9) it can be seen that c1 and c2 are two important parameters affecting the process of finding the optimal solution of PSO. In fact, these two parameters have a role to balance between PSO's local and global search capabilities. Since then, a new method for adaptively tuning those parameters was proposed by Guo and Chen. This new method is called Self-Adaptation Statege of Acceleration Coefficients (SASAC-PSO).

In the SASAC-PSO Method, each particle can have different values of c1, c2, and these values can change over time. This technique helps the PSO algorithm to perform a better balance between global search and local search and thus the efficiency of the algorithm can be improved. The details of the SASAC-PSO algorithm are as follows:

Step 1: Initialize the Particle i swarm randomly. Notation (xi (0), vi (0), c_i (0)) (i = 1, ..., N), where xi (0), v_i (0) and c_i (0) respectively represent for initial position, velocity, acceleration, $x_i(0)$ and $v_i(0)$ are uniformly distributed separately random numbers in domain D and $c_i(0) = 1$.

Step 2: Default $p_i(0) = x_i(0)$ and calculate

      $g(0) = argmin\{f(p_1(0)),\ldots,f(p_N(0))\}$,

      đặt k = 0.

Step 3: Increase the dimensionality of the position and velocity of each particle.

Step 4:

      Deployment Pi(k) (i = 1,2….,n) and g(k)

      $p_i(k+1) = argmin\{f(x_i(k+1), f(p_i(k))\}$

      $g(k+1) = argmin\{f(p_1(k+1),\ldots,f\{p_N(k+1))\}$

Step 5:

Check stop condition. If the stop condition is met, exit the program. Otherwise, go to step 6.

Step 6: If g(k + 1) has not changed giving Pnum the number of loops in a row, then go to step 7, otherwise, ci(k + 1) = ci(k) (i = 1, .. ., N) and set k = k + 1. Then return to step 3.

Step 7: Update AC for each Particle

$$c_i(k+1) = \begin{cases} 0.5 \times c_i(k) & i \in I \\ 2 \times c_i(k) & i \in \{1, \ldots, N\} - I \end{cases}$$

condition I is the sort index of the first $\left\lfloor \frac{N}{2} \right\rfloor$ Particle

Set k = k+1 and return to step 3.

5. EXPERIMENTAL SETTINGS

      The purpose of our experimental part is to compare the effectiveness of the adaptive tuning methods with the standard PSO algorithm and between the adaptive tuning methods. To test the effectiveness of those methods, we use them in finding optimal solutions of real functions in multidimensional space. We use the following 6 functions to test the efficiency of the algorithms.

    5.1. Test function

The functions used to test the algorithm are all standard functions (benchmark functions) often used to evaluate the efficiency of approximate optimization algorithms. All these functions are taken from the literature [8]. The following six functions are used in the experimental program to illustrate the algorithms:

f1: Hyper-Ellipsoid:

      Hyper-ellipsoid : $f(x) = \sum_{i=1}^{n} i.x_i^2$, $-5.12 \leq x_i \leq 5.12$, i=1,…,n .

      Global minimum f(x)= 0 có thể đạt được, for $x_i = 0$, i=1,…,n

Figure 5.1 graph f1 Hyper-Ellipsoid

f2: Rosenbrock function:

$$f(x,y) = (1 - x)^2 + 100(y - x^2)^2, \ -2.048 \le x,y \le 2.048$$
$$\text{global minimum } f(x,y) = (1,1) = 0$$
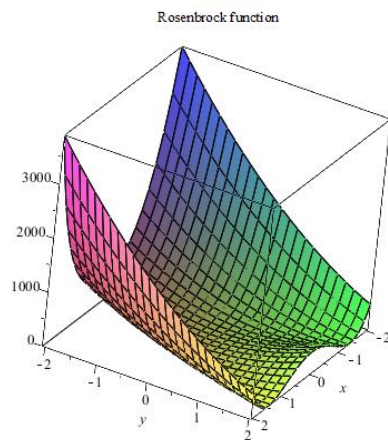
Figure 5.2 graph f2 Rosenbrock

f3: Rastrigin function:

$$f(x) = \sum_{i=1}^{n-1} [100(x_{i+1} - x_i^2)^2 + (1 - x_i)^2]$$

$-2.048 \le x_i, y_i \le 2.048$, i=1,…,n . Global minimum $f(x) = 0$, for $x_i = 1$, i=1,…,n
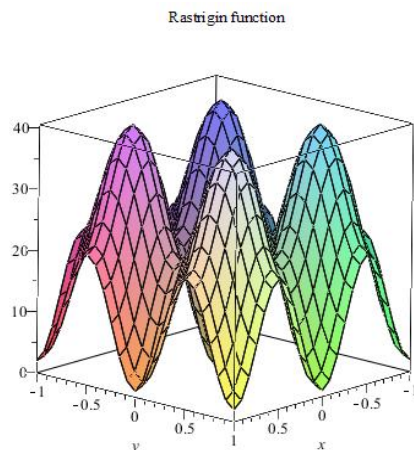
Figure 5.3 Graph f3 Rastrigin

Adjusting Parameters in Optimize Function PSO

f4: Schwefel function:

$$f(x_1,...,x_n) = \sum_{i=1}^{n}\left[-x_i \sin\left(\sqrt{|x_i|}\right)\right], \quad -500 \le x_i \le 500$$

global minimum $f(x_1,...,x_n) = -418.9829n$ at $x_i = 420.9687$
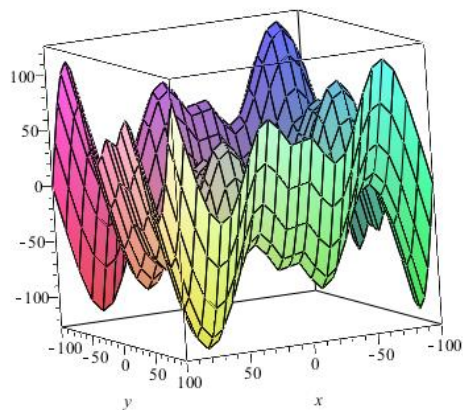
Figure 5.4 graph f4 Swchefel

f5: Griewank function:

$$f(x_1,...,x_n) = 1 + \frac{1}{4000}\sum_{i=1}^{n} x_i^2 - \prod_{i=1}^{n}\frac{x_i}{\sqrt{i}}, \quad -600 \le x_i \le 600$$

global minimum $f(x_1,...,x_n) = 0$ at $x_i = 0$
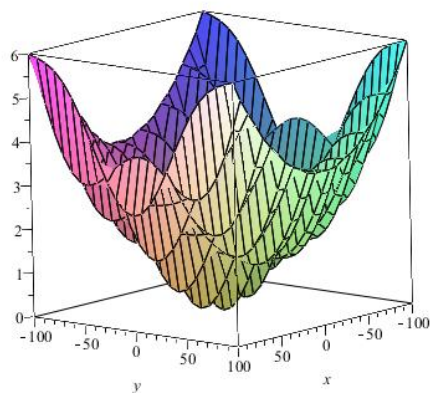
Figure 5.5 graph f4 Griewangk

f6: Ackley function:

$$f(x) = -a.\exp\left(-b.\sqrt{\frac{1}{n}\sum_{i=1}^{n}x_i^2}\right) - \exp\left(\frac{1}{n}\sum_{i=1}^{n}\cos(cx_i)\right) + a + \exp(1)$$

Put a =20, b=0.2, c=2π, $-32.768 \le x_i \le 32.768$, i=1,…,n

Global minimum f(x) = 0 , Is obtainable for x_i=0, i=1,…,n

Adjusting Parameters in Optimize Function PSO
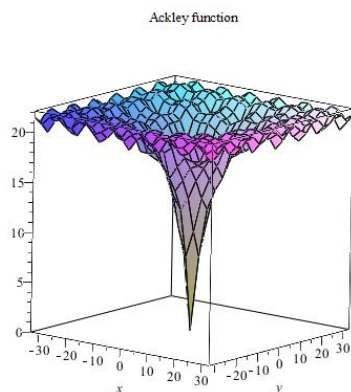
Figure 5.6 graph f6 Ackley

Functions from f1 to f6 have their respective optimal ranges and values according to the following table [8].

Table 5.1: standard values of functions reaching min

function	xi	Threshold value xi	Function value f(x) reach min
f1 (Hyp-ellisoid)	0	[-5.12, 5.12]	0
f2 (Rosenbrock)	1	[-2.048,2.048]	0
f3 (Rastrigin)	0	[-5.12, 5.12]	0
f4 (Schwefel)	420.9687	[-500, 500]	-418.9829*n
f5 (Griewangk)	0	[-600, 600]	0
f6 (Ackley)	0	[-32.768, 3278]	0

5.2. Description of the demo program

To install PSO algorithms, we use Java language, Net Bean IDE 7.4 programming tool. The parameters of the algorithms are chosen the same. As follows:

- The size of the flock is: 100
- Number of generations (number of loops) is: 100
- The number of runs for each configuration is 30 times
- Each function runs the number of dimensions 5, 10, 15, and 20 . respectively
- For the inertial weighted adjustment algorithm (w-PSO), the value of w is initially chosen to be 0.7 and linearly decreases to 0.3 in the final generation.
- For W-SASAC-PSO algorithm, w is also adjusted down linearly like W-PSO, while parameters c1 and c2 are adjusted according to Guo and Chen's method as in SASAC-PSO algorithm.

The inertia weight w at step t is calculated by the formula (2.28)

$$w(t) = \left(w(0) - w(n_t)\right)\frac{(n_t - t)}{n_t} + w(n_t) \tag{5.1}$$

The inertial weight is adjusted according to the formula

$$w_i(t+1) = w(0) + (w(n_t) - w(0))\frac{e^{m_i(t)} - 1}{e^{m_i(t)} + 1} \tag{5.2}$$

when the improvement is relative, mi is approximately the same as

$$m_i(t) = \frac{f(y'_i(t)) - f(x_i(t))}{f(y'_i(t)) + f(x_i(t))} \tag{5.3}$$

with w(nt) $\approx$ 0.5 and w(0) <1

Adjusting Parameters in Optimize Function PSO

Parameters c1 and c2 are adjusted according to Guo and Chen's method as in the SASAC-PSO algorithm in step 7 of the algorithm as described above on page 30.

Update AC for each Particle

$$c_i(k+1) = \begin{cases} 0.5 \times c_i(k) & i \in I \\ 2 \times c_i(k) & i \in \{1, \dots, N\} - I \end{cases}$$

condition I is the ordered index of $\left\lfloor \dfrac{N}{2} \right\rfloor$ Particle prevails first. Set k =k+1 and return to step 3.

The formula Velocity is calculated in algorithms

.Basic PSO:

$v_{ij}(t+1) = v_{ij}(t) + c_1 r_{1j}[y_{ij}(t) - x_{ij}(t)] + c_2 r_{2j}[y'(t) - x_{ij}(t)]$ (5.4)

.W-PSO:

$v_{ij}(t+1) = w * v_{ij}(t) + c_1 r_{1j}[y_{ij}(t) - x_{ij}(t)] + c_2 r_{2j}[y'(t) - x_{ij}(t)]$ (5.4')

.SASAC-PSO :

$v_{ij}(t+1) = C * [v_{ij}(t) + c_i(k) r_1(y_{ij}(t) - x_{ij}(t)) + c_i(k) r_2(y'(t) - x_{ij}(t))]$ (5.5)

với C = 0.729

- Thus, we see that the formula for updating velocity v common to all PSO algorithms is:

$v = C(w * v + c_1 r_1[y_{ij}(t) - x_{ij}(t)] + c_2 r_2[y'(t) - x_{ij}(t)])$ (5.6)

Accordingly, when executing, will choose the input parameter if:

Basic PSO C = 1, w = 1, c1, c2 random

• SASAC-PSO: C = 0.729, w = 1, $c_1 = c_1[k]$, $c_2 = c_2[k]$

In the program, depending on the options selected on the interface, we will get the appropriate values for C, W, c1, c2 to pass in (1). When running experiments from function f1 to f6 in turn through PSO, SASAC-PSO algorithms, with parameters: Size of the swarm is 100, number of iterations 100, number of experimental runs per configuration is 30, through the dimensions 5, 10, 15 and 20 respectively as follows

From the results of 30 runs with corresponding values according to the table, calculate the average time value, the average optimal value of those 30 runs. From the experimental results obtained in Table 5.2

Adjusting Parameters in Optimize Function PSO

Table 5.2 : Result of function f1 (Hyper Ellipsoid), n=5

Number of runs	Number of loops	Running time	Optimal value
1	100	10240	1.57E-28
2	100	10210	8.11E-28
3	100	10165	4.53E-27
4	100	11065	2.44E-28
5	100	13332	6.48E-29
6	100	14556	1.17E-28
7	100	15452	4.42E-27
8	100	16344	2.03E-28
9	100	16541	1.92E-28
10	100	17257	7.16E-28
11	100	19406	8.54E-28
12	100	19940	9.24E-28
13	100	20983	3.72E-29
14	100	21485	4.18E-28
15	100	22801	2.01E-28
16	100	24289	8.77E-28
17	100	23896	9.11E-28
18	100	24801	5.93E-29
19	100	26549	3.81E-28
20	100	27931	4.02E-28
21	**100**	**28716**	**3.04E-29**
22	100	29254	3.11E-28
23	100	29650	1.32E-28
24	100	30955	5.10E-28
25	100	31927	2.20E-28
26	100	33012	4.65E-27
27	100	33448	1.17E-28
28	100	35790	1.05E-27
29	100	35475	8.79E-28
30	100	37492	1.36E-27
	Trung bình	**23098.73**	**0**

Similarly f1 (Hyper_Ellipsoid) uses the PSO algorithm with dimensions of 5, 10,15 and 20 respectively, there will be 04 tables of results similar to Table 5.2. Each algorithm has 04 results tables, each function in turn experiment with 04 algorithms PSO, SASAC-PSO, will give 16 results tables; there are 06 functions from f1 to f6 used for experiment; after running the full experiment in turn, 96 tables of results were obtained, similar to Table 5.2; sequentially fill in the corresponding results in tables 5.3, table 5.4, table 5.5 from which to get the final results of the experiment. To measure the efficiency of those algorithms, we use 3 metrics. The first measure is the average fitness value of the algorithms over 30 runs. The second measure is the best value of each method over 30 runs, and the third measure is the mean time of the methods over 30 runs. The results of the methods with these measures are presented in the following sections.

5.3. Experimental results

Table 5.3 below is the average fitness results of the methods over 30 runs. In this and subsequent tables, the value of the best method in each experimental configuration is highlighted in bold.

Adjusting Parameters in Optimize Function PSO

Table 5.3 Compare average goodness results

function	Algorithm	Dimensions			
		5	10	15	20
f1	PSO	0.0242	0.4082	3.1476	5.2609
	SASAC_PSO(III)	**0**	**0**	**0.0021**	0.1099
f2	PSO	2.1969	9.3667	19.2679	28.5672
	SASAC_PSO(III)	**0.2144**	**6.1470**	**12.6176**	**18.4354**
f3	PSO	3.6723	23.7061	52.1721	87.8797
	SASAC_PSO(III)	5.4101	12.0017	19.3396	**26.8649**
f4	PSO	**-1816.8144**	**-3101.7300**	**-4478.0600**	**-5021.2200**
	SASAC_PSO(III)	-1565.5200	-2638.5400	-4478.0600	-4673.2400
f5	PSO	0.5760	1.3531	1.9903	3.4112
	SASAC_PSO(III)	**0.1270**	0.1598	**0.0776**	**0.1534**
f6	PSO	2.1018	4.0787	5.1683	6.2467
	SASAC_PSO(III)	0.4535	1.7521	2.5902	3.4123

It can be seen from Table 5.3 that all methods of adaptive adjustment of parameters give better results than standard PSO. In all functions and all configurations, these methods are better than standard PSO except on function f4. On this function, PSO is the best. Among the three methods of adaptive adjustment of parameters, it can be seen that the SASAC-PSO method is usually better and the SASAC-PSO method gives quite similar results. Thus, it can be seen that our proposed method is somewhat meaningful to help find better solutions on problems when the solution found by SASAC-PSO has not met the desired requirements.

Table 5.4 Best results in 30 runs of each method

function	Algorithm	Number of experimental dimensions – results							
		5		10		15		20	
f1	PSO	0.0034	(3)	0.0218	(2)	0.3031	(29)	0.0151	(2)
	SASAC-PSO(III)	**0**	(9)	**0**	(30)	**0**	(12)	**0**	(30)
f2	PSO	0.5080	(14)	8.4709	(14)	14.3711	(15)	19.4059	(7)
	SASAC-PSO(III)	**0**	(7)	**4.4205**	(11)	10.9482	(11)	**17.3217**	(4)
f3	PSO	0.4762	(1)	10.2935	(10)	3.6593	(0)	22.9244	(1)
	SASAC_PSO(III)	0.9950	(27)	**0**	(2)	4.9748	(14)	**0.0001**	(2)
f4	PSO	-2094.0865	(5)	**-3680.7595**	(7)	**-5298.6627**	(1)	**-5988.3707**	(13)
	SASAC_PSO(III)	-1976.4761	(5)	-3301.5305	(1)	-4290.8913	(14)	-5988.3707	(27)
f6	PSO	0.5541	(28)	1.1733	(2)	3.7323	(10)	4.0750	(30)
	SASAC-PSO(III)	**0**	(30)	**0**	(15)	1.3404	(1)	1.8400	(20)

Table 5.4 shows the best fitness results of each method in 30 runs, each run is 100 laps. The first column (function) is the name of functions from f1 to f6 (according to table 3.1; standard values of functions reach min[8]); the second column (algorithm) – respectively the algorithms that are conducted PSO experiments, SASAC-PSO with dimensional numbers 5,10,15 and 20 respectively - is represented by the obtained values corresponding to each algorithm, the number recorded in the pair of signs () is the number of runs that the algorithm get the value at that run – eg: function f1, algorithm PSO, at column dimensionality is 5; with the value 0.0034 (3); That is, the function f1 when running the experiment with the PSO algorithm with the number of

Adjusting Parameters in Optimize Function PSO

dimensions (the number of variables of the function) is 5, the maximum value is equal to 0.0034 at the 3rd run out of 30 experimental runs (The parameters of the algorithms). math are selected the same.Specifically according to the description of the demo program in section 3.4.2). In this table 5.4 we also show the generation in which that best value is found. It can be seen that the results in this table are essentially identical with those in table 5.3 where SASAC-PSO usually gives the best results.

Table 5.5 Average running time of the methods

function	Algorithm	Experimental Dimensions – Time Value			
		5	10	15	20
f1	PSO	18487.94	36392.00	66229.5	111603.1
	SASAC_PSO(III)	**19148.50**	36272.56	67126	110939.3
f2	PSO	16525.81	35457.69	66585.88	114336.6
	SASAC_PSO(III)	**16059**	35457.69	**65636.38**	111697.6
f3	PSO	**16177.75**	**34479.06**	67155.13	111528.5
	SASAC_PSO(III)	16495.31	35493.5	**65382.81**	**109935.6**
f4	PSO	16504.75	36274.25	67754.06	113731.5
	SASAC_PSO(III)	16478.75	35047.19	67754.06	111059.6
f5	PSO	**16188.31**	36170.63	66526.63	**110572.6**
	SASAC_PSO(III)	16231.31	**35075.75**	**66434.31**	112883.8
f6	PSO	16421.44	36036.75	68533.13	250540.8
	SASAC_PSO(III)	17408.69	37907.88	70941.13	116498.0

Table 5.5 is the time-average results over the 30 runs of each method measured in miniseconds. It can be seen from this table that the methods almost all run at the same speed. The difference is insignificant.

6. CONCLUDE

The swarm optimization method is a form of population evolutionary algorithms known before such as genetic algorithm (GA), Ant colony algorithm. However, PSO differs from GA in that it favors using the interactions between individuals in a population to explore the search space. PSO is the result of modeling the flight of birds in search of food, so it is often classified as algorithms that use swarm intelligence. Introduced in 1995 at an IEEE conference by James Kennedy and engineer Russell C.Eberhart. Algorithms have many important applications in all fields where solving optimization problems is required.

In this report, we use the basic PSO algorithm, and the improved PSO algorithms are c-PSO and W-PSO. The use of the basic PSO algorithm and In the future, we want to continue our studies on the methods of adaptively tuning the parameters of the PSO algorithm to further improve the efficiency of the algorithm. We also want to apply these results in solving problems, especially optimizing the storage and search of the Gen-Disease dictionary at our institution.

REFERENCES
1) Engelbrecht, A.P. Fundametals of Computational Swarm Intelligence, John Wiley & Sons, 2005.
2) James Kenedy and Russell Eberhart – Particle swarm optimization, From Proc. IEEE Int'l. Conf. on Neural Networks (Perth, Australia) IEEE Service Center, Piscataway, NJ,IV :1942 -1948.
3) Parsopoulos, K.E and Vrahatis,M . N. Particle Swarm optimization in Noisy and Continuousle Changing Environments. In Proceedings of International Conference on Artificial Intelligence and Soft Computing, 289 – 294, 2002.
4) Brits, R . , Engelbrecht, A. P , anh Van Den Bergh, F. A Niching Particle Swarm Optimization. In Proceedings of the Fourth Asia – Pacific Conference on Simulated Evolution and Learning (SEAL' 2002), 692 – 696, 2002.
5) Richards, M. and Ventura, D. Choosing a Starting Configuration for Particle Swarm optimization. In Proceedings of the Joint Conference on Newral Networks, 2309 – 2312, 2004.
6) Li Guo and Xu Chen, Institute for Intelligent Computational Science College of Mathematics and Computational Science ShenZhen University, ShenZhen, 518060, China. A Novel Particle Swarm Optimization Based on the Self- Adaptation Strategy of Acceleration Coefficients*

Adjusting Parameters in Optimize Function PSO

7) F.van der Bergh. An analysis of Particle Swarm Optimizers. PhD thises, Department of Computer Science, university of Pretoria, Pertoria, South Africa, 2002.

8) Marcin Molga, Czeslaw Smutnicki,Test functions for optimization needs 3 kwietnia 2005.

9) P.N. Suganthan. Particle Swarm Optimizer with Neighbourhood Operator. In proceeding of the IEEE Congress on Evolution and Computation, PAGES 1958-1962, IEEE Press, 1999

10) Y.Volkan pehlivanoglu ,Turkish Air Force Academy Aeronautics and Space Engineering Dept. A new particle swarm optimization method for the path planning of uav in 3d environment. Received: 13th January 2012, Accepted: 27th July 2012 .

11) R.C. Eberhart, P.K. Simpson, and R.W. Dobbins. Computational Intelligence PC Tools, Academic Press Professional,first edition, 1996

12) J.F.Schutte and A.A. Groenwold. Sizing Design of Truss Structures using Particle Swarm Optimization. Structural and Multidisciplinary Optimization, 25(4) : 261-269,2003

13) H-Y. Fan. A Modification to Particle Swarm Optimization Algorithm. Engineering Computions, 19(7-8):970-989,2002

14) Y Shi and R.C. Eberhart. A Modified Particle Swarm Optimization. In proceedings of the IEEE Congress on Evolutionary Computation, pages 69-73, May 1998

15) J.Peng,Y. Chen, and R.C. Eberhart. Battery Pack State of Charge Estimator Design using Computational Intelligence Approaches. In Proceedings of the Annual Bttery Conference on Application and Advances, pages 173-179, 2000

16) S.Naka, T.Genji, T.Yura, Y.Fukuyama, and N. Hayashi. Particle Distribution Sate Estimation using Hybrid Particle Swarm Optimization, In IEEE Power Engineering Society Winter Meeting, volume 2, pages 815-820, Jannuary 2001.

17) M.Clerc, Thing locally, Act Locally: The way of Life of Cheap –PSO, an Adaptive PSO, Technical report http://clerc.maurice.free.fr/pso/,2001

18) R.C.Eberhart and Y.Shi.Comparing Inertia Weightand Constriction Factors in Particlelume SwarmOptimization. In Proceedings of the IEEE Congreess evolutionary Computation, volume 1, pages 84 -88, July 2000.

19) A Carlisle and G. Dozier. An off-the-Shelf PSO. In proceeedings of the workshop on ParticleSarm Optimization, pages 429-434,2000

20) J.Kennedy. The Particle Swarm : Social Adapptation of Knowledge. In Proccedings of the IEEE Interational Conference on Evolutionary Computation, pages 303-308, April 1997.

21) R.Brits, A.P.Engelbrecht, and F. vanden Bergh. A Niching Particle Swarm Optimizer. In Procceding of the Fourth Asia – Pacific Conference on Similated Evolution and Learning, pages 692-696, 2002.

22) J.Riget and J.S. Vesterstrom. A Diversity – Guided ParticleSwarm Optimizer- The ARPSO, Technical report, Department of Computer Science, University of Aathus, 2002.

23) G.Venter and Sobiezczanski-Sobieski. Particle Swarm Optimization, Journal for AIAA, 41(8): 1583 -1589,2003

24) http://www.adaptiveview.com/article/ipsopl.html

25) http://www.swarmintelligence.org/tutorrials.php

Critical Thinking, The Skills that Urgent to Increase

Retno T. Hariastuti[1], Titin Indah P.[2], Bambang Dibyo W.[3], M. Farid I.[4]

[1,2,3,4] Departement of Guidance and Counseling, Faculty of Education, State University of Surabaya

ABSTRACT: This study describes the profile of students' critical thinking skills during the covid-19 pandemic at the Faculty of Education, State University of Surabaya. The data collection instrument used was a critical thinking ability test developed by Hariastuti by adopting the WGCTA (Watson-Glaser Critical Thinking Appraisal) model. respondents obtained through accidental sampling because the instrument is distributed in google form. The results showed that the critical thinking category of students was still in moderate condition so that efforts were needed to improve students' critical thinking skills.

KEYWORDS: critical thinking, accidental sampling, pandemic.

INTRODUCTION

The ability to think critically is one of the competencies that must be possessed by students, including students. Students must have critical thinking in order to be able to apply logical, critical, systematic, and innovative thinking. Critical thinking is one of the characters that is part of the process of forming the morals of the nation's children. To develop students' critical thinking skills, innovations need to be made both in learning activities (academic) and non-academic activities that facilitate the development of thinking skills. Critical thinking is a skillful activity carried out to meet intellectual ability standards such as clarity, relevance, adequacy, coherence, and so on. Critical thinking requires interpretation and evaluation of the sources of information obtained (Simamora, 2015: 2). Critical thinking is an aspect of ability that allows individuals to effectively solve various problems in everyday life. The importance of critical thinking for students is also expressed by Peter (2012: 39) that "Students who are able to think critically are able to solve problems effectively". Critical thinkers have the ability to consider various information obtained from various sources, to process information in creative and logical ways, to challenge, analyze and make conclusions that can be defended and justified, not based on subjective prejudices. Furthermore, Moon stated that critical thinking skills are needed to develop arguments, deconstruct ideas or synthesize various ideas related to complex ideas. In line with that, Watson and Glaser suggest a number of abilities that show critical thinking skills in a person, consist of the ability to make inferences, recognize assumptions, think deductively, make interpretations, and evaluate arguments (Pearson, 2012)

For almost two years, students undergo the online learning process. Online learning must be carried out as a change in the way of learning due to the outbreak of the Corona virus. In accordance with government policy, namely the implementation of the Learning from Home program which began in March 2020. The COVID-19 pandemic and the learning from home policy have raised many problems. Students complain that there are more and more learning burdens due to many assignments, decreased learning motivation, experiencing burn out, even on the part of lecturers they have to look for innovations in online learning methods and media.

Another issue that needs attention is how easy it is for students to be influenced by information that is not clear or hoax. The emergence of various broadcasts on social media about the corona which often causes fear and anxiety. Hoax news is easy to spread because it is not analyzed first. The habit of doing analysis will help improve critical thinking skills.

METHOD

This research is a survey research to obtain an overview of the level of critical thinking skills of students in Faculty of Education, State University of Surabaya (FE SUS). The study population was students from 8 departements at FE SUS (Guidance and Counseling, Educational Technology, Non-Formal Education, Special Education, Primary School Teacher Education, Early Childhood Teacher Education, Psychology, Education Management). The sampling technique used is non-probability sampling in the form of accidental sampling, which is a method of determining the sample by taking respondents who happen to exist or are available, namely those who fill out a google form. The number of respondents was 331 students. The data collection instrument used is a critical thinking test that has been developed by Hariastuti (2017) by adopting the WGCTA (Watson-Glaser Critical Thinking Appraisal) model which consists of five dimensions, encompass inference, recognition assumption, deduction, interpretation andeEvaluation of arguments. The instrument is distributed in the form of a google form, considering the condition is

still a pandemic. The instrument has met the validity test and Cronbach's Alpha reliability test of 0.998. The data analysis technique used is descriptive analysis technique to describe the data that has been collected as it is.

RESULT

Respondents consisted of 32% students from Guidance and Counseling Department, 26% from Special Education Department, 12% from Technology of Education Department, 8% from Non-Formal Education Department, 4% from Primary School Teacher Education Department, 2% from Early Childhood Teacher Education Department, 2% from Management Education Department, and 14% from Psychology Department. The level of critical thinking skills is obtained from the correct answer score on the critical thinking test instrument which includes five indicators, comprise inference, recognition assumption, deduction, interpretation and evaluation of arguments. Each indicator is represented by three questions so that the instrument totals 15. The correct answer is given a score of 1 and the wrong one a score of 0. The level of critical thinking ability is classified into three categories, namely high (11-15), moderate (6-10) and low (0-5). From the respondents' answers, an average score of 9.18 was obtained, namely the medium category. The profile of students' critical thinking skills is shown in figure 3.1

Profile of Students Critical Thinking

Tinggi ■ Sedang ■ Rendah
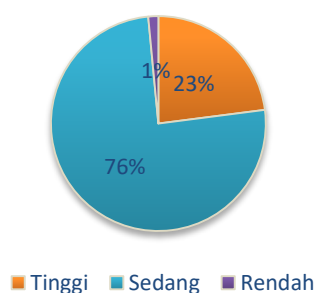
Figure 3.1. Profile of Students' Critical Thinking Skills at FE SUS

The data shows that most (76%) students at FE SUS have critical thinking skills in the medium category, there are even (1%) in the low category. While those who have good critical thinking skills (high category) are only 23%.

DISCUSSION

The results showed that 77% of FE SUS students had critical thinking skills in the medium category. Based on data analysis, it is known that the level of critical thinking skills of students indicated by the average critical thinking skills score of 9.18 is in the medium category. Thus, the students' critical thinking skills at FE SUS still need to be improved. Critical thinking is one of the soft skills needed in the 21st century era, in addition to three other life skills, enshroud creative thinking, communication and collaboration skills.

The demand for critical thinking skills in students is a shared responsibility by the academic community. Lecturers, heads of study programs and faculties as well as student coaches or assistants must direct student activities to develop their critical thinking skills. Meanwhile, from development research conducted by Changwong at al. (2018) produced a critical thinking learning/teaching model called PUCSC, which includes five learning steps, namely (1) preparation for learning management (P), (2) understanding and practice (U), (3) cooperative solutions (C) , (4) sharing new knowledge (S), (5) creation of new knowledge (C). In the field of guidance, Hariastuti et al. (2017) proved in his research that students' critical thinking skills can be improved through guidance and counseling services with an indigenous approach.

CONCLUSION

Based on research data, it is known that the critical thinking skills of FE SUS students is in the medium category. This condition certainly needs to be considered because in the 21th Century era students are required to have high critical thinking skills. So it is necessary to make efforts to improve students' critical thinking skills through academic and non-academic activities.

REFERENCES

1) Beck, A., Salano, M., & Andrews, M. (2011). *Critical Thinking: An Appeal to Reason*. New York: Routledge Taylor & Francis Group.
2) Facione, Peter A. (2011). *Critical Thinking: What It Is and Why It Counts*. California: Measured Reasons and The California Academic Press, Millbrae, CA
3) Hariastuti, et al. (2017). The Development of Critical Thinking Skills Based of Patrap Triloka's Ki Hadjar Dewantara. *International Journal of Development Research.* Vol. 07, Issue, 07, pp.13606-13611, July, 2017

Critical Thinking, The Skills that Urgent to Increase

4) Johnson, S. & Siegel, H. (2010). *Teaching Thinking Skill*. New York: Continuum International Publishing Group.
5) Kennedy, Mary Lee., Jones, Rebecca., Wallace, Deb. 2019. *Critical Thinking*. Washington D.C : Annual Meeting,
6) Lai, E. R. (2011). *Critical thinking: a Literature review.* Author, Pearson Assessments. http://www.pearsonassessments.com/.../CriticalThinking.
7) Paul, R. & Elder, L., (2011). *Critical Thinking: Tools for Taking Charge of Your Learning and Your Life*. Upper Saddle River, NJ: Prentice Hall
8) Paul, R. (2012). *Enhance Your Critical Thinking Skills-6 Types of Socratic Questions*http://www.1000advices…communication_questions_socratic.html
9) Peter, E.E. (2012). "Critical Thinking Essence for Teaching Mathematics and Mathematic Problem Solving Skills". *African Journal of Mathematics and Computer Science Research*. 5, (3), 39-43
10) Possin, Kevin. (2017). *Thinking Critically About Richard Paul's Critical Thinking*. Paper. Presented at the Association for Informal Logic and Critical Thinking, Central Division Meeting, March 3, 2017
11) Simamora, Herna Jusnita. (2015). Pengaruh Strategi Pembelajaran dan Kemampuan Berpikir Kritis Terhadap Hasil Belajar Bimbingan dan Konseling Mahasiswa PGSD UNM. Tesis. Unimed.
12) Suparni. (2016). Upaya Meningkatkan Kemampuan Berpikir Kritis Mahasiswa Menggunakan Bahan Ajar Berbasis Integrasi Interkoneksi. Jurnal Derivat Volume 3 No. 2 Desember 2016.
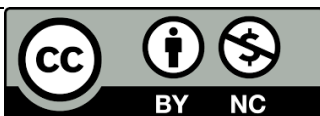
International Agency (USID) and Democratic Elections: A Prognosis to the Role of Security Personnels in Nigerian 2015 Elections

Nwafor Alphonsus Onyeacholam[1]. Umeh Lucy Chinwe[2], Ojiego Winifred Chinaemerem[3]

[1]Department of Political Science Education Godfrey Okoye University, Thinkers Corner Enugu
[2]Department of Pol Sci & International Relations, Godfrey Okoye University, Thinkers Corner Enugu
[3]Department of History/International Studies, Godfrey Okoye University, Thinkers Corner Enugu

ABSTRACT: This study examined the role of an international Agency (USAID) and Democratic Election; A Prognosis to the role of Security Personnel in Nigerian 2015 Elections. USAID and other international Agencies have relentlessly assisted both the emerging and consolidating democracies such as Nigeria, in conducting free and fair elections via provision of some forms of technical assistance so as to achieve credible elections and ensure improved governance but in spite of all these, events and happenings from developed democracies and across the globe have shown that the vitality of election security to the credibility of elections cannot be ignored because the conduct of free and fair elections to a large extent depend on the security system available in the country. This study anchored on Elite theory propounded by Paredo and Gaetano with descriptive qualitative method of data collection and Content analysis. It discovered that the fact that consistently undermined democratic consolidation in Nigeria is the varying degrees and measures of electoral violence so it therefore recommends that impartial and unbiased security agencies should be recruited for each election in order to prevent the reoccurrence of electoral violence during each election.

KEY WORDS: Election, Democratic, International Agency(USAID), Security, Electoral Violence.

INTRODUCTION

Without gainsaying, elections are at the core of the democratic process, therefore, elections that are free from pressure, inappropriate influence and fear is sacrosanct. To achieve this (i.e. free, fair and credible elections), continuing efforts are being made by state, non-state actors and international organizations to ensure free and fair conduct and administration of elections in order to guarantee and ensure credibility. Underscoring the utmost significance of credible elections worldwide, USAID and some other related international agencies over the last three decades have relentlessly assisted both the emerging and consolidating democracies in conducting free and fair elections. Over the intervening decades, these international organizations have provided some forms of technical assistance so as to guarantee credible elections and ensure improved governance and societal well-being in the country concerned. But be as it may, in spite of what agencies such as USAID and others have done in ensuring credible elections worldwide, findings from social survey, specifically from emerging democracies in the world, have shown that qualities of elections and electoral integrity are easily compromised in places where credibility of election and election administration were lacking or doubted. In this wise, the credibility of electoral results and the concomitant legitimacy it confers on the emergent government revolve around how well the issue of election security is managed. Events and happenings from developed democracies around the world have shown that the importance of election security to the credibility of elections cannot be overemphasized as the conduct and administration of free, fair and credible elections to a great extent depend on the security system available in any democratic setting. Hence, the development and employment of various security measures by various governments and electoral commissions in both cons; olidated and emerging democracies to guarantee election credibility and consequently prevent legitimacy crisis. Sean Dunne, commenting on the significance of elections security, avers that, reliable security during an electoral process is pivotal to enhancing participants' confidence and commitment to an election. He, inter alia argued further that security remains an inseparable part of the electoral process. In brief, the importance of a secured atmosphere for the conduct of free, fair and credible elections cannot be downplayed. To this effect, the unalloyed contributions of governments at all levels and the readiness of security agencies to deal with security challenges before, during, and after elections cannot be overemphasized.

International Agency (USID) and Democratic Elections: A Prognosis to the Role of Security Personnels in Nigerian 2015 Elections

THEORETICAL FRAMEWORK

The study adopts the elite theory as the theoretical framework. The elite theory was first developed by two Italian Sociologists namely: Vilfredo Pareto and Gaetano Mosca. The earlier versions of the theory emphasized personal attributes of leaders, which aided their hold or dominance in power positions. Later versions dwelt more on the institutional framework of society (Haralambos, 1999: 107). The thrust of the theory are as follows:

- Elite owes its power to its internal organization and forms a united and cohesive minority in the face of an unorganized and fragmented mass.
- Major decisions which affect society are taken by the elite, and these decisions usually reflect the interest of the elite rather than the wishes of the majority.
- The mass of the population is largely controlled and manipulated by the elite, passively accepting the propaganda which justifies elite rule. iv. Major change in society occurs when one elite replaces another. Pareto refers to this as "circulation of elites" and he noted that "all elite tend to become decadent.
- The rule by a minority is an inevitable feature of social life and that the ruling minority is superior to the mass of the population who lack capacity for self-government and require the leadership and guidance of an elite. Mosca (in Haralambos, 1999: 109).

Mosca corroborated that "the first class, always the less numerous, performs all political functions, monopolizes power and enjoys the advantages that power brings, whereas the second, the more numerous class is directed and controlled by the first". vi. Pareto typified modern democracies as merely another form of elite domination. Mosca averred that democracy could be government of the people, "it might even be government for the people, but it could never be government by the people.

APPLICATION OF THE THEORY

The governing elite in Nigeria deriving from their social characteristics and privileges of office operate as a formidable team against the mass (people) who are encumbered by daily pressure for sustenance and necessities of life. The manipulative tendencies and tool by the elite inhibit any genuine effort to advance common cause in form of qualitative education, shelter, basic infrastructure and other social amenities as deliverables of democratic governance. Madunagu (2005: 1) validated this in his assertion that "the dominant fraction of the Nigerian ruling classes does not use the wealth they loot…for the benefit of „their people", although these poor people whose names are invoked in vain are often mobilized to fight their imaginary enemies". The reference to looting of the nation's wealth above reinforces the serial argument by scholars and public analysts/social commentators that the governing elites in Nigeria (past and present) are complicit in resource plunder, and as an extension of the colonial state, the post-colonial state represented by the governing elite is also predatory and exploitative. Additionally, Onyishi (2007: 197) documented that "…the post-colonial state never became a reflection of the contending social forces within society. This inorganic character of the emergent Nigerian state meant that it would…not encapsulate a social contract The challenge of service delivery, infrastructural deficits and qualitative life for citizenry among others demonstrate that the expected democratic dividends have not been delivered. The governing elite in Nigeria may have become decadent and ineffective due to pleasures of easy living and privileges of power in the words of Pareto. ANEEJ (2004: 16) reinforced this issue while identifying the existence of a predatory state and elite in Nigeria, and submitted with finality that "this may therefore explain the lack of development in the country…" From independence to date, Nigeria has witnessed the "circulation of elites" as theorized by Pareto; this implies that one elite replaces another in order that major change in society can occur. It is however doubtful if major and qualitative changes had taken place to position the country in the big league in development terms.

ELECTIONS AND INSECURITY IN NIGERIA

Election security in Nigeria, particularly since the introduction of multi-party election in 1999, has been the subject of scholarly discussion and writing. Multiple reviews of works of scholars' in this area has reaffirmed the fact that, the place of effective and efficient functioning of security agents cannot be overemphasized as far as the conduct of free, fair and credible election is concerned in any democratic setting. As evinced by Adele Jinadu, election security transcends voting and other activities taking place on the voting day alone. Literally, electoral security has been ably expressed 'as the deliberate prevention of electoral governance from distortions, violations and manipulations; in such a way that legitimacy of democratic elections and democratic political succession would be guaranteed'. As a whole, securing election begins from taking steps necessary in ensuring the safety of the electoral process and at the same time creates a safe and secured environment, which in turn would allow electorates to participate in electoral process without undue pressure, intimidation, and fear before, during and after voting exercise (UNOWA, 2009). In addition to the above, electoral security involves the physical security of items such as buildings, vehicles, election materials and gadgets; and personal security of people such as electorates, representatives of different political parties, observers, staff and workers of the body saddle with the management of elections; and the general public. Specifically, in 2015 Nigeria's general elections, security agencies were engaged to provide basic security to voters, people at political rallies and electioneering campaigns, conventions election

materials, electoral staff, observers, party agents, and other stakeholders before and on the days of elections. Closely related to the foregoing, are unalloyed contributions of security personnel to ensure there is a free, fair, safe and lawful atmosphere electioneering campaigns for all parties without discriminating against any party and candidates around polling and collation centers. In addition to this, guaranteeing the security of election materials during transportation, at the voting centers, during registration of voters, and during elections records update and other electoral events are without doubt part of the constitutional responsibilities of security agents during every election in Nigeria. At this juncture, there exists the need to establish the fact that the onerous task of achieving free, fair and credible elections does not solely lie with election regulatory body alone. From the time of conduct of elections in 2011, security agencies, particularly the Nigerian police have recorded little or no success in curbing electoral violence in the country. In spite of the fact that provision of adequate security before, during and after elections is part of the constitutionally assigned responsibilities and functions of police department, the agency has not fared well as far as policing elections is concerned [37]. In so much that election security challenge in Nigeria cannot be totally divorced from general problems of insecurity and security environment arising from kidnapping and abduction, incessant bombings, kidnapping and abduction as well as armed robberies, yet, insecurity associated with conduct of elections has been on the rise mainly because security agents whose presence during elections is mainly to enhance the delivery of electoral services have rather chosen to remain tools in the hands of politicians for perpetrating electoral malpractices. Without mincing words, history of elections in Nigeria (apart from 2015 general elections) is chequered with electoral violence of phenomenal proportion while a considerable portion of the blame is put at the doorstep of security agencies. To many Nigerians, memories of complicity by security operatives in facilitating electoral fraud in the past elections still lingers. Another common problem associated with security agencies which reared its ugly head in all past elections in Nigeria and which have consequently undermined election security is the paucity of enforcement. Despite the enormous powers conferred on security agencies, there has been a recurrent failure on their part to expeditiously prosecute electoral offenders in all past elections before 2011. In spite of the enormity and commonness of antics of political thugs in virtually all elections conducted in the country so far; the Nigeria Police rarely enforced the legal instruments prohibiting armed thuggery before, during and after elections despite the fact that this is well entrenched in Section 207, 225 and 227 of the 1979, 1989, and 1999 constitutions of Nigeria. A case that readily comes to mind is that of Late Chief Lamidi Adedibu who was known to have maintained loosely organized group of thugs for the purposes of electoral contests [37]. Adedibu up to the time of his demise was not arrested for once by security agents (this of course was due largely to his connection with the ruling party) in spite of the fact that he was keeping and maintaining something similar to private army. The similitude of what can be termed as high level partisanship of security operatives in the country re-enacted itself two days before June 21, 2015 Gubernatorial elections in Ekiti state.

THE USE OF SECURITY MEN IN UNDERMINING THE 2015 ELECTIONS IN NIGERIA

The 2015 general elections, the fifth since the beginning of fourth republic (the republic is the
longest one ever in the country) as predicted by scholars to be the most heated and hotly contested general elections in the history of democracy in Nigeria even months before a single vote was cast. These varied, though related predictions were all premised on the spate of violent acts that preceded the preparations for and the conduct of 2015 elections, most especially between the two major political parties (the ruling People's Democratic Party-PDP and All Progressives Congress-APC). Another distinct reason alluded for such predictions was hinged on the fact that 2015 general election would be the first in the history of elections in Nigeria when opposition party was considered strong enough to wrestle power from the ruling part. This line of thought was a watershed because Federal level power has never been rotated between political parties through democratic process before 2015. In line with the above, preparations for the elections elicited unprecedented concerns for voters, security managers and other users of the electoral system within the country and beyond. Indeed, the highlighted elections-related concerns became more intense and exasperated by other existing security challenges such as Boko-haram dastardly acts, bombs attacks and kidnappings, orchestrated armed robbery and violent clashes between opposing political groups in the country. Another concern was the huge doubt about the capability and capacities of the President Jonathan's government to match its talk with work by effectively mobilizing, coordinating the deployment of security personnel to secure 2015 elections. Eventually, the much anticipated 2015 general elections took place in the midst of myriad security concerns, particularly, the steady rising wave of Boko Haram insurgency in the country. The presidential election was conducted on March 28; the election was perhaps, one of the most bitterly fought in the annals of elections in Nigeria. Indeed, the polls occurred after a controversial six-week postponement following insistence by the National Security Adviser and other security related agencies that the election should be postponed for the newly constituted multinational force to accelerate battle against insurgents in the North-eastern part of the country which has been suffering attacks from terrorist sect, Boko Haram. In all, the conduct of security agents had a positive impact on the entire electoral process; their efforts consequently, prevented electoral violence in many areas and thus facilitated the overall peaceful conduct of elections. Apart from providing security for INEC materials and officials particularly in the midst of security threats; security agents were able to provide secured atmosphere that enabled Nigerians to throng polling booths to exercise their rights to choose their representative leadership (CDD, 2015). In the final analysis, the elections were hailed by many local and international observers as free and fair; nonetheless, the electoral process

was regarded as an imperfect, but visibly a maturing one. The Independent National Electoral Commission (INEC) was commended from all quarters for organising the elections in a professional and credible "manner particularly under challenging circumstances" and also for setting up the Inter-Agency Consultative committee on Election Security which to a considerable extent helped in achieving relatively orderly and effective administrations of 2015elections. In line with the extent of serenity that pervaded the entire political landscape in Nigeria during the 2015 general elections, the Punch Newspaper of April 29, 2015 avers that the general view of the security presence at polling units was positive, unlike other previous elections in Nigeria. According to this newspaper, police were visible in all polling stations and were not obtrusive. The conduct of security agents during the elections was generally seen as mature and professional. Indeed, to a considerable extent, a notable departure from the past was noticeable in the conduct of security agents during the 2015 general elections. In fact, contrary to expectations of many Nigerians, rivalry common among different security agencies was nonexistent unlike before. In its place there was an effective coordination of all security agencies that participated in 2015 elections under the group known as Inter-Agency Consultative Committee. The elections throughout the country was devoid of incidents of inter agencies rivalry.

CONCLUSION AND RECOMMENDATIONS

Elections and election administration in Nigeria have long fascinated political and other social scientists. Scholars at different times have argued that part of the factors which have consistently undermined democratic consolidation in the country is varying degrees and measures of electoral violence (before, during and after election) which have become infused into political processes of the country and is gradually turning itself to the national face of Nigerian politics. For much too long, violence has almost become synonymous to elections in Nigeria. As a transitional democracy, elections have created a number of precarious situations that have constantly threatened the stability of democracy in the country. Various past elections in Nigeria have underscore the fact that the provision of secured environment and general security during elections is one of the necessitating factors for conduct of free and fair elections. Findings from scientific research works on past general elections in the country have shown that politicians and electorates would have no other choice than to play by the rules of the game in the context where security is guaranteed. In essence, election security which can largely be made possible by the presence of impartial and unbiased security agents will enhance and guarantee the delivery of electoral services. In relation to the above, one of the most important agencies responsible for achieving free, fair and credible elections especially in transitional democracy such as Nigeria's is security. In many developing societies, security agencies are recognized as 'markers' or 'guardians' of polls; to many, their presence and activities on, before and after elections could make or mar success of any election. In Nigeria, security agents especially the police have been perennially lampooned for their partisanship during elections. The absence of adequate election security over the years has compromised the democratic qualities of elections in Nigeria. Security agents have been accused of not being independent, competent, and have consistently failed to discharge their responsibilities professionally with due recourse to the rule of law particularly respect for the fundamental human rights of the electorates. Indeed, and rather unfortunately, the inability of security agents to act within these ethical codes during previous elections is seen as one of the fundamental cogs in the wheels of election security in Nigeria. Fortunately, however, a notable departure from the past was noticeable in the conduct of security agents during the 2015 elections; several ills associated with security agents during past elections have been blocked so far, however, there still exists room for significant improvement.

BIBLIOGRAPHY

1) Adele J. Comparative analysis of security challenges of elections in Nigeria: In Olurode and Jega (Ed.)SecurityChallenges of Election Management in Nigeria; Friedrich Ebert Stifung;   2011.
2) Adekanye B, Iyanda R. Security challenges in election management in Nigeria: An overview. In   Olurode and Jega (Ed.) Security Challenges of Election Management in Nigeria; Friedrich Ebert Stifung; 2011.
3) Aniekwe C, Kushie J. Electoral violence situational analysis: Identifying hot spots in the 2011   general elections in Nigeria. Abuja: NAPEN Nigeria: Friedrich Ebert; 2011.
4) Brym RJ, Lie J. Sociology. Your compass for a new world. 2nd Ed. Belmont: Cengage Learning;   2010.
5) Cleen Foundation. Securing elections in Nigeria Report of the Observation of the Conduct of Security Officials during the 2011 Elections; 2011.
6) Hounkpe M, Gueye AB. The role of security forces in the electoral process: The case of six West   Africancountries. Abuja, Fredrich Ebert Stiftung; 2010
7) Olurode and Jega (Ed.) Security Challenges of Election Management in Nigeria; Friedrich Ebert   Stifung; 2011.
8) Alvarez,R. M , Lonna,R.A., & Thad, E. (2012). *Evaluating elections: A handbook of methods and standards*, New York: Cambridge University Press.
9) Birch, S. (2011). *Electoral malpractice*. Oxford University Press

10) Carter, E. & Farrell, D. (2009). *Electoral systems and election management. Comparing democracies: Elections and voting in the 21st century*

11) Iwara, E. I. (2010). *Elections and electoral matters in Nigeria since independence in Bello-Imam LB (ed.). 50 years of the Nigeria project: Challenges and prospects*, Ibadan: college Press

12) Katz, R. S. (2004). *Problems in electoral reform. Why the decision to change electoral systems is not simple.* In H. Milner (Ed), Steps towards making every vote count: Electoral System Reform in Canada and its provinces, Peterborough: Broadview Press

13) Kerevel, Y. (2009). *Election management bodies and public confidence in elections*: Lessons from Latin America: William and Kathy democracy studies fellowship paper.

14) Lopez-Pinter, R. (2000). *Electoral management bodies as institutions of governance*. New York: UNDP

15) Norris, P. (2014). *Why electoral integrity matters.* New York: Cambridge University Press

16) Powell, G.B. (2000). *Elections as instruments of democracy: Majoritarian and proportional visions.* New Haven: Yale University Press

17) Varma, S.P. (1975). *Modern political theory,* New Delhi: VIKA's Pub. House PVT Ltd

18) Adeniran, E (2016) The Smart card reader and 2015 General elections in Nigeria Dol: 10.20940/JAE/2016/Vl5i2a4. *Journal of African Elections.*

19) Agbaje, A., & Adejumobi, S. (2006). Do Votes Count?, the travails of Electoral Politics in Nigeria, *Africa Development*, 31(3), 25-44.

20) Agbo, H. N., & Okoli,R. C.(2016). Election Management and disenfranchisements in 2015 General Elections in Nigeria : The unexplored issues. *InternationalJournal of Research in Arts and Social Sciences*, 9(1), 78.

21) Babayo S., Mohd A.M., & Bakri, M. (2018).Nigerian 2015 general election: The successes, challenges, and implications for future general elections. The Asian Institute of Research, *Journal of Social and Political sciences*, 1(2), 183-204.

22) Chinsinga, B. (2006). Lack of Alternative leadership in Democratic Malawi. Some related issues of 2004 General Elections. *Journal of Nordic African Studies.*

23) Ejue, B. J, & Ekanem, S. A.(2011). Voter rights and credible election in Nigeria. The Imperative of pre-thinking the content of citizenship education. *InternationalJournal of Humanities and Social Science, 1(*19).

24) Ekundayo, W. J. (2015). A critical evaluation of Electoral management bodies in Nigeria and the perennial problem of electoral management since independence in 1960. *International Journal of public administration and management research,* 2 (5), 49-54.

25) Idowu A. O.,& Ayinde A. F. (2016). Nigeria's 2015 elections: Permanent Voter's card, Smart Card readers and Security Challenges. *Journal of African Elections,* 15(12).

26) Ituma, S.O.,& Chukwu A.G. (2017). Multi-party politics and electoral violence in 2015 general elections:A study of Ebonyi State. *South-East political science review*, 1(1).

27) Lehcouq, F.E. (2003). Electoral fraud: Causes, types and consequences, *Annual review of political science*, 6, 233-56

28) Luqman, S. (2007). Electoral institution and the management of the democratization process, the Nigerian Experience. *Journal of Social Sciences, 2*1(1), 59-65.

29) Metumara, D.M.(2010). Democracy and the challenges of ethno-nationalism in Nigeria's fourth republic. Interrogating institutional mechanics. *Journal of Peace Conflict and Development.*

30) Oboziobodo, S. I.(2015). INEC and the conduct of Elections in Nigeria: An Appraisal of the 2007 General Elections. *European Scientific Journal*, 11, 31.

31) Oboziobodo, S.I.(2013). The Independent National Electoral Commission and election management in Nigeria: An Appraisal of the 2007 general elections. *Unpublished PHD Thesis submitted to the Department of Political Science, Enugu State University of science and Technology, Enugu,* Nigeria.

32) Osabiya, B.J.(2014). Nigeria and democratic elections. *Journal of Good Governance and Sustainable Governance in Africa , 2, 3.*

33) Sheriff G., Abdullahi N., & Kabir M., (2015). The 2015 general elections: A review of major determinants of paradigm shift in voting behaviour and political participation in Nigeria. *International Journal of Research in Humanities and Social Studies,*2(9), 8-16.

34) Yakubu A.S, & Ali A. M.(2015). Election and voting pattern in Nigeria: A study of 2015 governorship Election in Bauchi State. *International Journal of Humanities and Social Science Invention, 6*(11),52-59.

International Agency (USID) and Democratic Elections: A Prognosis to the Role of Security Personnels in Nigerian 2015 Elections

Nwafor Alphonsus Onyeacholam[1]. Umeh Lucy Chinwe[2], Ojiego Wilfred Chinaemerem[3]
[1]Department of Political Science Education Godfrey Okoye University, Thinkers Corner Enugu
[2]Department of Pol Sci & International Relations, Godfrey Okoye University, Thinkers Corner Enugu
[3]Department of History/International Studies, Godfrey Okoye University, Thinkers Corner Enugu

ABSTRACT: This study examined the role of an international Agency (USAID) and Democratic Election; A Prognosis to the role of Security Personnel in Nigerian 2015 Elections. USAID and other international Agencies have relentlessly assisted both the emerging and consolidating democracies such as Nigeria, in conducting free and fair elections via provision of some forms of technical assistance so as to achieve credible elections and ensure improved governance but in spite of all these, events and happenings from developed democracies and across the globe have shown that the vitality of election security to the credibility of elections cannot be ignored because the conduct of free and fair elections to a large extent depend on the security system available in the country. This study anchored on Elite theory propounded by Paredo and Gaetano with descriptive qualitative method of data collection and Content analysis. It discovered that the fact that consistently undermined democratic consolidation in Nigeria is the varying degrees and measures of electoral violence so it therefore recommends that impartial and unbiased security agencies should be recruited for each election in order to prevent the reoccurrence of electoral violence during each election.

KEY WORDS: Election, Democratic, International Agency(USAID), Security, Electoral Violence.

INTRODUCTION

Without gainsaying, elections are at the core of the democratic process, therefore, elections that are free from pressure, inappropriate influence and fear is sacrosanct. To achieve this (i.e. free, fair and credible elections), continuing efforts are being made by state, non-state actors and international organizations to ensure free and fair conduct and administration of elections in order to guarantee and ensure credibility. Underscoring the utmost significance of credible elections worldwide, USAID and some other related international agencies over the last three decades have relentlessly assisted both the emerging and consolidating democracies in conducting free and fair elections. Over the intervening decades, these international organizations have provided some forms of technical assistance so as to guarantee credible elections and ensure improved governance and societal well-being in the country concerned. But be as it may, in spite of what agencies such as USAID and others have done in ensuring credible elections worldwide, findings from social survey, specifically from emerging democracies in the world, have shown that qualities of elections and electoral integrity are easily compromised in places where credibility of election and election administration were lacking or doubted. In this wise, the credibility of electoral results and the concomitant legitimacy it confers on the emergent government revolve around how well the issue of election security is managed. Events and happenings from developed democracies around the world have shown that the importance of election security to the credibility of elections cannot be overemphasized as the conduct and administration of free, fair and credible elections to a great extent depend on the security system available in any democratic setting. Hence, the development and employment of various security measures by various governments and electoral commissions in both cons; olidated and emerging democracies to guarantee election credibility and consequently prevent legitimacy crisis. Sean Dunne, commenting on the significance of elections security, avers that, reliable security during an electoral process is pivotal to enhancing participants' confidence and commitment to an election. He, inter alia argued further that security remains an inseparable part of the electoral process. In brief, the importance of a secured atmosphere for the conduct of free, fair and credible elections cannot be downplayed. To this effect, the unalloyed contributions of governments at all levels and the readiness of security agencies to deal with security challenges before, during, and after elections cannot be overemphasized.

International Agency (USID) and Democratic Elections: A Prognosis to the Role of Security Personnels in Nigerian 2015 Elections

THEORETICAL FRAMEWORK

The study adopts the elite theory as the theoretical framework. The elite theory was first developed by two Italian Sociologists namely: Vilfredo Pareto and Gaetano Mosca. The earlier versions of the theory emphasized personal attributes of leaders, which aided their hold or dominance in power positions. Later versions dwelt more on the institutional framework of society (Haralambos, 1999: 107). The thrust of the theory are as follows:

- Elite owes its power to its internal organization and forms a united and cohesive minority in the face of an unorganized and fragmented mass.
- Major decisions which affect society are taken by the elite, and these decisions usually reflect the interest of the elite rather than the wishes of the majority.
- The mass of the population is largely controlled and manipulated by the elite, passively accepting the propaganda which justifies elite rule. iv. Major change in society occurs when one elite replaces another. Pareto refers to this as "circulation of elites" and he noted that "all elite tend to become decadent.
- The rule by a minority is an inevitable feature of social life and that the ruling minority is superior to the mass of the population who lack capacity for self-government and require the leadership and guidance of an elite. Mosca (in Haralambos, 1999: 109).

Mosca corroborated that "the first class, always the less numerous, performs all political functions, monopolizes power and enjoys the advantages that power brings, whereas the second, the more numerous class is directed and controlled by the first". vi. Pareto typified modern democracies as merely another form of elite domination. Mosca averred that democracy could be government of the people, "it might even be government for the people, but it could never be government by the people.

APPLICATION OF THE THEORY

The governing elite in Nigeria deriving from their social characteristics and privileges of office operate as a formidable team against the mass (people) who are encumbered by daily pressure for sustenance and necessities of life. The manipulative tendencies and tool by the elite inhibit any genuine effort to advance common cause in form of qualitative education, shelter, basic infrastructure and other social amenities as deliverables of democratic governance. Madunagu (2005: 1) validated this in his assertion that "the dominant fraction of the Nigerian ruling classes does not use the wealth they loot…for the benefit of „their people", although these poor people whose names are invoked in vain are often mobilized to fight their imaginary enemies". The reference to looting of the nation's wealth above reinforces the serial argument by scholars and public analysts/social commentators that the governing elites in Nigeria (past and present) are complicit in resource plunder, and as an extension of the colonial state, the post-colonial state represented by the governing elite is also predatory and exploitative. Additionally, Onyishi (2007: 197) documented that "…the post-colonial state never became a reflection of the contending social forces within society. This inorganic character of the emergent Nigerian state meant that it would…not encapsulate a social contract The challenge of service delivery, infrastructural deficits and qualitative life for citizenry among others demonstrate that the expected democratic dividends have not been delivered. The governing elite in Nigeria may have become decadent and ineffective due to pleasures of easy living and privileges of power in the words of Pareto. ANEEJ (2004: 16) reinforced this issue while identifying the existence of a predatory state and elite in Nigeria, and submitted with finality that "this may therefore explain the lack of development in the country…" From independence to date, Nigeria has witnessed the "circulation of elites" as theorized by Pareto; this implies that one elite replaces another in order that major change in society can occur. It is however doubtful if major and qualitative changes had taken place to position the country in the big league in development terms.

ELECTIONS AND INSECURITY IN NIGERIA

Election security in Nigeria, particularly since the introduction of multi-party election in 1999, has been the subject of scholarly discussion and writing. Multiple reviews of works of scholars' in this area has reaffirmed the fact that, the place of effective and efficient functioning of security agents cannot be overemphasized as far as the conduct of free, fair and credible election is concerned in any democratic setting. As evinced by Adele Jinadu, election security transcends voting and other activities taking place on the voting day alone. Literally, electoral security has been ably expressed 'as the deliberate prevention of electoral governance from distortions, violations and manipulations; in such a way that legitimacy of democratic elections and democratic political succession would be guaranteed'. As a whole, securing election begins from taking steps necessary in ensuring the safety of the electoral process and at the same time creates a safe and secured environment, which in turn would allow electorates to participate in electoral process without undue pressure, intimidation, and fear before, during and after voting exercise (UNOWA, 2009). In addition to the above, electoral security involves the physical security of items such as buildings, vehicles, election materials and gadgets; and personal security of people such as electorates, representatives of different political parties, observers, staff and workers of the body saddle with the management of elections; and the general public. Specifically, in 2015 Nigeria's general elections, security agencies were engaged to provide basic security to voters, people at political rallies and electioneering campaigns, conventions election

materials, electoral staff, observers, party agents, and other stakeholders before and on the days of elections. Closely related to the foregoing, are unalloyed contributions of security personnel to ensure there is a free, fair, safe and lawful atmosphere electioneering campaigns for all parties without discriminating against any party and candidates around polling and collation centers. In addition to this, guaranteeing the security of election materials during transportation, at the voting centers, during registration of voters, and during elections records update and other electoral events are without doubt part of the constitutional responsibilities of security agents during every election in Nigeria. At this juncture, there exists the need to establish the fact that the onerous task of achieving free, fair and credible elections does not solely lie with election regulatory body alone. From the time of conduct of elections in 2011, security agencies, particularly the Nigerian police have recorded little or no success in curbing electoral violence in the country. In spite of the fact that provision of adequate security before, during and after elections is part of the constitutionally assigned responsibilities and functions of police department, the agency has not fared well as far as policing elections is concerned [37]. In so much that election security challenge in Nigeria cannot be totally divorced from general problems of insecurity and security environment arising from kidnapping and abduction, incessant bombings, kidnapping and abduction as well as armed robberies, yet, insecurity associated with conduct of elections has been on the rise mainly because security agents whose presence during elections is mainly to enhance the delivery of electoral services have rather chosen to remain tools in the hands of politicians for perpetrating electoral malpractices. Without mincing words, history of elections in Nigeria (apart from 2015 general elections) is chequered with electoral violence of phenomenal proportion while a considerable portion of the blame is put at the doorstep of security agencies. To many Nigerians, memories of complicity by security operatives in facilitating electoral fraud in the past elections still lingers. Another common problem associated with security agencies which reared its ugly head in all past elections in Nigeria and which have consequently undermined election security is the paucity of enforcement. Despite the enormous powers conferred on security agencies, there has been a recurrent failure on their part to expeditiously prosecute electoral offenders in all past elections before 2011. In spite of the enormity and commonness of antics of political thugs in virtually all elections conducted in the country so far; the Nigeria Police rarely enforced the legal instruments prohibiting armed thuggery before, during and after elections despite the fact that this is well entrenched in Section 207, 225 and 227 of the 1979, 1989, and 1999 constitutions of Nigeria. A case that readily comes to mind is that of Late Chief Lamidi Adedibu who was known to have maintained loosely organized group of thugs for the purposes of electoral contests [37]. Adedibu up to the time of his demise was not arrested for once by security agents (this of course was due largely to his connection with the ruling party) in spite of the fact that he was keeping and maintaining something similar to private army. The similitude of what can be termed as high level partisanship of security operatives in the country re-enacted itself two days before June 21, 2015 Gubernatorial elections in Ekiti state.

THE USE OF SECURITY MEN IN UNDERMINING THE 2015 ELECTIONS IN NIGERIA

The 2015 general elections, the fifth since the beginning of fourth republic (the republic is the
longest one ever in the country) as predicted by scholars to be the most heated and hotly contested general elections in the history of democracy in Nigeria even months before a single vote was cast. These varied, though related predictions were all premised on the spate of violent acts that preceded the preparations for and the conduct of 2015 elections, most especially between the two major political parties (the ruling People's Democratic Party-PDP and All Progressives Congress-APC). Another distinct reason alluded for such predictions was hinged on the fact that 2015 general election would be the first in the history of elections in Nigeria when opposition party was considered strong enough to wrestle power from the ruling part. This line of thought was a watershed because Federal level power has never been rotated between political parties through democratic process before 2015. In line with the above, preparations for the elections elicited unprecedented concerns for voters, security managers and other users of the electoral system within the country and beyond. Indeed, the highlighted elections-related concerns became more intense and exasperated by other existing security challenges such as Boko-haram dastardly acts, bombs attacks and kidnappings, orchestrated armed robbery and violent clashes between opposing political groups in the country. Another concern was the huge doubt about the capability and capacities of the President Jonathan's government to match its talk with work by effectively mobilizing, coordinating the deployment of security personnel to secure 2015 elections. Eventually, the much anticipated 2015 general elections took place in the midst of myriad security concerns, particularly, the steady rising wave of Boko Haram insurgency in the country. The presidential election was conducted on March 28; the election was perhaps, one of the most bitterly fought in the annals of elections in Nigeria. Indeed, the polls occurred after a controversial six-week postponement following insistence by the National Security Adviser and other security related agencies that the election should be postponed for the newly constituted multinational force to accelerate battle against insurgents in the North-eastern part of the country which has been suffering attacks from terrorist sect, Boko Haram. In all, the conduct of security agents had a positive impact on the entire electoral process; their efforts consequently, prevented electoral violence in many areas and thus facilitated the overall peaceful conduct of elections. Apart from providing security for INEC materials and officials particularly in the midst of security threats; security agents were able to provide secured atmosphere that enabled Nigerians to throng polling booths to exercise their rights to choose their representative leadership (CDD, 2015). In the final analysis, the elections were hailed by many local and international observers as free and fair; nonetheless, the electoral process

was regarded as an imperfect, but visibly a maturing one. The Independent National Electoral Commission (INEC) was commended from all quarters for organising the elections in a professional and credible "manner particularly under challenging circumstances" and also for setting up the Inter-Agency Consultative committee on Election Security which to a considerable extent helped in achieving relatively orderly and effective administrations of 2015elections. In line with the extent of serenity that pervaded the entire political landscape in Nigeria during the 2015 general elections, the Punch Newspaper of April 29, 2015 avers that the general view of the security presence at polling units was positive, unlike other previous elections in Nigeria. According to this newspaper, police were visible in all polling stations and were not obtrusive. The conduct of security agents during the elections was generally seen as mature and professional. Indeed, to a considerable extent, a notable departure from the past was noticeable in the conduct of security agents during the 2015 general elections. In fact, contrary to expectations of many Nigerians, rivalry common among different security agencies was nonexistent unlike before. In its place there was an effective coordination of all security agencies that participated in 2015 elections under the group known as Inter-Agency Consultative Committee. The elections throughout the country was devoid of incidents of inter agencies rivalry.

CONCLUSION AND RECOMMENDATIONS

Elections and election administration in Nigeria have long fascinated political and other social scientists. Scholars at different times have argued that part of the factors which have consistently undermined democratic consolidation in the country is varying degrees and measures of electoral violence (before, during and after election) which have become infused into political processes of the country and is gradually turning itself to the national face of Nigerian politics. For much too long, violence has almost become synonymous to elections in Nigeria. As a transitional democracy, elections have created a number of precarious situations that have constantly threatened the stability of democracy in the country. Various past elections in Nigeria have underscore the fact that the provision of secured environment and general security during elections is one of the necessitating factors for conduct of free and fair elections. Findings from scientific research works on past general elections in the country have shown that politicians and electorates would have no other choice than to play by the rules of the game in the context where security is guaranteed. In essence, election security which can largely be made possible by the presence of impartial and unbiased security agents will enhance and guarantee the delivery of electoral services. In relation to the above, one of the most important agencies responsible for achieving free, fair and credible elections especially in transitional democracy such as Nigeria's is security. In many developing societies, security agencies are recognized as 'markers' or 'guardians' of polls; to many, their presence and activities on, before and after elections could make or mar success of any election. In Nigeria, security agents especially the police have been perennially lampooned for their partisanship during elections. The absence of adequate election security over the years has compromised the democratic qualities of elections in Nigeria. Security agents have been accused of not being independent, competent, and have consistently failed to discharge their responsibilities professionally with due recourse to the rule of law particularly respect for the fundamental human rights of the electorates. Indeed, and rather unfortunately, the inability of security agents to act within these ethical codes during previous elections is seen as one of the fundamental cogs in the wheels of election security in Nigeria. Fortunately, however, a notable departure from the past was noticeable in the conduct of security agents during the 2015 elections; several ills associated with security agents during past elections have been blocked so far, however, there still exists room for significant improvement.

BIBLIOGRAPHY

1) Adele J. Comparative analysis of security challenges of elections in Nigeria: In Olurode and Jega (Ed.)SecurityChallenges of Election Management in Nigeria; Friedrich Ebert Stifung;   2011.
2) Adekanye B, Iyanda R. Security challenges in election management in Nigeria: An overview. In   Olurode and Jega (Ed.) Security Challenges of Election Management in Nigeria; Friedrich Ebert Stifung; 2011.
3) Aniekwe C, Kushie J. Electoral violence situational analysis: Identifying hot spots in the 2011   general   elections   in Nigeria. Abuja: NAPEN Nigeria: Friedrich Ebert; 2011.
4) Brym RJ, Lie J. Sociology. Your compass for a new world. 2nd Ed. Belmont: Cengage Learning;   2010.
5) Cleen Foundation. Securing elections in Nigeria Report of the Observation of the Conduct of Security Officials during the 2011 Elections; 2011.
6) Hounkpe M, Gueye AB. The role of security forces in the electoral process: The case of six West   Africancountries. Abuja, Fredrich Ebert Stiftung; 2010
7) Olurode and Jega (Ed.) Security Challenges of Election Management in Nigeria; Friedrich Ebert   Stifung; 2011.
8) Alvarez,R. M , Lonna,R.A., & Thad, E. (2012*). Evaluating elections: A handbook of methods and standards*, New York: Cambridge University Press.
9) Birch, S. (2011). *Electoral malpractice*. Oxford University Press

10) Carter, E. & Farrell, D. (2009*). Electoral systems and election management. Comparing democracies: Elections and voting in the 21st century*

11) Iwara, E. I. (2010). *Elections and electoral matters in Nigeria since independence in Bello-Imam LB (ed.). 50 years of the Nigeria project: Challenges and prospects*, Ibadan: college Press

12) Katz, R. S. (2004). *Problems in electoral reform. Why the decision to change electoral systems is not simple.* In H. Milner (Ed), Steps towards making every vote count: Electoral System Reform in Canada and its provinces, Peterborough: Broadview Press

13) Kerevel, Y. (2009). *Election management bodies and public confidence in elections*: Lessons from Latin America: William and Kathy democracy studies fellowship paper.

14) Lopez-Pinter, R. (2000). *Electoral management bodies as institutions of governance*. New York: UNDP

15) Norris, P. (2014).*Why electoral integrity matters.* New York: Cambridge University Press

16) Powell, G.B. (2000). *Elections as instruments of democracy: Majoritarian and proportional visions.* New Haven: Yale University Press

17) Varma, S.P. (1975). *Modern political theory,* New Delhi: VIKA's Pub. House PVT Ltd

18) Adeniran, E (2016) The Smart card reader and 2015 General elections in Nigeria Dol: 10.20940/JAE/2016/Vl5i2a4. *Journal of African Elections.*

19) Agbaje, A., & Adejumobi, S. (2006). Do Votes Count?, the travails of Electoral Politics in Nigeria, *Africa Development*, 31(3), 25-44.

20) Agbo, H. N., & Okoli,R. C.(2016). Election Management and disenfranchisements in 2015 General Elections in Nigeria : The unexplored issues. *InternationalJournal of Research in Arts and Social Sciences*, 9(1), 78.

21) Babayo S., Mohd A.M., & Bakri, M. (2018).Nigerian 2015 general election: The successes, challenges, and implications for future general elections. The Asian Institute of Research, *Journal of Social and Political sciences*, 1(2), 183-204.

22) Chinsinga, B. (2006). Lack of Alternative leadership in Democratic Malawi. Some related issues of 2004 General Elections. *Journal of Nordic African Studies.*

23) Ejue, B. J, & Ekanem, S. A.(2011). Voter rights and credible election in Nigeria. The Imperative of pre-thinking the content of citizenship education. *InternationalJournal of Humanities and Social Science, 1(*19).

24) Ekundayo, W. J. (2015). A critical evaluation of Electoral management bodies in Nigeria and the perennial problem of electoral management since independence in 1960. *International Journal of public administration and management research,* 2 (5), 49-54.

25) Idowu A. O.,& Ayinde A. F. (2016). Nigeria's 2015 elections: Permanent Voter's card, Smart Card readers and Security Challenges. *Journal of African Elections,* 15(12).

26) Ituma, S.O.,& Chukwu A.G. (2017). Multi-party politics and electoral violence in 2015 general elections:A study of Ebonyi State. *South-East political science review*, 1(1).

27) Lehcouq, F.E. (2003). Electoral fraud: Causes, types and consequences, *Annual review of political science*, 6, 233-56

28) Luqman, S. (2007). Electoral institution and the management of the democratization process, the Nigerian Experience. *Journal of Social Sciences, 2*1(1), 59-65.

29) Metumura, D.M.(2010). Democracy and the challenges of ethno-nationalism in Nigeria's fourth republic. Interrogating institutional mechanics. *Journal of Peace Conflict and Development.*

30) Oboziobodo, S. I.(2015). INEC and the conduct of Elections in Nigeria: An Appraisal of the 2007 General Elections. *European Scientific Journal*, 11, 31.

31) Oboziobodo, S.I.(2013). The Independent National Electoral Commission and election management in Nigeria: An Appraisal of the 2007 general elections. *Unpublished PHD Thesis submitted to the Department of Political Science, Enugu State University of science and Technology, Enugu,* Nigeria.

32) Osabiya, B.J.(2014). Nigeria and democratic elections. *Journal of Good Governance and Sustainable Governance in Africa , 2,* 3.

33) Sheriff G., Abdullahi N., & Kabir M., (2015). The 2015 general elections: A review of major determinants of paradigm shift in voting behaviour and political participation in Nigeria. *International Journal of Research in Humanities and Social Studies,*2(9), 8-16.

34) Yakubu A.S, & Ali A. M.(2015). Election and voting pattern in Nigeria: A study of 2015 governorship Election in Bauchi State. *International Journal of Humanities and Social Science Invention, 6*(11),52-59.

An SFL Study on Tenor in English Journal Articles on Finance

Nguyen Thi Thanh Hoa

Hanoi Financial and Banking University, Vietnam

ABSTRACT: The study is a functional description and analysis of the category of tenor in English journal articles on finance which is arguably one of the four aspects forming register in Systemic Functional Linguistics (SFL). The data were collected from 50 English journal articles on finance indexed by Journal of Corporate Finance, Journal of Banking&Finance, Australian Journal of Management, The Quarterly Review of Economics and Finance, Journal of Economic Surveys, Journal of Economic Methodology, International Review of Financial Analysis, and Review of Finance. The paper identifies the components of tenor and describes their linguistic features in English journal articles on finance. The study contributes to the application of SFL to the description and the use of language for academic and research writing.

KEYWORDS: SFL, tenor, journal articles, finance, academic writing

INTRODUCTION

In recent years, discourse analysis has focused on studying linguistic subjects such as the language of press, law, art, administration, slogan advertisement, the language of science, or socio-politics in terms of vocabulary, grammar, genre, style, and register. The journal in finance is a kind of economic discourse with elements that are suitable for the method of discourse analysis from the point of view of systematic functional linguistics in terms of Field, Tenor, and Mode, deciding the choice of language use and affecting the thoughts of groups of people in the communication community. After examining existing studies, we have found that many of them are about scientific texts in terms of vocabulary and generic structure but there is no single study on the tenor in scientific discourses.

Therefore, *A SFL Study on Tenor in English Journal Articles on Finance* has been chosen as the title of this research.

2. LITERATURE REVIEW

2.1 . Discourse analysis based on genre analysis

Along with the discourse analysis based on the context and the systematic functional linguistics, the genre analysis approach also shows the importance of the situational context when analyzing documents (Bhatia, 1993), (Thompson, 1990, 1994), (Weissberge, 1993). These authors argue that genre primarily develops in social contexts. Therefore, genre analysis is concerning describing purposes in communicative contexts in texts or speeches. While all these authors agree that it is necessary to clearly define the purposes of the context, (Hyon, 1996) argues that these purposes focus more on detailing the formal characteristics of the context but less on specific functions and social surroundings (Hyson, 1996).

In addition, some perspectives on genre analysis argue that social relationships should be established along with the usage of language (Kress & Hodge's book, 1979). The author shows that message receivers tend to recognize the traditional feature of a communicative event that is considered a certain genre. The social structure of the discourse community produces disciplined communication, which relies on a system of rules. Genres are always in a dynamic state and operate continuously through the social activities of the discourse community (Giddens, 1979).

Moreover, the genre analysis approach contrasts itself with the syntactic analysis approach which recognizes the traditional structures used throughout the text to find out universal linguistic features. Instead, the discourse analysis approach based on genre analysis tends to find traditional ways of using genres such as the structure of a text like the beginning of the end of a letter (Flowerdew, 2005). As described as follows, genre analysis begins with the macrostructure of the text, focusing on larger units of the text rather than the sentence and grammatical lexical levels.

2.2. Semantic analysis based on systemic functional linguistics

Systemic functional linguistics (SFL) has a parallel relationship with linguistic analysis in the way that both methods of discourse analysis aim to find functional elements in discourse. In addition, some differences in the type of language used are suitable for each type of studied situation ("differences in the type of language selected are appropriate to different types of the situation") (Halliday,

1964). The systematic functional linguistics framework does not seem to be the same as the theoretical framework in corpus analysis. The systemic functional theory is based on Halliday's work, which holds that language is a sociological factor that people use to achieve goals by expressing meanings in contexts. His theory is aimed at elucidating the general rules that control variation in different types of situations so that we can understand which situational factors influence linguistic characteristics. "By discovering the general principles which govern the variation in situation types, we can understand what situational factors determine what linguistic features") (Halliday, 1937).

3. THEORETICAL BASIS
3.1. Definition of scientific journal articles
Stubbs believes that scientific journal articles are
written scientific texts, with a length of a few thousand words, which are the results of research on an issue. Research findings in scientific journal articles are often published in specialized journals (Stubbs, 1996). (Goldbort, 1949) believes that scientific journal articles in any study field have some basic contents and purposes such as experiments, the study review, theoretical basis, and research methods. Besides, the writer also gives the structure of a scientific journal article including abstracts, introduction, tables, and references. Thus, scientific journal articles convey scientific information, find new things, and fill gaps in scientific research. With a solid structure, a scientific journal article is a scientific work that ensures reasonability, objectivity, and validity.

3.2. Systemic functional approach
Systemic Functional Linguistics (SFL) is a model of language which was developed by M.A.K. Halliday. His linguistic theory draws on work by several eminent linguists such as Ferdinand de Saussure (1913, 1983), Hjelmsev (1961), Malinowski (1923, 1935), and Firth (1957, 1968). SFL facilitates the exploration of meaning via the text-based grammar tool. Thus, when a text is put under the analysis, it is essential to investigate the functional organization of the text structure to decide meaningful messages of the discourse. Halliday (2004:29) suggests two basic functions of language: *making sense of our own experience* and *acting out our social relationships*. Language construes human experience, providing lexico-grammatical resources to construe meanings and to perform the functions including ideational meta-function which are distinguished into experiential and logical meta-function and enacting our personal and social relationship with others called interpersonal meta-function which shows that language is both interactive and personal. Furthermore, to facilitate the two metafunctions, it is essential to build up sequences of discourse and logically organize them by using cohesive and coherent devices, which is called textual meta-function.
Generally speaking, the speaker or writer can analyze texts based on the aspect of the field, tenor, or mode to create communicative messages which carry experiential, interpersonal, or textual meaning. The discussion provides the theoretical frame
about the systemic functional grammar for which the data are selected, classified, and analyzed in the aspect of tenor so that the writer could find out linguistic features in English journal articles on finance.

4. RESEARCH METHODS
The research is aimed at studying the field in article journals on finance. The study aims to answer these three questions:
What are the components forming the tenor in English journal articles on finance?
What are the linguistic characteristics of English journal articles on finance in the tenor dimension?
To answer these questions, the author uses the following study methods
Quantitative descriptive method
Statistical methods are used to determine the number and frequency of occurrence of linguistic items in the dimension of tenor in English journal articles on finance such as mood and modality patterns. Accordingly, the outstanding results are presented to state basic linguistic properties and characteristics.
Qualitative descriptive method
With this research method, we use methods of description, analysis, synthesis, and generalization to draw out outstanding linguistic features from the selection of language in the dimension of the tenor.

5. RESULTS AND DISCUSSION
Analysis of Mood
The investigation of mood and modality patterns in English journal articles on finance is based on Halliday's point of view of systemic functional grammar and the interpretation of English syntax by
some other scholars such as (Egins, 1997) (Hasan,1987), (Hasan, 1996). They have shown that the function of connecting and affecting participants in discourses is modeled on Halliday's theoretical framework of systemic functional grammar. Table 1 presents the distribution of mood patterns in English journal articles on finance.

An SFL Study on Tenor in English Journal Articles on Finance

Table 1. Distribution of Mood Patterns in English Journal Articles on Finance
Number (1.324) /Percentage (100%)
Declarative (1.324/100%)
Interrogative
Imperative
Positive
Negative
980/1.324 (74%)
344/1.324 (26%)
0 (0%)
0 (0%)

The results from Table 1 show that the surveyed English journal articles on finance only use the majority of declarative clauses with 980 positive declarative clauses, accounting for 74% and 344 negative declarative clauses, accounting for 26%. English journal articles on finance do not use interrogative and imperative.

English journal article on finance is a kind of scientific discourse, which is used to exchange information between writers and readers or speakers and listeners. The declarative is formularized as follow

Subject - Finite-Residue

Descriptions and Analyses of the Declarative in English Journal Articles on Finance

The positive declarative is used to present or state perspectives on financial issues.

Example 1

Central to the political economy critique of mainstream economics *(Subject)* is *(Finite)* an emphasis on the speculative character of finance: the expansion of financial markets, it is argued, is not governed by neutral imperatives of efficiency and equilibrating mechanisms, but rather driven by what Keynes called "animal spirits," irrational bets on the future that are not warranted for fundamental values and result in the build-up of unsustainable, top-heavy structures of debt (Streeck 2014; Keen 2017) *(Residue).*

Example 2

The same isolation benefit *(Subject)* applies *(Finite)* to the local context *(Residue).* While firms commonly operate in a multitude of institutional contexts, the institutional environment of a PF can be isolated much more effectively. This *(Subject)* facilities *(Finite)* measurement *(Residue)* and improves *(Finite)* causal interference *(Residue).* As a result, PF lends a uniquely clean setting for the analysis of institutional effects on the governance and performance of foreign investments.

Example 3

Thorton's appreciation of the importance of the central bank's lender-of-last-resort function was thus motivated by a concern that *it (Subject)* **is not** *(Finite)* possible to exogenously regulate the dynamics of finance in a way that brings them in line with fundamental value. *(Residue).*

Analysis of Modality

In this article, the two types of modality are mentioned to convey interpersonal meaning in English journal articles on finance are the proposition and proposal. Table 2 presents the distribution of modality types in English journal articles on finance.

Table 2. Distribution of Modality Patterns in English Journal Articles on Finance List
Circumstance types
Number
Percentage
1
Proposition
202/1.324
15,3%
2
Proposal
12/1.324
0,9%
Total
214
100%

An SFL Study on Tenor in English Journal Articles on Finance

The results from Table 2 show that the proposition occurs with a higher percentage, accounting for 15,3% (202/1.324) whereas the data for the proposal is 0,9% (12/1.324). The modality in English journal articles on finance is formularized as follow
Subject-Modal finite-Residue
Descriptions and Analyses of Modality in English Journal Articles on Finance
In terms of the proposition in English journal articles on finance, the degree of probability (possibly/probably/certainly) is presented to reflect the writer's prediction about certain conclusions drawn from research studies, of which the bolded modal verbs of probability are used such as *can/could/may/might* to illustrate interpersonal meaning.

In terms of proposals in English journal articles on finance, the obligation is presented through obligatory verbs to present the obligation or responsibility of policymakers or managers in finance in seeking solutions to current financial problems. The bolded modal verbs such as *need, should…* are used to illustrate interpersonal meaning.

This modality pattern is reflected in the following examples.

Example 4

However, financial theory places the burden of deleveraging uniquely on the debtors' side and does not acknowledge the responsibility of creditors. We thus **need to** interrogate the moral framework by which we understand the institution of debt (Douglas, 2016)

Example 5

Neoclassical investment tools, however, seem to suit the human capital needs of academics and researchers who stick with an irrelevant theory even though they **should** be actively searching for a new set of tools (Keasy and Hidson, 2007)

The examples above reveal that by analyzing components of the tenor such as mood and modality patterns in expressing interpersonal meaning, the writer has made certain conclusions about linguistic features in English journal articles on finance. Moreover, the research findings help the readers to choose the right language used in writing English scientific journal articles on finance.

6. CONCLUSION

The present study investigates the language used in English journal articles on finance to find out linguistic features in the dimension of tenor by analyzing mood and modality patterns. By surveying and analyzing the authentic materials, the writer has some remarks as follows

Regarding the mood patterns, the author focuses on the descriptions and analyses of declarative, among which positive declarative accounts for a higher percentage to present the writer's point of view on financial aspects.

Concerning the modality patterns, the author describes and analyzes the proposition and proposal, of which the former accounts for a higher proportion than the latter. This finding shows that the proposition is mostly used to make predictions drawn from the conclusions of the research.

Findings from the study lead to the application of language used to actualize systemic functional grammar in English journal articles on finance according to international standards. Furthermore, this study raises the concern to increase the acquisition and application of systemic functional grammar in the field of science.

REFERENCES

1) Bhatia (1993), *Analysing Genre: Language in use in Professional settings*, London: Longman.
2) Eggins (1997), *Analyzing Casual Conversation*, London: Cassel.
3) Flowerdew (2005), *An investigation of corpus-based and genre-based approaches to text analysis in EAP/ESP: Countering criticisms against corpus-based methodologies, English for Specific Purposes, 24*, p.324, John Benjamins Publishing Company.
4) Ghadessy (1993), *On the nature of written business communication*, London and New York Pinter Publishers.
5) Ghadessy (Ed) (1994), *Register and Analysis: Theory and Practice*, *pp.149164*, London and New York: Printer Publishers.
6) Giddens (1979), *Central Problems in Social Theory*, Berkeley, C.A: University of California Press.
7) Halliday (1937), *Applications of General Linguistics*, Longman Group Ltd.
8) Halliday (1964), *Syntax and the Consumer*, George Town University Press.
9) Halliday (1978), *Modeling Social Context: Register and Genre*, Oxford University Press.
10) Halliday (1994), *An Introduction to Functional Grammar, p.39*, Routledge, Taylor& Francis Group.
11) Halliday (1994), *Halliday's Introduction to Functional Grammar 4 th Edition, p.309*, Routledge, Taylor&Francis Group.
12) Halliday et al (1964), *The linguistic sciences and language teaching, p.87*, London: Longman.
13) Halliday&Hasan (1976), *Cohesion in English, p.23*, Longman Group Ltd.
14) Halliday&Hasan (1976), *Cohesion in English, p.27*, Longman Group Ltd.
15) Halliday&Hasan (1985), *Language, Context and Text, p.41*, Oxford University Press.

16) Hasan (1987) *Language, Context and Text: Aspects of Language in a Social- Semiotic Perspective, p.12*, Victoria: Deakin University Press

17) Hasan (1996), *Semantic Networks. (In) Ways of meaning: Selected Papers of Ruqaiya Hasan. C, DG. Butt&G. William (Eds)*, London, Cassell.

18) Hasan (1996), *Semantic Networks. (In) Ways of meaning: Selected Papers of Ruqaiya Hasan*. C, DG. Butt&G. William (Eds), London, Cassell.

19) Hasan, R&G .Perrett (1994), *Learning to Function with other Tongue: A Systemic Functional Perspective on Second Language Teaching, In Perspectives on Pedagogical Grammar, Odlin, T. (Ed), p. 179-226*, Cambridge: Cambridge University Press.

20) Hopkins&Dudley-Evans (1998), *A genre-based investigation of the discussion sections in articles and dissertations,* Palgrave Mac Millan, New York.

21) Hyon (1996), *Genre in three traditions: Implications for ESL, pp.693-722*.

22) Kress & Hodge (1979), *Language as ideology*, Boston, M.A: Routledge &Kegan Paul.

23) Martin (1992), *Cohesion and Texture*, Blackwell Publishers.

24) Martin and Peter White (2005, *The Language of Evaluation Appraisal in English*, Palgrave Macmillan.

25) Matthiessen (2004), *An Introduction to Functional Grammar, Third Edition,* London: Arnold.

26) Matthiessen (2004), *An Introduction to Functional Grammar, Third Edition*, London: Arnold.

27) Thompson (1990), *The Media Reader*, British Film Institute, London.

28) Thompson (1994), *Engish for Specific Purposes*, pp.113-121.

29) Thompson (1994), Frameworks and contexts*: A genre-based approach to analyzing lecture introduction, English for Specific Purposes, pp.171-186.*

30) Weissberg (1993), *The graduate seminar: Another research-process genre, pp.12-23*.

Authority and Servant Leadership: Effective Tool for Service in the Church& Society in Africa

Dr. Barnabas Sama'ila Shabayang

Veritas University, Bwari Area Council, G.P.P WUSE, P.M.B 5171, FCT, ABUJA, PIN/ZIP: 900001

ABSTRACT: Authority is likening to a driving agent, which is divine or human. By experimental and analytical method, we explore the magisterial interpretation by evaluating modern trends on the application of authority. Research examines the Christian teachings from the Bible and Sacred Tradition. Jesus Christ had taught the principle of pragmatic authority based on Servant Leadership at the washing of His Disciples' feet. The quest for a Servant Leader**:** to feed the poor, to protect orphans, to fight for justice in Africa; is value-style of leadership in the 21st century world.

KEY WORDS: Authority, Magisterium, Sacrifice, Service, Servant Leader, Power.

INTRODUCTION

Authority prima facie is a system designed to create order; it is a process leading to the procedures of activity – bestowal of leadership. It is most often associated with an act that points to leadership, which principally envisions the ability to use power to dispense creative order. "The word "authority" comes from the Latin *auctoritas* which belongs to a family of terms meaning, "to cause to grow, to produce."[1] Given this understanding, the researcher engages in a quest to establish that, the principal source of all human and angelic authority, powers and functions, do originate from God who is the Father, the Son and the Holy Spirit. Thus, God being the Trinity, establishes authority to create order in leadership and most importantly, to transmit service for *Common Good* and promote *Human Dignity* in order to establish true reign of justice, peace and love, and to build a harmonious human Society. The vision to lead is generic and a gift of God but the operation, execution and transmission are solely exercise daily to enhance a human or angelic being to act a free-being. A free moral agent who is gifted with intelligence to express his/her authenticity with a free-will. The Servant-leader must act as a moral agent who exercises and acts guided by free-will; it is a God-given authority leads to consequences that are either positive or negative. Since the moral agent is created by God with intelligence; this sets the order that wheels human society, which progressively moves human activity preferably on the path of success. Thus, our quest and search, ought to tune human activity towards servant leadership perfectly personified in Jesus Christ.

The research sets to examine the exercise of authority in a positive dimension, to create effective leadership. Ebener defines leadership as "an influence process through which a leader inspires or motivates followers toward a common goal or a shared vision."[2] Authority exercised by the cognitive human training and intelligence leads to the glory of God personified in enhancing the democratic freedom of all human beings in every human setting. It is expected that every authority bequeathed to a human being, be they parents, teachers, politicians, scientists, or even the clergies in the world-order, is meant to produce effective and God-fearing 'Leaders of Conscience.'[3] It then means that if the proper dimension of servant leadership is used in human society and in the Catholic Church; it calls for setting Jesus Christ as the 'Perfect Model' - it will renew and transform human society. This is well captured once again by Ebener who taught that, "the leader creates a sense of shared vision about the future, articulates that shared vision, inspires commitment to that vision, and provides support and encouragement to the group in pursuit of that vision."[4] Today, the increasing activities of human beings in the present world-order are not commendable in many countries of Africa, Europe, America and Asia – though a few have done well, while many have been dictators.

---

[1] Potyin, Thomas, R. "*Authority in the Church*," in The Modern Catholic Encyclopedia, eds. Michael Glazier and Monika K. Hellwig, (Bangalore: Claretian Publications, 1997), 64

[2] Ebener, Dan. R., *Servant Leadership Models for your Parish*, (New York: Paulist Press, 2000), 12

[3] Shabayang, Barnabas Sama'ila Shabayang, *The Relevance of Theological Education in Forming Religious Leaders of Conscience in Africa*, in Nigerian Journal of Religion and Society (JORAS), (Vol. 10, June, 2020). A Publication of Good Shepherd Major Seminary, Kaduna, ed. Odafe C. George, 157

[4] Ebener, Dan. R., *Servant Leadership Models for your Parish*, pg. 12

Authority and Servant Leadership: Effective Tool for Service in the Church & Society in Africa

A retrospective view shows that the world has seen good leaders who used authority positively to serve their people –St. Pope John Paul II, John F. Kennedy, M. Ghadhi, Winston Churchill, Julius Nyerere, Nelson Mandela, Kofi Anan, to mention just a few. At the same time, Africa in particular, and even the world in general, had experienced bad leaders like Adolf Hitler, Joseph Garibaldi, Joseph Stalin, Maputo Seseseko, M. Gadhafi, Sani Abacha, *et cetera,* these were really evil in actions and words. Instead of using authority to govern with equitable sense of justice focus on constructive development; they chose rather to use authoritative power to kill and wantonly destroy people and private and public properties. These evil actions, thus, set them and the legacies they left behind as bad examples against conventional right use of authority.

1.   *Authority for Service in the Church and Society*: The Judeo-Christian civilisation espoused that God bestows in the human person a great capacity for intellectual, spiritual and physical activity. God bequeathed to the human person a capacity to engage in intellectual and spiritual activity. This gives the human person the capacity to develop the socio-moral propensity to exercise power to lead. The Holy Spirit bestows wisdom, and is the primary source of power to lead wisely. This ennoblement helps to transmit authority (acquired by grace through the baptismal character) to the human person by divine injunction to function; but each person is accountable for his/her actions. It is in this respect that the Bible teaches that God bestowed authority on Adam in the Garden and gave him power to name all the creatures He had made (Gen. 1: 29-31, NRSV). The authority that God bestowed on Adam was meant for him to be a custodian and a creative force to protect and nurture God's creatures to attained their fulfillment through service. But due to selfish quest of power to 'know good and evil,' Adam and Eve destroyed themselves by their wrong choices. However, it is to be known that creative service base on God's grace exercise in total freedom to do the right thing, leads the doer to become a servant leader that changes and promotes human development.

The submit of all authority as taught by Catholic Theology in the Catholic Church originates directly from God who is a Trinity of Persons (Matt. 28: 19ff). It flows through Peter, the Prince of the Apostles and to the rest of the Apostles by Christocentric power bestowed on them after the resurrection which was climaxed at Pentecost. By divine mandate then, the Apostles became the Magisterium – they served as the original source of authority to teach on faith and morals, preparing humanity for salvation. McCormick asserts that the "Magisterium refers to the teaching office and authority of the Catholic Church and also the hierarchy as holding this office."[5] All through the ages, the word Magisterium has evolved, developed and is a high reference point of theological teaching. To further clarify its significance and importance, the *International Theological Commission* teaches that: "Scripture and Tradition taken together, pondered upon and authentically interpreted by the Magisterium faithfully transmit to us the teachings of Christ, our Lord and Saviour, and determine the doctrine that it is the Church's mission to proclaim to all peoples and to apply to each generation until the end of the world."[6] This assertive statement underscores the point that from the moment Jesus gave the mandate and commanded the Apostles to go to the whole world to preach, teach and baptize (Matt. 28:19ff), the Catholic Church has remained faithful to this clear teaching; enjoining each leader to become a servant leader in humility, service and love to humanity. This in essence underpin the core value of servant-leadership as a desired value, virtue and skill to be acquired by all African Leaders – both civil and sacred.

Given the aforementioned serviceable mandate of authority, it is to be known that the Patrine ministry therefore is an office of the highest hierarchical order in the Roman Catholic Church, and at the same time it exercises the teaching authority that lies at the heart of the Church. The Council of Florence teaches that: "The Roman Pontiff is the successor of Peter, the true Vicar of Christ, the head of the whole Church, the father and teacher of all Christians."[7] Given this background knowledge, this research asserts affirmatively that the positive exercise of authority comes to fruition when it serves the divine mandate express concretely by human wisdom and in cooperation with God's grace. *Coren* teaches that "Catholics of course, know and acknowledge that the Bible is the word of God. They also know and acknowledge that Jesus Christ did not leave us a Bible but left us a Pope and a teaching office, the Magisterium. Through the Pope and the teaching authority of the Church, the truth of the Bible is guided and guarded through the ages."[8] Thus, the Magisterium, headed by the Pope in Rome, have received directly, the mandate, authority, power and direction to teach, baptize and evangelise the world (cf. Matt. 28:19ff, John 20: 21-23). This is the more reason Vatican I (1869-1870)[9] emphasizes the primacy of the Pope to teach impeccably on matters of Faith and Morals, and to be infallible. The Church teaches clearly that, whoever succeeds Peter in this chair, holds Peter's primacy over the whole Church. "Therefore, the dispositions made

---

[5]McCormick, Richard, A., "Magisterium," in *The Harpercollins Encyclopedia of Catholicism*, Gen ed. Richard P. McBrien, (New York: HarperCollins Publishers, 1995), 805

[6]International Theological Commission, Volume I*, "Catholic Teaching on Apostolic Succession,"* ed. Michael Sharkey, (San Francesco: Ignatius Press, 1989), 67

[7]Heinrich Joseph Denzinger, The Sources of Catholic Dogma, trans. Roy, J., Deferrari, (St. Loius: Herder Books Co., 1957), no. 1370 (hereafter cited as DS), "Council of Florence, Decree for the Greeks": Repeated at Vatican I (DS 3059).

[8]Coren, Michael, *Why Catholics are Right*, (Toronto: McClelland & Stewart, 2011), 103

[9]Heinrich Denzinger, Vatican I (1869-1870), on "Papal Infallibility," nn. 3065-3075; *Compendium of Creeds, Definitions, and Declarations on Matters of Faith and Morals*, eds. Peter Hunermann, Robert Fastigggi and Anne Englund Nash, (San Francisco: Ignatius Press, 2012), Forty-Third Edition.

by truth perdure, and St. Peter still has the rock-like strength that has been given to him, and he has not surrendered the helm of the Church with which he has been entrusted."[10] Avery Dulles reiterates further that: "The pope as bishop of Rome, is in an eminent degree responsible for the purity of doctrine. He can teach infallibly either as representative head of the College of Bishops, expressing the general consensus or *ex cathedra* as successor of Peter and supreme teacher of the visible Church."[11] The power to teach is interpreted by ecclesiologists as a faculty of transmission of faith and morals in the world today. It is an exercise by the pontifical authority that sanctifies corrupt vibes that infiltrate peoples' consciences via evil trends by the spread of discordant voices promoted by secularisation. It is as if to correct this perspective that John Allen reported an incidence that occurred during the visit of St. Pope John Paul to Conakry of a request made by the then Archbishop (Cardinal) Robert Sarah to the pope to address and speak to the issues of politico-economic evils to root out corruption and doctorship in the African continent, he wrote:

When Pope John Paul II visited Guinea in 1992, Sarah publicly asked the pope to push African leaders to clean up their act. "Tell the African governments that reforms will be meaningless if they are tainted in blood, provoking considerable human and economic catastrophes," Sarah told the pope.[12]

The above case is captured to demonstrate clearly, that most African Cardinals, Bishops and Priests are fearless and speak-truth-to-power. By dealing courageously with gross issues of injustices, political manipulations, stealing and corruption that presently bedevils effective leadership in the African continent.

The Power and Authority given to Peter and to the Apostles to teach and baptize all nations came from the Scriptures and Tradition (Jn 20: 21-23). Saint Peter, the Prince of the Apostles was chosen by Jesus Christ with authority to lead the other eleven. *Coren* once again teaches, "in the New Testament, the names of Simon Peter or *Cephas* are mentioned almost 200 times while the names of all the other apostles combined are mentioned not fewer than 140. Peter is mentioned first in the list of apostles by Matthew "to single him out as the most prominent one of the leaders of Christ's followers, and St. Paul later spent fifteen days with him to prepare for his own journey of conversion."[13] It therefore means that the ministry of preaching, proclaiming and evangelising in the Catholic Church is considered by divine mandate and which points to the servant leadership style. This model of leadership serves the purpose of kenotic or sacrificial mentoring that is principally at the heart or is a core value of service of the Word of God to humanity; that energizes, renews, transforms and beautifies human society.

Authority as service to lead and govern in the Catholic Church is transmitted by Apostolic succession. It is bestowed through sacramental order making the baptized "Christians as living stones in the new building that is the Church founded on Christ, offered to God's worship in the Spirit who has made them new…"[14] It creates and generates a Trinitarian Family by the reception of baptism thus creating an *Ecclesial Family on Mission* setting its inclusive and eternal privileges for the recipients. These settings and configuration are not only based on physical realities but are strictly metaphysical and by sacramental order vivifies the human societal structure even in the Church. That is why the Holy Roman Catholic Church has a disciplined-order of authority which was given to her by God from Apostolic era, and is still manifesting its rich quality of servant-leadership in the acts of love, preaching and charity by the Trinitarian Character of the Paschal Mystery – Cor Unum, Caritas International, St. Vincent de Paul Society.

2. ***The Doctrine of the Trinity as pivotal to the quest of the Servant Leader***: In the Catholic intellectual and theological framework, perfection, standards, model of leadership and sacrificial or kenotic love amongst other attributes of God, flow from the essence, metaphysical and operational mystery that is God. This wholistic and value truth is well captured in what St. Pope John Paul II wrote: **"The Triune God is "God for us."**[15] We human beings are made in the image and likeness of God, thus reflect strong element of God-ordered-standard of perfection. Christian theology espoused that God is more than the human mind, soul, intellect or reason can perceive, understand or even explain. Even the greater reasons theology uses human language in series of symbols, metaphors and signs to illustrate and capture deeper essence and meaning. Just as Jesus Christ invited humanity to "be perfect as our heavenly Father is Perfect", (Cf. Matt. 5: 48). The Trinity is the perfection of excellent and liberative power (by the Paschal Mystery) to serve and lead human persons using all democratic and transcendental skills of leadership known to human intellectual process. Leonardo Boff taught this salient truth when he wrote:

---

[10]Heinrich Denzinger, Vatican I (1869-1870), on "Papal Infallibility," n. 3057; *Compendium of Creeds, Definitions, and Declarations on Matters of Faith and Morals*.

[11]Dulles, Avery Cardinal, *The Splendor of Faith: The Theological Vision of Pope John Paul II*. (New York: The Crossroad Publishing Company), 85

[12]Allen, John, "Papabile of the Day, "1 March 2013 in *The Next Pope: The Leading Cardinal Candidates*, ed. Edward Pentin, (Manchester, New Hampshire: Sophia Institute Press, 2020), 473

[13]Coren, Michael, *Why Catholics are Right*, 103

[14]International Theological Commission, Volume I*, Catholic Teaching on Apostolic Succession*, 98

[15]Pope John Paul II: A Reader, *"The Triune God and Jesus Christ,"* eds. Gerald O'Collins, Daniel Kendall, & Jeffrey Labelle, (New York/Mahwah, NJ: Paulist Press), 2007, 42

Authority and Servant Leadership: Effective Tool for Service in the Church & Society in Africa

The divine perichoresis precludes any superimposition upon or subordination of one person or another. All are equally eternal and infinite. The perichoresis permits us to say: There are not first and three persons, and thereupon their relation; the three are intertwined, and live their relation of eternal communion from the outset. Therefore, there is one God: God-Trinity.[16]

As Christians, we command respect to serve as the conscience of society by the operational mandate that we are configured to become children of God by our baptismal character. The Holy Spirit bequeaths this sacramental ennoblement as it bestows the gift of grace given to Christians to exercise the servant leadership in their daily encounter with the world. To be servant leaders in the current hard times of crises of Covid-19 (omicron), it demands huge sacrifice. It requires a person to be generative of God-given virtues in order to change the evil structures from the inside-out; by a deliberate drive that comes from internal conversion of the "I-Me-Myself" syndrome that promotes the egocentric manipulations that are found where Christians serve in public or private offices. The imprint of the trinitarian servant leadership relates to that perfect coinherence (unity) which poses as catalyst to conversion; when this happens, it becomes an inherent quest that moves the christian leader in his/her disposition to striving to do God's will on earth.

Catholic Theologians have taught with explicit clarity that the source of authority originates in the love and power of God as Perfect Trinity**.** Prominent among these Theologians is the famous African Saint Augustine (354-430). MacCormack wrote: "In the *Trinitate*… Augustine explains the doctrine of the Trinity in light of Scripture and the creeds. In Books 8-15, devoted to seeking traces of the Trinity in the soul, Scripture is the denominator by which the capacity of the mind to comprehend its likeness to God…"[17] Once the Servant-leader reflects on the Scriptures daily, guidance and divine instructions is given to humble leadership skills and effective administration.

To further illustrate the fact that the human person in his/her soul is created by God to relate to Him perfectly, Gerald O'Collins relates this amazing pragmatic psycho-social relational leadership skill driving to an imprint in the consciousness of intellectual input started by Augustine of Hippo. He began a constructive intellectual discourse whereby he captured his discussion on the Trinity stating thus: "Whereas true self-love illuminates the origin of the Holy Spirit and the "personified" mutual love of Father and Son. Over the centuries Theologians have followed Augustine or else taken up other analogies from experience and philosophy such as the "I-Thou-We."[18] This expression is not only trinitarian, it invites us, baptized Christians to transcend and get converted from the egoistic exploits of "I-Myself-Me" syndrome which is an evil tendency that corrupts what ought to be the realisation of the effective Servant leadership skills expected to be operational in each human person. Bishop Matthew Hassan Kukah further reiterate on the need of Christian Leaders in Africa to rise to the occasion, "In all situations of conflict, no matter the dangers, Christians are called upon to respond with the weapons of their moral authority," He clearly taught that "Besides condemning ills in the society, Christians "can do much more depending on the conflict," all these came at the heels of celebrating his forty-fifth priestly anniversary and the tenth episcopal consecration (19/12/2021) titled "Firmly Rooted and Aiming Higher: Faith in a Time of Crisis."[19]

Proposing perichoresis and coinherence (inter-penetration and cohesion) that are at the core of the essence of the dogma of the Blessed Trinity to serve as the pivotal model for an effective and efficient servant-leader in human society requires an inward and convertible experience. For in the inter-connectedness, harmony and flawless purity is required; that encompass the internal/eternal penetration of the Trinity to lead the servant-leader to a grace-filled-lived life. Such the world expects and desires in the Christian person who becomes a leader in the Church or in the society. This desire to be influenced by the perichoresis of the Trinity serves as quintessential essence for modelling the Trinity to be the focus of the baptized person who becomes a servant leader in the Church or in the Society. The Trinity poses as the best model that guarantees *Ecclesial Servant Leadership* in the Church; because of the internal cohesion that arises as a result of sacrificial or kenotic love. This is rightly captured in the charism of St. Pope John Paul II and Pope Francis – modern apostles and missionaries to the "Gentiles" to the poor of the world. Most illuminatively, Pope Francis, who is praxis oriented in expressing his pastoral zeal, is rightly captured a true Servant-Leader in the 21st century, he wrote:

Jesus does not remain indifferent; he feels compassion; he lets himself be involved and wounded by pain, by illness, by the poverty he encounters. He does not back away …. He didn't' sit down at a desk and study the situation, he didn't consult the experts for

---

[16]Boff, Leonardo, "Trinity", in *Systematic Theology: Perspectives from Liberation Theology*, eds. Jon Sobrino, Ignacio Ellacuria, SCM Press Ltd, 1996, pg. 85

[17]MacCormack, Sabine, "*Augustine on Scripture and the Trinity*," in A Companion to Augustine, eds Mark Vessey and Shelley Reid, (London: Blackwell Publishing Ltd, 2015), 399

[18]Gerald O'Collins and Edward G. Farrugia, eds., *Theology of Trinity*, in A Concise Dictionary of Theology, Revised and Expanded Edition, Edinburg: T&T Clark, 2000, pg. 274

[19]Kukah, Matthew Hassan, Firmly Rooted and Aiming Higher: Faith in a Time of Crisis." Reported by Magdalene Kalia, in Aid to the Church in Need," www.acf//hppf/ …………

pros and *cons*. What really mattered to him was reaching stranded people and saving them like the Good Shepherd who leaves the flock to save one lost sheep.[20]

Making the doctrine of the Trinity a serviceable instrument of love that flows from consciousness, love, charity and sacrifices, we will be able to translate these virtues to real issues of justice, feeding the poor and the hungry.

The Trinity thus, serve as pivotal point for the African Catholic Priests, Consecrated Persons and Scholars to be ever pragmatic in the service of love which is urgently needed in the midst of poverty. These are called to design and test the instrument of theological truth on the altar of servant leadership. Stan Chu Ilo affirmatively wrote: "In the face of suffering, we cannot (as African intellectuals) remain indifferent nor can our theologies be valid in Africa if the stories of our people do not inform our theological methods."[21] Hence, setting in Africa the paradigm of constructive and creative conversation that becomes serviceable to solve theological issues is momentous, considering the current challenges posed by the Coronavirus (Covid-19) pandemic[22] and the pandora of negative threats of hunger, massive immigrations (due to lack of employment opportunities in Africa), wars and famine, terrorism and economic woes.

African Catholic Theologians must be ready more than ever, to create pathways to solution-driven theology and should never remain on the "dog-in-manger", complaining about what the colonial or the early European Missionaries did wrong or did not do right so as to set Africa and Africans on the clock of positive progress. We have templates already set up for us to build upon by other Catholic Theologians in America, Europe and Asia. Leonardo Boff wrote and reiterated that "The Trinitarian dynamics enable us to construct a social and ecclesial critique and to discover in the perichoresis of the divine persons inspiration for participation in our human relationships. Undeniably, human beings have a basic aspiration for participation, equality, respect for differences and communion with God."[23]It therefore means that participating in the Church that is Catholic and Apostolic requires both physical and spiritual integration for one to become an adopted child of God (cf. Rom. 6). Participating in the spirit of the Risen Christ makes an opening for Collegial Spirit of leadership beyond the Pope, Bishops, Priests to incorporating all the baptized Lay Persons in the Catholic Church into a bond of unity of love, peace and harmony.

3. *Humility: the softener in the exercise of Authority in the Church and Society*: God exercises supreme power and authority over human beings and angels based on His capacity to transmit these virtues of humility, silence, love and justice to humanity. The flow of the dynamics of servant leadership offers varied leadership models in the Catholic Church (primacy of the pope) and in the world (democracy, monarchy, dictatorship), but some are more effective than others. In this research, we specifically choose to utilise servant leadership model that helps in rendering pragmatic transmission of authority in the world. "The term servant leadership was coined by Robert K. Greenleaf in 1970."[24] Theological studies have categorised Jesus Christ as the best teacher and preacher with great communication skills and the ever-effective message deliverer. Jesus is best known in the use of parables, storyline, metaphors and proverbs to deliver His message clearly to his audience. During Jesus' public ministry, the Scriptures lucidly revealed that throughout His apostolic exercise of service in the spread of the Goodness of His redemptive work, the exercise of servant leadership style was at the core of His service to humanity. No wonder it is a model that captures the spirit of Vatican II leadership style.

After the twenty-first Ecumenical Council of Vatican II (1962-1965), reforms and recommendations were made in the way and manner parishes and dioceses would be governed. At the centre of all these reforms and renewals, the use of authority and the moderate use of power to govern the Church; as the spirit of collegiality was offered as a better option than papal primacy (dominated by Clericalism). Thus, replacing the pyramidal model of the Church with the collegial model.[25] Collegiality accommodates a more integrated and community life of the Church with an expressed reality of the setting of the Church being the Family of God on mission.[26] Collegiality enhances the easy flow of authority and the dispensing of power from the Pope with the Bishops as principal

---

[20]Pope Francis, *The Name of God Is Mercy: A Conversation with Andrea Torniell*i, trans, Oonagh Stransky, New York: Random House, 2016, pp. 64-65

[21]Ilo, Stan Chu, *A Poor and Merciful Church: The Illuminative Ecclesiology of Pope Francis*, New York: Orbis Books, 2018, p.174

[22]Dealing with the issues of poverty, hunger and pain created by Covid-19 demands urgent pastoral strategies; conferred: Nwosuh, Cosmas, K., "Pandemics and Christian Response through the Ages" in Abuja Journal of Philosophy and Theology, *Pandemic, Faith, and Politics,* Vol. 11, 2021, pg. 1-20

[23]Boff, Leonardo, "Trinity", in Systematic Theology: Perspectives from Liberation Theology, pg. 86

[24]Robert K. Greenleaf, *The Servant Leader Within: The Transformation Path*, ed. Hamilton Beazley, Julie Beggs, and Larry C. Spears. Mahwah, NJ: Paulist Press, 2003, pg. 4

[25]Pyramidal structure of the Church, a model that has the Pope at the peak of the pyramid, exercising power that streams down to the lay people in the Church.

[26]The Ecclesial model "The Church as God's Family" was proposed after the First African Synod in 1994, in this rich biblical model, "The Synod Fathers acknowledged it as an expression of the Church's nature particularly appropriate for Africa."

collaborators. Despite the deep and difficult debate that ensued at accepting it as a new reality in the governance of the Church; Cardinals (Joseph Frings, Paul Emile Leger, Franziskus Konig, Leon-Joseph Suenens, Albert Mayer) who promoted its entrance prevailed at the end.

The victory at accommodating Collegiality as a reality of governance and effective leadership in the Catholic Church after the Second Vatican Council (1965) was very much appreciated by Cardinals, Bishops, Priests, Religious, Theologians and the Laity. It attracted positive remarks. Karl Rahner for example, referred to it as "one of the central themes of the whole Council."[27] The spirit of Collegiality disposes the leader to work in collaboration with others to deliver the essentials of the goods of the Kingdom of God. This is a drive and an actual reality of what the ministry of Jesus Christ was in assigning tasks and responsibilities to the apostles and what the Lay Baptized Persons became for the early Church as recorded in Acts chapters 1-6. Grandfield further reiterates the essentials that need to be driven home on the receptivity of Collegiality as it translates from the Pope to the Bishops, Priests and to the Laity in the Catholic Church. He wrote: "Collegiality challenges Bishops and Believers to enter into dialogue with each other and with the Pope. It is necessary for them to communicate the validity of their experiences to correct false impressions, and to be open to change and reconcile."[28] This all-important point of integrating, incorporating and inviting the Laity in the Catholic Church in the twenty first century to exercise the charism of their baptism and authority in their homes, business centers and offices as evangelisers, care givers and disciples of Jesus Christ is a clarion call. This act is a clear pointer to embracing the features of the Servant-leader.

If the emergence of the Laity in the Catholic Church as servant leaders in Africa becomes a reality; it leads to the quest of faith-bearing-fruits, which is a most desired virtue for the Church of the 21st century. The servant leadership model incorporates the Laity in the Catholic Church, inviting them to reflect on the spirit of the Second Vatican Council's vision of the pastoral theme of *Lumen Gentium*. This reflects the reality of the Church that emerged from the power of the Holy Spirit at Pentecost. This is the expressed reality of a Church that was driven by charism, service, liturgy, love, charity and martyrdom. Moving on into the middle of the twenty-first century, the Catholic Church in Africa is charged to move fast to embracing the craft of Servant leadership and the exercise of authority as modelled by the current Pontiff. He is gradually positioning himself as the true model of the servant leader, per practical examples displayed every day. Pope Francis exercises a pragmatic ministry of availability in love especially towards the poor and the vulnerable of society. He further teaches with passion, love, charity and compassion reflecting on the practical daily experiences of people. He charges Cardinals, Bishops and Priests to work passionately and for all persons that "the evangelisers must have the smell of the sheep" supporting and standing by the poor, the weak and all God's people."[29] This effective servant leadership style can only happen if the baptized Catholic, Clergy or Consecrated Person are driven by the deep love of God in humility.

In the Beatitudes, Jesus Christ teaches: "Blessed are the poor in spirit, for theirs is the kingdom of heaven" (Matt. 5: 3). This text has many implications and various interpretations. Stan Chu Ilo asserts: "Being poor in the Lord is also to be understood in terms of the existential condition of social injustice and brokenness in our society and how God can intervene in our long nights and dark days to put us from the depth and restore us to wholesomeness of life."[30] The charisma to identify and lift the destitute and those who suffer in Nigeria, Kenya, Zambia or on the African continent and the world at large can only be achieved by one who is humble and driven by the servant leader kenotic service. These are our expectations in Africa amidst the harsh realities of the economic turn-down brought by Covid-19; as this scenario constantly generates the shameful embarrassment of hunger, wars created by terrorism *(Al Shabbah, ISWAP, Boko Haram and Isis)* in this 21st century. Humility and love are the virtues that direct the human person to seek to do God's will. Pope Francis is an epitome of a humble servant leader by continuing the mission of Christ which was started and exemplified by Pope St. John Paul II who applied his Patrine ministry and actually identified with the poor and the vulnerable of human society. He reiterates that the pragmatic nature of evangelisation in the twenty-first century is availability, affectivity, presence and sacrifice.

The quest to enthrone Christocentric presence (cf. Lk 4: 19ff) in the lives of the poor, orphans, displaced people and refugees has been the perennial message of Pope Francis to the whole world. Professor Stan Chu Ilo corroborated this view when he wrote that: "Francis was unequivocal that the church in the face of so much human suffering should not be a comfortable or complicit church. Rather, the Church should be bruised, hurting and dirty because it has been out on the street."[31] For this is the

---

John Paul II, *Post-Synodal Apostolic Exhortation, "Ecclesia in Africa"*, Year of Publication: 1995, Nairobi: Paulines Publications Africa, Kolbe Press, (6th Reprint 2009), nn. 63, 47: *AAS* 88 (1996), 39 - 40, 30

[27]Karl Rahner, in Herbert Vorgrimler, ed., *Commentary on the Documents of Vatican II*, New York: Herder and Herder, 1967, I: pg. 195

[28]Granfield, Patrick, *The Limits of the Papacy*, New York: Crossroad, 1990, pg. 87

[29]Pope Francis, *The Name of God Is Mercy: A Conversation with Andrea Tornielli*, no. 24, trans, Ooath Stransky, New York: Random House, 2016,

[30]Ilo, Stan Chu, *A Poor and Merciful Church: The Illuminative Ecclesiology of Pope Francis*, pg.186

[31]Pope Francis, *The Name of God Is Mercy: A Conversation with Andrea Tornielli*, no. 49.

exemplary servant leadership that rescues and salvages the poorest of the poor in the midst of massive suffering in the African Continent due to the ravaging attacks of terrorism, bandits and Covid-19 pandemic. It is at difficult times like now that the conscientious servant-leaders are required in all African countries to stamp out poverty and provide food for the hungry.

4.   *Authority of the Servant Leader as Sacrament of Presence and Love:* A servant leader is a fearless preacher of truth, love, justice, reconciliation and dialogue. Jesus Christ had taught in Matthew 5: 1-8, the beatitudes and in accounts of the last judgement in (Matt. 25: 31-46) the service of practical and sacrificial love that are sacramental in nature by those who practice them. These virtues are personified individually in the persons of Bishops Matthew Hassan Kukah, Godfrey Onah, Stephen Mamza. Earlier on Pope St. John Paul II, in the Year A.D. 2000, had called for the celebration of the jubilee year, and reconciliation was the highlight of this beautiful celebration. John Paul II was very explicit with language and expressed why he was recalling the past. Firm and fearless, he said:

The Church is 'not afraid of the truth that emerges from history and is ready to acknowledge mistakes wherever they have been identified, especially when they involve the respect that is owed to individuals and communities […] She entrusts the investigation of the past to patient, honest, scholarly reconstruction, free from confessional or ideological prejudices, regarding both the accusations brought against her and the wrongs she has suffered."[32]

The Pontiff drove the peddles of the authority of the Church to view, survey, and re-examine critically the evil done by the Church through bad leadership of previous Popes, Bishops and Priests. Wanting to correct that error and setting the records straight, he sought the right occasion that would provide "Healing of Memories." Shabayang reiterates that "The Church knew very well that *'free from confessional or ideological prejudices regarding the accusations brought against her and the wrongs she has suffered,'* will put her on the spotlight of dialogue. Thus, we arguably state that Pope St. John Paul II was aware that in order to engage others in dialogue, asking for forgiveness will open new vistas for reconciliation leading to healing.[33] It actually did the Catholic Church much good at the memorable event of March 12th, 2000.

     The authority of the servant leader can best be captured in the activities of St. John Paul II and Pope Francis that focused on power, humility and centrality of love. These virtues do not only drive the energy, motivate actions and passion of the Bishop or Priest in the 21st century to register the signatures of exemplary servant leadership; but create the visible presence that heals, reconciles and make Christ felt, received and celebrated by the Laity in the Catholic Church and humanity at large. Shabayang underscores the visible sacrament of presence and love expressed by John Paul II in these beautiful words: "Recapitulating the central role and importance of prayer in the life of the Priest, the Pontiff placed paramount importance on the ability of the Priest to trust in the power of prayer. Trust by the grace of Christ in his prayer and the prayer for him of the People of God."[34] It bears fruits, through the collaboration of the ordained Priest with the Laity of the Church. That is why during the Jubilee Year 2000 A.D, John Paul II asked "the Lay People to pray for the Priests of the Church"[35] when he said:

Pray for us… dear Christian people, who have gathered around us today in faith and joy. You are a royal people, a priestly race, a holy assembly. You are the People of God who, in every part of the earth, share in Christ's priesthood. Accept the gift which we renew today in the service of this, your special dignity. O priestly people, thank God with us for our ministry and sing with us to your Lord and ours: Praise to you, Lord Jesus Christ, for the gift of the priesthood! Grant that the Church of the new millennium may count on the generous work of many holy priests! Amen.[36]

From the foregoing, it demonstrates that the ordained Priest in the Catholic Church must work and integrate the Laity in his apostolate and make it possible for them not only to pray for the success of his apostolate but collaborate with them as Christ did with His disciples while on earth. When this mentorship is realised, it points clearly to the transmission, bequeathal and celebration of the servant leader found in our midst.

5.   *The Servant Leader as creator of wealth and health:* The servant leader primed by the Christocentric value, bestows dignity and self-esteem marshalled out practically in areas of providing food for the hungry, healing the sick and setting the captives free (c.f. Lk 4: 19ff). In the 21st century, we must create wealth and build small scale business to sustain and grow the economic base of families, clans, communities or villages.

     The foundation was laid already by Jesus Christ in John 6: 1-25 when he said to Philip, "Give them something yourself to eat…" The charismatic nature and motivation that Jesus Christ initiated and provided food for the hungry and downcast became the

---

[32] John Paul II, *General Audience Discourse of September 1, 1999*; in *L'Osservatore Romano*, Eng. Ed., September 8, 1999, 7

[33] Shabayang, Barnabas Sama'ila, *African Catholic Priest as Elder, Reconcilier and Mediator: A Reflection of Christ's Kenosis in the teachings of St. Pope John Paul II and the African Bishops,* (Kaduna: Benwood Graphix, 2017),336

[34] Shabayang, Barnabas Sama'ila, *African Catholic Priest as Elder, Reconcilier and Mediator: A Reflection of Christ's Kenosis in the teachings*, pg. 337

[35] Weigel, George, *The End and the Beginning: Pope John Paul II – The victory of Freedom, the Last Years, the Legacy*, New York: Doubleday, 2010, pg. 241

[36] John Paul II, *Tertio Millennio Adveniente*, 33: *AAS* (1995), 25-26

parameter of engagement. The Catholic Church all through the centuries became faithful to imitating and integrating the charism of praying and serving the poor in human society as these are the treasures of the Church. St. Oscar Romero said: "The world that the church ought to serve is, for us, the world of the poor."[37] This exclusive charism envelopes the Church's passion demonstrated by St. Francis of Assisi, St. Vincent de Paul, St. Damian the Leper and St. Teresa of Calcutta. In Europe, America and some small African parishes, parish priests have operated and started "Soup Kitchen." These little initiatives provided immediate remedy from instant hunger that can kill. In Nigeria, some bishops like Matthew Hassan Kukah (Sokoto) and Stephen Dame (Yola), have built shelter, created small scale business for internally displaced persons and some priests, like the late Rev. Fr. Ojukwu have operated soup kitchen in Abuja, Rev. Fr. Professor Stan Chu Ilo, operates "Canadian Project for Charities." These charitable initiatives and charism of many lay and religious congregations have help to be generate employment, save lives of the hungry, destitute and the poor in villages and sub-urban communities, thus, they are pragmatic theological reflection that continued to the mission of Jesus Christ on earth.

6.   Conclusion: Way Forward Providing Service to the Poorest of the Poor: The ability of our Catholic Theologians, Scholars and Pastors to identify and provide effective leadership in the area of housing for Internally Displaced Persons (IDPs) is the most urgent task in the face of the ongoing massive attacks by Boko Haran in the North East, Southern Kaduna, the Middle Belt, in Nigeria. Added to the continuous terrorism attacks by El Shabbah in Somalia; Isis in Mombasa, Kenya, Burkina Faso, Mali and Senegal.

Preaching in defense of truth, maintaining justice, democratization of just structures to promote the Christian faith have been the clear mission and focus of following Bishops: Matthew Hassan Kukah of the Diocese of Sokoto; Godfrey Onah of the Diocese of Nsukka; Stephen Dami of the Diocese of Yola and Oliver Doeme of the Diocese of Maiduguri. These have been at the forefront of providing clear leadership to the vulnerable and persecuted in Nigeria. These Pastors of souls have proven to be excellent servant leaders to Christians, Muslims and African Traditional worshippers by creating wealth in defense of the marginalized, Compassionate to the vulnerable of society, upholding the Truth and faith, human dignity and freedom. They continue to provide shelter, food, clothing and accommodation to many poor people, mitigating the sufferings of the Internally Displaced Persons in Nigeria; so too are some bishops in South Sudan. This pragmatic ministry and mission tallies with the vision captured by Ilo who wrote:

The measure of the true value of any religion is not the beauty of its creeds, rituals, and rites, nor is it in the ordered nature of its ranks, the splendor of its officials, or the political and economic power and influence they wield. The true value of religion is how it embodies and mediates beauty by projecting the ideals of selfless love and friendship; how it transforms people into loving and loveable creatures who transmit truth and goodness in the world; and how it transforms the hearts, souls, minds, and wills of people such that they are at home with God, nature, and humanity (in all its diverse expressions), and at peace with reality …."[38]

The genius and germ of servant leadership is ever-green, a magnate of pragmatic love and ecumenical in spirit, empathic and compassionate. The true marks of a servant leader are: compassion, empathy and care-giving to the downtrodden, the marginalized and the poorest of the poor. These virtues must be first the primary duty of the church in Africa in the 21st century. The Church must plunge herself and deeply commit her resources in serving the poor, providing food for the hungry and giving compassionate attention particularly to Nigerians, Cameroonians, Congolese in The Democratic Republic of Congo (DRC), Mozambiquans, Malians, Senegalese, South Sudanese who are exposed to constantan security threats, and have *Internally Displaced Persons* whose homes have been destroyed. The church must ensure freedom of captives who are in the hands of militants, gunmen, kidnappers, Boko Haram, Janjaweed, terrorists and suicide bombers.

The transmission of authority and power exercised in the Catholic Church within the formative spheres (the Priesthood and Religious circles) must be authenticated by proper training of formators. Formators must be well grounded in the exercise of authority bearing in mind that authority and power in the Catholic Church are not to be exercise the same ways as in the public domain which is based on democratic or monarchical structures, but be exercise as means of ecclesial service for the sake of creative leadership and followership. This is corroborated by Ebener that:
Power is the science of leadership what energy is to the science of physics. The power of the leader as shared or combined with the power of others in the group, enables the group to reach its common goal." The Second Vatican Council teaches on the exercise of power and transmission by collaborative ministry, every baptize Catholic is commission to share in the power bequeathed to

---

[37]Oscar Romero, acceptance speech of awarded an honorary doctorate by the university of Louvain (Belgium), echoes themes of "theology of liberating" in *Foundations of Theology Study: A Source Book*, eds Richard Viladesau Mark Massa, New York/Mahwah, NJ. Paulist Press, pg. 309

[38]Ilo, Stan Chu, *Someone Beautiful to God: Finding the Light of Faith in a Wounded World*, New York/Mahwah, NJ. Paulist Press, 2020, pg. 5

humanity for salvation. However, it is important to know that "authority is power that can be used to gain compliance. Power can also emerge from other personal, social, and spiritual sources.[39]

The transmission of the God-given power bequeathed to human beings if rendered as service in the spirit of humility created towards transformation or the life of people made in the image and likeness of God. Authority and Servant Leadership of course, can serve as a veritable tool of effective renewal of energy to revive and vivify human society for good if all men and women treat each one as equal. Leadership in the Church and human society requires training, openness, sacrifice, faith, love, humility, respect and continuous dialogue with cultures, creed and gender.
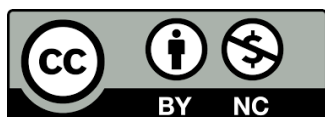
REFERENCES

1) Potyin, Thomas, R. "Authority in the Church," in The Modern Catholic Encyclopedia, eds. Michael Glazier and Monika K. Hellwig, (Bangalore: Claretian Publications, 1997), 64

2) Ebener, Dan. R., Servant Leadership Models for your Parish, (New York: Paulist Press, 2000), 12

3) Shabayang, Barnabas Sama'ila Shabayang, The Relevance of Theological Education in Forming Religious Leaders of Conscience in Africa, in Nigerian Journal of Religion and Society (JORAS), (Vol. 10, June, 2020). A Publication of Good Shepherd Major Seminary, Kaduna, ed. Odafe C. George, 157

4) Ebener, Dan. R., Servant Leadership Models for your Parish, pg. 12

5) McCormick, Richard, A., "Magisterium," in The Harpercollins Encyclopedia of Catholicism, Gen ed. Richard P. McBrien, (New York: HarperCollins Publishers, 1995), 805

6) International Theological Commission, Volume I, "Catholic Teaching on Apostolic Succession," ed. Michael Sharkey, (San Francesco: Ignatius Press, 1989), 67

7) Heinrich Joseph Denzinger, The Sources of Catholic Dogma, trans. Roy, J., Deferrari, (St. Loius: Herder Books Co., 1957), no. 1370 (hereafter cited as DS), "Council of Florence, Decree for the Greeks": Repeated at Vatican I (DS 3059).

8) Coren, Michael, Why Catholics are Right, (Toronto: McClelland & Stewart, 2011), 103

9) Heinrich Denzinger, Vatican I (1869-1870), on "Papal Infallibility," nn. 3065-3075; Compendium of Creeds, Definitions, and Declarations on Matters of Faith and Morals, eds. Peter Hunermann, Robert Fastigggi and Anne Englund Nash, (San Francisco: Ignatius Press, 2012), Forty-Third Edition.

10) Heinrich Denzinger, Vatican I (1869-1870), on "Papal Infallibility," n. 3057; Compendium of Creeds, Definitions, and Declarations on Matters of Faith and Morals.

11) Dulles, Avery Cardinal, The Splendor of Faith: The Theological Vision of Pope John Paul II. (New York: The Crossroad Publishing Company), 85

12) Allen, John, "Papabile of the Day, "1 March 2013 in The Next Pope: The Leading Cardinal Candidates, ed. Edward Pentin, (Manchester, New Hampshire: Sophia Institute Press, 2020), 473

13) Coren, Michael, Why Catholics are Right, 103

14) International Theological Commission, Volume I, Catholic Teaching on Apostolic Succession, 98

15) Pope John Paul II: A Reader, "The Triune God and Jesus Christ," eds. Gerald O'Collins, Daniel Kendall, & Jeffrey Labelle, (New York/Mahwah, NJ: Paulist Press), 2007, 42

16) Boff, Leonardo, "Trinity", in Systematic Theology: Perspectives from Liberation Theology, eds. Jon Sobrino, Ignacio Ellacuria, SCM Press Ltd, 1996, pg. 85

17) MacCormack, Sabine, "Augustine on Scripture and the Trinity," in A Companion to Augustine, eds Mark Vessey and Shelley Reid, (London: Blackwell Publishing Ltd, 2015), 399

18) Gerald O'Collins and Edward G. Farrugia, eds., Theology of Trinity, in A Concise Dictionary of Theology, Revised and Expanded Edition, Edinburg: T&T Clark, 2000, pg. 274

19) Kukah, Matthew Hassan, Firmly Rooted and Aiming Higher: Faith in a Time of Crisis." Reported by Magdalene Kalia, in Aid to the Church in Need," www.acf//hppf/ ………….

20) Pope Francis, The Name of God Is Mercy: A Conversation with Andrea Tornielli, trans, Oonagh Stransky, New York: Random House, 2016, pp. 64-65

21) Ilo, Stan Chu, A Poor and Merciful Church: The Illuminative Ecclesiology of Pope Francis, New York: Orbis Books, 2018, p.174

22) Dealing with the issues of poverty, hunger and pain created by Covid-19 demands urgent pastoral strategies; conferred: Nwosuh, Cosmas, K., "Pandemics and Christian Response through the Ages" in Abuja Journal of Philosophy and Theology, Pandemic, Faith, and Politics, Vol. 11, 2021, pg. 1-20

23) Boff, Leonardo, "Trinity", in Systematic Theology: Perspectives from Liberation Theology, pg. 86

---

[39]Ebener, Dan. R., *Servant Leadership Models for your Parish*, pg. 14

---

24) Robert K. Greenleaf, The Servant Leader Within: The Transformation Path, ed. Hamilton Beazley, Julie Beggs, and Larry C. Spears. Mahwah, NJ: Paulist Press, 2003, pg. 4

25) Pyramidal structure of the Church, a model that has the Pope at the peak of the pyramid, exercising power that streams down to the lay people in the Church.

26) The Ecclesial model "The Church as God's Family" was proposed after the First African Synod in 1994, in this rich biblical model, "The Synod Fathers acknowledged it as an expression of the Church's nature particularly appropriate for Africa."

27) John Paul II, Post-Synodal Apostolic Exhortation, "Ecclesia in Africa", Year of Publication: 1995, Nairobi: Paulines Publications Africa, Kolbe Press, (6th Reprint 2009), nn. 63, 47: AAS 88 (1996), 39 - 40, 30

28) Karl Rahner, in Herbert Vorgrimler, ed., Commentary on the Documents of Vatican II, New York: Herder and Herder, 1967, I: pg. 195

29) Granfield, Patrick, The Limits of the Papacy, New York: Crossroad, 1990, pg. 87

30) Pope Francis, The Name of God Is Mercy: A Conversation with Andrea Tornielli, no. 24, trans, Ooath Stransky, New York: Random House, 2016,

31) Ilo, Stan Chu, A Poor and Merciful Church: The Illuminative Ecclesiology of Pope Francis, pg.186

32) Pope Francis, The Name of God Is Mercy: A Conversation with Andrea Tornielli, no. 49.

33) John Paul II, General Audience Discourse of September 1, 1999; in L'Osservatore Romano, Eng. Ed., September 8, 1999, 7

34) Shabayang, Barnabas Sama'ila, African Catholic Priest as Elder, Reconcilier and Mediator: A Reflection of Christ's Kenosis in the teachings of St. Pope John Paul II and the African Bishops, (Kaduna: Benwood Graphix, 2017),336

35) Shabayang, Barnabas Sama'ila, African Catholic Priest as Elder, Reconcilier and Mediator: A Reflection of Christ's Kenosis in the teachings, pg. 337

36) Weigel, George, The End and the Beginning: Pope John Paul II – The victory of Freedom, the Last Years, the Legacy, New York: Doubleday, 2010, pg. 241

37) John Paul II, Tertio Millennio Adveniente, 33: AAS (1995), 25-26

38) Oscar Romero, acceptance speech of awarded an honorary doctorate by the university of Louvain (Belgium), echoes themes of "theology of liberating" in Foundations of Theology Study: A Source Book, eds Richard Viladesau Mark Massa, New York/Mahwah, NJ. Paulist Press, pg. 309

39) Ilo, Stan Chu, Someone Beautiful to God: Finding the Light of Faith in a Wounded World, New York/Mahwah, NJ. Paulist Press, 2020, pg. 5

40) Ebener, Dan. R., Servant Leadership Models for your Parish, pg. 14

Moral Decadence in Nigerian Politics: A Philosophical Investigations

Anikpe Anthony Mbah, PhD

Department of Philosophy, Nnamdi Azikiwe University, Awka

ABSTRACT: When Nigeria got her independence in 1960 there were high hopes that she would become one of the greatest nations in the nearest future. Those who made this prediction were not wrong because Nigeria has what it takes to become great. In terms of population, it is not just the most populous but also one of the most talented in the continent. In natural resources, very few countries in Africa can boast of the resources the country parades. However, when these endowments are placed side by side with development in the country, the result becomes discouraging. Currently, one may assert that Nigeria is or at the point of becoming the poverty capital of the world looking at the rate her citizens are fleeing to other countries in search of greener pastures. Using the method of documentation and conceptual analysis, this study examines why Nigeria has not been able to translate its potentials into development indexes. The investigation centres around two research questions: 1) what is the relationship between the lack of development in Nigeria and electoral malpractice and 2) is Nigeria's inability to translate its potentials to development caused by executive abuse of powers. The paper discovered that moral decadence in the form of electoral malpractice and executive recklessness are the root causes of Nigeria's political and economic backwardness. It recommended the formation of an enlightened populace who will not only reject but also fight these two ills through civil resistance as the philosopher's stone that will save Nigeria.

KEYWORDS: Moral Decadence, Democracy, Leadership, Electoral Fraud, Executive, politics, morality, principles.

I.   INTRODUCTION

Most societies around the world operate within the circumference of moral principles; that is, they have laydown rules for evaluating the rightness or wrongness of human actions. While actions that conform to these rules are adjudged moral, while those that contravene them are said to be immoral. The meaning and nature of the principles used in judging actions as either right or wrong are studied under a branch of Philosophy known as Ethics.

Ethics is defined as a "system of moral principles (relating) to that branch of philosophy dealing with values related to human conduct, with respect to rightness or wrongness of actions and to the goodness or badness of the motives and ends of such actions" (Fulmer and Franklin, 1982, pp. 90). Rightness in this definition refers to what ought to be or what is acceptable in a particular society or a group in that society. Wrongness on the other hand, refers to what ought not to be or what is unacceptable to a particular society or a group in that society. It is from this background that Martin Prozesky (2009, pp. 13) argues that, "ethics is used for lived and practiced beliefs about right and wrong, good and evil." According to him, it is ethics that gives the standard of what is good in a community. Agreeing with Prozesky, Koranteng (1998, p. 10) explains that "in a general sense, ethics is the code of moral principles and values that governs the behaviour of a person or group with respect to what is right or wrong. Ethics sets standards as to what is good or bad in conduct and decision making." This means that ethics is the parameter used in accessing what is right or wrong, good or bad in a given society or among a group of people in that society.

The concepts of Ethics and Morality are not mutually exclusive. According to (Esterhuysehe, 1991, p. 8), "in normal conversation, the terms "ethical" and "moral" are usually used interchangeably." However, Ayisi (1972, p. 3), contends that, "the difference between 'morality' and 'ethics' is that, while morality has to do with the personal conduct of an individual- his moral duties and conformity to conventional rules, ethics refers to the basic principles of the right action and to rules of conduct." That is, morality "has to do with the personal conduct of the individual" (Hanekon, 1987, p. 161). It concerns what individuals ought to become, how they ought to relate to others, and how they ought to act. According to Mike Martin (2007, p. 3), "morality is a matter of respecting human rights; morality is fulfilling our duties to others; morality is obeying God's commandments: morality consists in promoting the happiness of all persons." What can be inferred from the above explanations is that "ethics and morality are concerned with right and wrong, good and evil" (South African Educators, 2002, p. 2).

From the foregoing, the subject of morality is individual conduct. Hence, when an individual goes against the moral rules of the society, the individual is considered morally weak. When this is done too frequently, the individual is said to be immoral. However,

when there is a massive departure of individuals in a given society or a sector of the society from the moral principles in that society, the society is said to be undergoing moral decadence. In other words, moral decadence is an immorality that is massive and pervasive.

Moral is believed to have a lot of negative impacts on the society because it decays the moral fibers societies are established on. As Lord Delving (1965, p. 15), claims, it is capable of affecting society injuriously and is the single greatest cause of the failure and disintegration of societies. Enshrined in Delving analysis of the effect of moral decadence on societies is the fact that it wears societies down gradually until it finally brings about their disintegration and some of the obvious signs that a society is going through moral decadence include lack of development and a society's inability to maximize its potentials.

This is why Nigeria's inability to utilize its massive endowments in human and natural resources is consistently blamed on moral decadence. However, while researchers agree that almost every facet of Nigerian society is experiencing moral decadence, there is near consensus that the area most affected is the political leadership. C. Ojukwu (1991, p. 19.), made this point when he said that "a nation is as great as her leaders." Chinua Achebe's (1983, p. 3) captures this when he claims that the basic problem in Nigeria is the issue of national leadership. According to him:

> The trouble with Nigeria is simply and squarely a failure of leadership. The Nigerian problem is the unwillingness or inability of its leaders to rise to the responsibility, to the challenges of personal examples, which are the hallmarks of true leadership.

A lot of scholars have investigated the link between bad leadership and the myriad of problems that Nigeria faces especially the problem of lack of development. However, none of these scholars have examined together these three factors (electoral fraud, executive abuse of power and tribalism) considered here as the basic contributors to the problem of political leadership in Nigeria with the view of finding a single solution for them. Filling this gap is the underlining contribution of this paper to Nigeria and scholarship. The paper is divided into five sections, the Introduction, the Problems of political leadership in Nigeria, Moral critique of the problems of political leadership in Nigeria, Towards a Resolution of the Problems, and the Conclusion.

II.   PROBLEMS OF POLITICAL LEADERSHIP IN NIGERIA
Electoral Malpractice

There seems to be a near consensus in the world today that democracy has no rival in the market place of ideological competition. This orientation towards democracy to a great extent is informed by the belief that democracy flowing from human nature, represents the will and is also the political arrangement that brings freedom to nations. The problem for the majority that held this opinion however, is how to get democratic principles, especially the fundamental principles of free and fair election entrenched in a democratic system. Thus, there is this believe that though Nigeria practices democracy but its lack of development comes from its inability to conduct free and fair election. Nevertheless, the critical question usually is when can it be objectively said that elections are free and fair and therefore credible.

According to Goodwin-Gill (2006, p. 26), answering this question is ordinarily difficult, but it becomes more difficult in a polarized and fragile state, like Nigeria, given that the phrase is often subjectively determined based on the vantage position of the speaker. This notwithstanding, democracy is a global practice and there are a number of international instruments that can be used to objectively approach the issue of credibility in election in spite the polarizing nature of the process. For instance, Article 21 of the 1948 Universal Declaration of Human Rights made it an entitlement for people to participate in the government of their country. Thus, that an election should reflect the will of the people has never been a contentious expression. What is contentious is the way this normative standard should be measured. Responding to this challenge Guys, S. Goodwin-Gill, identified ten broad criteria and activities as markers or indices for measuring free and fair election: These are (1) Electoral law and system; (2) Constituency delimitation; (3) Election management; (4) The right to vote; (5) Voter registration; (6) Civic education and voter information; (7) Candidates, political parties and political organization, including funding; (8) Electoral campaigns, including protection and respect for fundamental human rights, political meetings, media access and coverage; (9) Balloting, monitoring and results; and (10) Complaints and dispute resolution.

For United States Mission to the Organization for Security and Cooperation in Europe as cited in Jideofor Adibe (2019):

> Free and fair elections are a fundamental element of a healthy democracy. To be truly free and fair, however, elections require not only transparent and well-managed Election Day polling, but also a society that encourages full citizen participation, political parties to operate freely, independent media to flourish, and which builds a judiciary system capable of exercising independent and impartial authority.

As observed by Adibe, an important inference from Goodwin-Gill's taxonomy is that an election being free and fair is not just a question of what happened on the Election Day because the process could be rigged at any stage.

A walk through Nigerian electoral history reveals that not only are these indictors not met, but that the political elite in Nigeria go out of their way to ensure that they are not met. In fact, events over the years have led people to seriously question whether Nigeria

has the capacity and political will to conduct free, fair, and peaceful elections. Since independence in 1960, violence and myriad irregularities have persistently marred the process of electing the country's leaders. Nigerian politicians have become habituated to electoral fraud, corruption, intimidation, and violence, as if they consider these the necessary weapons of political winners.

Nigerian voters have been denied the chance to count and be counted, disturbingly, the trend has worsened over the years. For instance, national and international monitors who observed the 2007 polls referred to them as an undemocratic charade, while Freedom House declared them the worst in Nigeria since the end of military rule in 1999 (The International Crisis Group (ICG), 2007). The bottom-line here is that none of the elections conducted in Nigeria from independence till date is adjudged by many to have met international standard and therefore credible (Okoye, 2020, p. 23). The result of it is not only that there is doubt on the country's ability to conduct a credible election but that the average Nigerian is fast losing hope on the workability of democracy in Nigeria. The most recent example of this was the refusal of the National Assembly to pass the bill on electronic voting and transmission. Many Nigerians saw that refusal as ruse by the ruling party Alliance for Progressive Change (APC) to rig the country's general election coming up in 2023.

III.   EXECUTIVE ABUSE OF POWERS

Apart from the electoral process, another bulwark that protects democracy from anti-democratic principles and enables it to usher in the often talked about dividends of democracy is the principle of separation of powers developed by the French Jurist and scholar, Baron de Montesquieu. Briefly, Montesquieu (1996, Chap. 1:1) described separation of powers as follows: "constant experience shows us that every man invested with power is apt to abuse it ... it is therefore necessary from the very nature of things that power should be a check to power." Here Montesquieu was advocating a situation where the powers of the executive, legislature and judiciary are reposed on different persons/institutions in such a way that each institution checkmates others from overreaching their boundaries. Madison (1937, p. 237), one of the founding fathers of American democracy has this to say concerning separation of powers:

> Separation of powers means that one of three departments of government must not have the
> whole of another branch's powers vested in it nor obtain control over another branch. But even
> if they are separated, they must be connected by a system of checks and balances.

While the history of executive attacks on liberty and institutional abuse of power in Nigeria dates back to colonial administrations and subsequently to post-colonial indigenous leadership, experts believe that the trend has become disproportionately alarming since 2015 when the current administration of President Muhammadu Buhari was swept into power by popular vote (Olagunju, 2018, p. 9). During this period, ordinary Nigerians and especially members of Nigerian legislative and judicial arms of government have been hounded and hunted by the Buhari's led executive arm. Documentations (Olagunju) have it that the witch-hunting began as soon as the legislative arm elected their principal officers who according to these accounts were not in the good book of the presidency and some national leaders of Buhari's ruling party. Bukola Saraki and Ike Ekweremmadu who both emerged as the president and deputy president of the senate respectively were both hastily accused and charged of forging the process that led to their emergence. When the court would not convict the duo, Saraki was dragged to the Code of Conduct Bureau where he was disgraced but eventually acquitted by the Supreme Court.

Besides, Saraki and Ekweremmadu's court cases which obviously did not turn out well for Buhari's administration, there were other high profile court cases involving basically members of the opposition parties and other foremost critics of Buhari's style of leadership. Worthy of mention are the trials of Mr Nnamdi Kanu, the leader of the Indigenous People of Biafra (IPOB) and Mr Sowore, the convener of what has come to be popularly known as *Revolution Now*. Both Kanu and Sowore were granted bails but the administration refused to honour their bails on a number of occasions. Many other cases where out rightly dismissed by the courts as lacking in merit (Tell Magazine, April 4, 2019, p. 36).

Apparently dissatisfied and frustrated with a judiciary which it believed has refused to do its biddings, the administration turned on the judges. Many judges were swooped upon in early hour commando-type of raids by men of the secret service. The culmination of this assault on the judiciary was the suspension and eventually they forced resignation of the Chief Justice of Nigeria, Justice Walter Samuel Nkanu Onnoghen after he was accused and disgracefully tried of false assert declaration (Chidiume, 2019, p. 25). Many believed and some still do, that Onnoghen's forceful removal was not unconnected with the 2019 general election, the administration hoped to use judges they can dictate for to have their ways through the election petition tribunals.

These examples drawn from Nigeria should not be seen as an attack or an effort to indict the Buhari's administration and exonerate his opponents. For instance, in citing the examples of Saraki and Ekweremadu here, the paper should not be misconstrued as saying that the former senate president and his deputy were innocent or guilty of the crimes they were charged of by the Buhari's Administration. This also applies to the persecution of Justice Onnoghen and others. Whether the allegation against the Chief Justice is true or otherwise, the Constitution does not grant the President such powers. What the paper is striving to highlight therefore is the executive abuse of power and emasculation of the other arms of government that have always characterized Nigeria's political landscape but which have become both particularly rampant and troubling during Buhari's Administration.

Moral Decadence in Nigerian Politics: A Philosophical Investigations

What is obvious from this short analysis is that Nigerian political and economic systems are backwards today because of the blatant abuse of power and attack on liberty by the executive and the inability of the other arms of government and ordinary Nigerians to assert their autonomy. Also, it is important to point out here that one of the major reasons why the principle of the separation of powers has not been practically implemented in Nigeria is not because of the lack of constitutional provision for that, especially in the 1999 Constitution of the Federal Republic of Nigeria. The constitution of Nigeria made a robust provision for the separation of powers that is more or less and adoption of Montesquieu's proposal. The major issue facing Nigeria is not constitutional as far as the separation of powers is involved but with implementation. This most importantly goes a long way to show the moral weakness and lack of integrity on the side of Nigerian politicians and elites.

The moral weakness and lack of integrity at issue here relate both to the executive abuse of power and the docility to this abuse on the part of the other two arms of government. On the part of the executive, it takes a discipline man to keep to an agreement and maintain his jurisdiction and place according to rules in a game. But the morally weak would like to twist and bend the rules to his favour. This is exactly what those who found themselves in the corridors of executive power have been doing. It was the bane of the first republic, it was the tragedy of both Obasanjo and Goodluck's government and it is the same thing delegitimizing Buhari's government. In addition and as shall be seen from Montesquieu's recommendation, the tendency to abuse power is inherent in human nature, nevertheless, the reason why there are checks and balances is so that this tendency in a particular arm of government will be put in check or controlled by the other arms of government. The reason this does not happen in Nigeria is because members of the other arms of government in the same party with those in the executive arm connive with them to twist and derail the process. Also, those in the opposition parties who would have been in a better position to help the situation most times, have their hands soiled in corruption such that they are usually afraid that the members of the executive, especially, the president who controls the anti-graft agencies would sic the agencies after them. In the final analysis the whole issue while political in nature, boils down to moral improprieties on the part of the Nigerian ruling class.

IV.   A MORAL CRITIQUE OF THE ELECTORAL FRAUD AND EXECUTIVE ABUSE OF POWERS IN NIGERIA

As already seen, the practice of separation of powers and electioneering in Nigeria is a far cry from the ideals of the democratic system. However, since Philosophy asks the most fundamental questions, the question could be ask, but beside been contrary to the recommendations of democracy, what is philosophically wrong with the way Nigerian politicians practice, manipulate elections and abuse the executive arm of government? The question raised here is a moral question. In order words, what moral principle can be used to critique or undermine the behaviour of Nigerian politicians with regarding election and executive abuse of powers?

The question raised here can be assessed under a number of moral theories but the most suitable theory is utilitarianism. This is because democracy, the umbrella concept in this paper is itself a utilitarian principle. Nevertheless, before examining how the attitude of Nigerian politicians fundamentally departs from utilitarianism, the meaning of the concept needs to be explored.

An understanding of utilitarianism however, requires an insight into the meaning of consequentialism, an umbrella theory that encompasses both utilitarianism and other consequentialist theories.

As the word implies, consequentialism is a label affixes to theories holding that actions are right or wrong according to the balance of their good or bad consequences. To buttress this meaning T. L. Beauchamp & J. F. Childress (2001, p. 340) explain that for the consequentialists the right act in any circumstance is the one that produces the best overall result, as determined from an impersonal perspective that gives equal weight to the interests of each affected party. According to them, consequentialism "…is the belief that what ultimately matters in evaluating or judging actions or policies of action are the consequences that result from choosing one action or policy rather than the alternative." In order words, in deciding the morality of actions, those actions that produce good, positive or desirable results are adjudged moral whereas those that produce negative or undesirable results are adjudged immoral.

Seen as a subset of consequentialism, utilitarianism posits that all action should be directed toward achieving the greatest utility for the greatest number of people. It follows therefore that utilitarianism is an ethical doctrine that the moral worth of an action is solely determined by its contribution to overall utility. This philosophy judges everything in terms of its utility or usefulness. The basic tenet of utilitarianism and therefore the scale on which the morality of every action is measured is the moral imperative to avoid harm or pain. Thus, according to utilitarianism, pains are the greatest evil and pleasure the greatest good. We should minimizes pain and maximizes pleasure for the greatest number (Beauchamp & Childress).

However, in S. E. Stumf's (1994, p. 70) articulation, for utilitarians, causing pain can only be morally justified if it is the only means to bring about a greater good. This is still in consonance with the "greatest happiness principle" according to which actions are right in proportion as they tend to promote happiness and wrong as they tend to produce the reverse of happiness. "By happiness are intended pleasure, and the absence of pain; by unhappiness, pain, and the privation of pleasure." The point Stumf makes in this quotation buttresses what we underscored our explanation on consequentialism according to which consequences is the basis for judging the morality of actions. Hence, while action may involve pain, the action is still considered moral if the pleasure of its utility outweighs the pain uses in procuring the pleasure.

When applied to electoral fraud and executive abuse of power, utilitarianism is concerned with what brings the greatest amount of happiness to the greatest number of people in situations. As with many issues in the utilitarian system, the rightness or wrongness

of an action turns mainly not on nature of the act, but on the less direct effects on the community at large. That is, the moral judgement within utilitarian consideration is stripped of the language of 'rights' to the question of the desirability of the overall impart of the action on the greatest number of the population in question. Now, using the utilitarian principle, the question could be asked, what is the impact of electoral fraud and executive abuse of power on Nigerian democracy and how many Nigerians benefits from the practices? From the analysis so far, it is clear that Nigerian democracy is a far cry from what democracy should be. In order words, the practice instead of improving the situation of governance in the country has made governance worst for it.

Additionally, by utilitarian principle, a right action is one which brings the greatest amount of happiness and the least pain to the highest number of people. If this is used to adjudge the Nigerian leadership system, it becomes obvious that electoral fraud and executive abuse of powers in Nigeria serves only the interest of the political elite. The condition of the masses at the receiving end of this political dislocation resulting from the abuses has gone from bad to worse both politically and economically. Today, politically, the country is at the verge of collapsing as separatist agitations, terrorism and armed banditry tore on it from all directions. Economically, Nigeria is the poverty capital of the world. All these are indications that by the utilitarian principle, upon which modern leadership itself is based, electoral fraud and executive abuse of power is immoral because they favour only the political class leaving the rest of the population pauperized.

V. TOWARDS A RESOLUTION OF THE PROBLEMS OF ELECTORAL FRAUD AND EXECUTIVE ABUSE OF POWERS IN NIGERIA

As highlighted above the lack of performance of Nigeria's democracy is not from its grand norm not having the proper articulation of the democratic principles, but as a result of the lack of will on the side of political actors to implement the stipulations of the constitution. This is also rooted in the prescribed mode for accessing power in a Democracy. Under a democracy, governmental power can only be attained through periodic elections, where political parties are allowed to sponsor candidates. This has seen political parties evolve over time as dominant forces on the road to power. Given their eminent position, there goal most often is less the Constitution, but how to grab political power and retain the same no matter whose ox is gored. The experience in Nigeria is such that the moment a political party is declared victorious at the polls and assumes power; it literarily produces the leadership of both the Executive and the two houses of the Federal Legislature, something seen as a form of entitlement. It was only in the year 2013 that a crack appeared in the wall of this long-established convention when the then Speaker of the House of Representative, Rt. Hon. Aminu Waziri Tambuwal defected from the ruling Peoples' Democratic Party (PDP) to the opposition All Progressives Congress (APC) and remained in Office till the end of his term as the Head of a branch of government from an opposition party, effectively dismantling the political equation.

Clearly, where the leadership of these two germane branches are from the same political family, to expect the operation of free and fair election and separation of powers is nothing but an illusion, with the likelihood being that none will act as a check on the other. Rather power will be so fused and carefully managed in-house, with the sole aim of ensuring that their party remains in power for as long as possible. The reality is that most of those who wield powers in the three branches of government come from the same political party, which in most cases betrays the fact that they share the same political interest and agenda. Thus, what you largely find is a situation in which majorly the leadership of the Legislature and the Executive instead of serving as checks on each other are rather working in cohort to feather the nest of their political party and ensure that their party remains in power. From the foregoing, it can be convincingly argued that though the Nigerian Constitution advocates separation of powers between the Executive and the Legislature, what obtains in practice is a far cry from this and its application gives more of an impression of fusion than separateness.

However, these abuses, especially executive recklessness can be corrected within the framework of democratic doctrine. Firstly, it must be realized by the different arms of government, especially, the legislature and judiciary who are often at the receiving end of executive abuse of power that Montesquieu (cited in Vyas,1992, p. 131), the father of the principles of separation of powers had insisted that the federative power should be "left in great part to the prudence of those, who have this power committed to them." In addition, it is Montesquieu's contention that legislature is actually the source of the executive power. They have put the "execution of the laws, they make, into other hands." What this entails is that they are, therefore, free to "resume it out of those hands, when they find cause, and to punish for any maladministration against the laws." The implication here is that the executive or any other arms can exercise powers to the extent that it is allowed. In so far as the other arms allow the executive to abuse its power by running roughshod over them, they have implicitly sanctioned these actions. The legislators have the power to call the executive to other. Their refusal to use that power means that they sanction executive recklessness.

The people also implicitly sanctioned the actions as well. In the Montesquieuan as well as in the Lockean system the people are the source of power. This state of affairs stems from how Locke (**1988,** II.VI,) conceptualizes the change from the state of nature to the creation of society. In the state of nature man is free and *he* has the executive power. People come into society because there is a dramatic lack of security in the state of nature. In other words, people are afraid in the state of nature; their person and possessions are insecure; governments were there to preserve peace and prosperity. They consent to a social contract to ensure protection. Once the government obtains the consent of the governed and they take over the protection of individual rights, the government has a

right to enforce its laws. If the people do not like the laws, they retain the right to revolution. This happens rarely, however, because the people are generally very passive. According to Locke, the "people are not so easily got out of their old forms;" they are hardly to be prevailed with to amend the acknowledged faults in the frame they have been accustomed to." Thus, while they have rights, and the government protects those rights, they are slow to act when the government infringes on those rights.

The implication therefore is that Constitution invites struggle and debate. The two political branches are supposed to guard their powers jealously, making "ambition *and* counteract ambition." This is because the Montesquieuan system requires that the people align themselves with one of the "two visible powers, legislative power and executive power." This is necessary to force both branches to continuously court public opinion and respond to it. The people's loyalties are not fixed, "each individual, always independent, would largely follow his own caprices and his fantasies, he would often change parties." The two branches therefore fight for the people's good opinion, using the tools at their disposal to draw them to their side of the argument (1996).

The system expects actors in each political branch to push boundaries. Problems arise when the other political branch fails to use its powers to "counteract ambition." In the Montesquieuan system "even virtue has need of limits" (1996). At present, the executive is *self-regulating*. He determines whether to engage with the legislature; he determines whether to initiate hostilities and he does not feel a constitutional constraint to work with the legislature. While legislative supremacists may be inclined to blame the executive for overstepping his bounds, it is actually the *legislature* that has failed. Without anything to counteract the ambition of the executive, he is free to determine what actions to take. This has other implications as well. In the current system the people are not attached to the legislature, and thus their loyalties rest in the executive branch exclusively. They are his to win or lose. While it is the case that the people can punish the president's party for his actions, it is rarely the case that they punish his party for unilateral presidential actions. It is therefore necessary to restore a sense of *branch* loyalty among those in the Nigerian Senate, to restore the delicate balance associated with the separation of powers. The system is structured to allow each branch the power to do its job without the power to encroach. Thus, when one branch government cedes authority to another branch, that system of separation of powers breakdown. So when Buhari or any other president fails to respect the doctrine of separation of powers, the blame is not on the president strictly but on the other arms of government that either allows corruption to make them the stooges of the executive and on Nigerians who allows the president to abuse his power and get away with it.

This also applies to electoral fraud. As pointed out above, the powers of government, in the Lockean model squarely lies with the people. While the social contract requires them to cede these powers to the agents of government, they can easily take it back, when it is abused or used against the interests of the people. In fact, for Locke, the state loses its legitimacy if it fails to promote the interests of the people. Gaining power through fraudulent elections is usurping the power of the people. It is the highest crime anyone can commit in a democratic dispensation. It is therefore the responsibility of Nigerians to rise up to the occasion and take back their powers from corrupt politicians. How this is done is the responsibilities of the Civil Society, including trade unions, civil servants, youth groups, etc.

VI.   CONCLUSION

 This paper is divided into five sections namely, the introduction, the problems of political leadership in Nigeria, moral critique of the problems of political leadership in Nigeria, solution to the problems of political leadership in Nigeria and the conclusion and recommendations.

 Besides conceptualizing the basic terms used in the work, the introduction laid out the trajectories followed by the investigation. The problems of political leadership in Nigeria identified and discussed electoral fraud and executive abuse of power as the key factors responsible for the failure of leadership in the country. Deploying the moral principle of utilitarianism, the section on moral critique of the problem of political leadership in Nigeria outlines the moral impropriety of Nigerian political elites and underscored why their actions are not only immoral but also condemnable. In an attempt to resolve these two problems identified in the second section, the study recommended political resistance both by the members of the other arms of government and members of the civil society.

In sum and C. Ojukwu poignantly pointed out above, a people get the type of leadership they deserve. If there is electoral fraud and executive abuse of power in Nigeria today, it is because the Nigerian populace allows these two ill to exist. They will stop any day the people decide to say enough is enough. This article therefore is not just a simple investigation, it is also a wakeup call to ordinary Nigerians to discover their rights as citizens and deploy them for the betterment of Nigeria.

REFERENCES
1) Achebe, C. (1983). The Trouble with Nigeria. Enugu: Fourth Dimension Publishers, 1983.
2) Adibe, J. (2019) "INEC and the Challenges of free and Fair elections in Nigeria", https://www.inecnigeria.org/wp-content/uploads/2019/02/Conference-Paper-by-Jideofor-Adibe.pdf (Accessed, 28/09/20).
3) Ayisi, E. O. (1972). *An Introduction to the Study of African Culture*. London: Heinemann.
4) Beauchamp,T. L. & Childress, J. F. (2001). *Principles of Biomedical Ethics.* New York: Oxford University Press.
5) Chidiume, N. (2019).   "Why Onughan is Docked". *ThisDay,* 10th October.

6) Devlin, P. (1965). *The Enforcement Of Morals.* Oxford: Oxford University Press.

7) Esterhuysehe, W. (1991). "The Nature and The Role of Ethics and Morality in Public Life." In Gildenhuys, J. S. H.(ed). *Ethics and The Public Sector*. Kenwyn. Juta and Company Ltd.

8) Fulmer, R. M. and Franklin, S. G. (1982). *Surpervision: Principles of Professional Management.* New York: Macmillan Pub.

9) Goodwin-Gill, G. G. (2006). *Free and Fair Elections*. (Geneva, Switzerland: Inter-Parliamentary Union.

10) Hanekon, S. X. "Ethical Dilemmas in key Aspects of Public Administration." In S. X. Hanekon, R. W. Rowland, and E. G. Bain, (eds.) *Key Aspects of Public Administration.* International Thomson Publishing (Southern Africa) (Pty) Ltd. An international Thomson Publishing Company, 1987), pp.151-161)

11) Kasenene, P. (2010). *Religious Ethics in Africa.* Kampala, Uganda. Fountain Publishers'

12) Locke, L. (1988). *Treatise of Civil Government 366 – 367, 1690*. Peter Laslett (ed.), Cambridge: Cambridge University Press.

13) Madison, J. (1937). The Federalist: A commentary on the Constitution of the United States. New York: Random House Modern Library.

14) Martin, M. (2007). *Impartiality in Moral and Political Philosophy*. 2nd Edition, New York: St. Martins.

15) Montesquieu. (1996). *The Spirit of the Laws.* Oxford: Oxford University Press.

16) Ojukwu, E. O. (1991). *Because I am Involved*. Revised edition, Ibadan: Spectrum Book Limited

17) Okoye, F. (2020). "Do the Votes Count?" Final Report of the 2003 General Elections of Nigeria.

18) Olagunju, F. (2018). "The Melodrama of Nigerian Politics". *Vanguard,* 13 May.

19) Prozesky, M. H. (2009). "Cinderella, Survivor and Saviour: African Ethics and the Quest for a Global Ethic." In M. F. Murove, M. F. ed. *African Ethics: An Anthology of Comparative and Applied Ethics.* Scottsville, South Africa. University of KwaZulu-Natal Press. *South African Educators*. 2002.

20) Stumpf, S. I. (1994). *Philosophy; History and Problems. 5th ed.,* N.Y: McGraw-Hill Inc.

21) *Tell Magazine,* April 4, 2019.
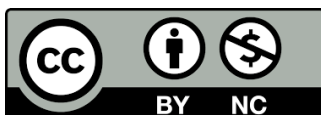
The Impact of Gadget Use on Early Childhood at Timika Education Foundation Tembagapura School

Paskalina Thesia

Jayawijaya Education Foundation Early Childhood School (YPJ) Tembagapura

ABSTRACT : This research aims to examine the impact of gadget use in early childhood school YPJ Tembagapura.The type of research used in this study is qualitative research. The sampling techniques used in this study used random sampling. Techniques for collecting data by observation, interview, and documentation. The results of the study obtained by the authors divide into 2 (two) parts, namely positive impacts and negative impacts: The positive impacts include increasing children's knowledge, building and training children's creativity, facilitating communication, and expanding friendship networks. The use of gadgets should have helped children in their daily lives, especially in finding data and information to do schoolwork and as a means of entertainment from the features provided in the gadgets at this time Indonesia is facing Covid-19, so that the method Learning at Paud YPJ Tembagapura School online, where parents are obliged to facilitate children to use Gedget. While the negative impact, among others, children become dependent on gadgets, so that in carrying out all their life activities children become difficult to interact with the surrounding environment. Excessive use of gadgets can interfere with eye health, Fine Motor; Feet: (The nerve muscles of the feet are not trained so that children are tired faster to walk not far, feet become stiff, footrests / palms are less precise, feet easily hurt), Fine Motor Hands: The nerve muscles of the hands are not trained so: The muscles of the fingers limp / less strong, the muscles of the fingers are less strong, Children have difficulty making provisions to eat and drink, Children have difficulty opening the lid of markers / glue / , Children have difficulty cutting paper, Children have difficulty opening toy containers, Children do less activity / More done by parents), children become lazy to move and move and prefer to play with their gadgets rather than playing with friends.

KEYWORDS: Impact, Use of Gadge, Early Childhood YPJ Tembagapura.

A. INTRODUCTION

The progress of the times in the field of technology in the 21st century is growing rapidly. Various kinds of inventions with the aim of facilitating the space and scope of human movement are created one by one every year. This proves that people's thinking power and also the pattern of human behavior are progressing and developing rapidly. The increase in inventions to become more sophisticated, of course, cannot be separated from the previous inventors. The perfection of this phone is becoming more and more common in today's modern era. Starting from the emergence of coin phones, mobile phones (HP), until now people are more familiar with the term smartphone or gadget. A gadget or gadget is an electronic device that has a practical function, especially to help human work become easier and faster. Small electronic devices that have special functions such as smartphones and notebooks (a combination of portable computers such as notebooks and the internet). Gadgets are a very important role of communication technology because they make human life easier, more comfortable and change a person's mindset to change attitudes and character. Gadgets that are increasingly sophisticated by presenting various news media, social networks, lifestyle information, hobbies to entertainment that attract a lot of people's attention.[1]

The development of information and communication technology has been so fast that without realizing it has affected every aspect of human life. Because along with the flow of globalization, the demands for rapid information exchange have caused the role of communication technology to become very important. The use of gadgets among students, adults, to early childhood. nowadays it is a must to have it, for example like mobile phones, tablets, laptops, and various other gadgets.[2] One of the author's focuses is the use of gadgets for early childhood. Gadgets have interesting features to offer and often make children familiar with them quickly. However, continuous use of gadgets will have a negative impact on children's behavior patterns in their daily lives,

---

[1] Di akses pada hari sabtu, 22 Januari 2022| jam 22.00WIB sumber Link: https://www.nesabamedia.com/pengertian-gadget/

[2] E-journal, Doni Harfiyanto,Cahyo Budi Utomo,Tjaturahono Budi," pola interaksi sosial siswapengguna gadget di sma n 1 semarang, Journal of Educational Social Studies, 2015, hal.2

children who tend to constantly use gadgets will be very dependent and become activities that must and are routinely carried out by children in daily activities. which is very sensitive is at the age of 1-5 years as early childhood so it is often called the golden age.[3] it is undeniable that nowadays children play gadgets more often than learn and interact with the surrounding environment. This is worrying, because during their childhood they were still unstable, had a very high sense of curiosity, and had an effect on increasing the consumptive nature of children. For this reason, the use of gadgets in children needs special attention for parents. Several cases regarding the negative impact of this smartphone often afflict children. Starting from addiction to the internet, games, and also content that contains pornography, to affecting children's health, starting from children's brains and eyes when they receive radiation for a very long time.

Health is a human right that is protected by every country [4], This is as stated in Article 25 of the Universal Declaration of Human Rights (UDHR), which states that everyone has the right to a standard of living adequate for the health, well-being of himself and his family.[5] One of the countries that recognizes, respects and guarantees the right to health which is the right to life is the unitary State of the Republic of Indonesia, this is contained in the 1945 Indonesian Constitution. Article 28 H Paragraph (1) of the 1945 Constitution states that everyone has the right to live in physical and spiritual prosperity, to have a place to live, and to have a good and healthy living environment and to have the right to health services. In relation to children's health, it is stated in Article 62 of Law no. 39 of 1999 concerning Human Rights, namely: every child has the right to obtain health services and social security, properly, according to their needs for self-developmen.[6] Article 132 of Law no. 32 of 2009 concerning health, namely: Every child born must be raised and cared for in a responsible manner so as to enable the child to grow and develop in a healthy and optimal manner.[7]

Regarding the impact of using gadgets on the health of early childhood, the government through the minister of women's empowerment and child protection plans to issue a policy in the form of limiting the use of gadgets for early childhood. this can be seen at: PRESS RELEASE Minister of PP & PA: Clarification of the Candy Problem Prohibition of the Use of Cellphones in Children Press Release Number: 37/Humas KPP-PA/05/2015 , this is in accordance with the recommendations or standards of the World Health Organization (WHO) or which is known as the World Health Organization forbids the use of gadgets for ages 1-2. And 3-5 years are limited to 1 (one) hour use. Names in Time, according to the results of the survey and the author's observations, the use of Gadgets for Age in Indonesia is still happening, this can be seen at the Early Childhood Education School of YPJ Tembagapura, where early childhood children from 2-5 years old are still learning (online) using gadgets. with a duration of time outside the WHO standard that can affect children's health. Based on the background and results of observations, the author is interested in writing and researching the issue with the title: The Impact of Using Gadgets for Early Childhood at YPJ Tembagapura School"

B. WRITING METHOD

In carrying out research at the YPJ Tembagapura Early Childhood School in Timika district (Papua), the researcher used a qualitative type of research with a phenomenological approach. Phenomenology etymologically comes from the word "phenomenon" which means visible reality, and "logos" which means science. So that in terms of terminology, phenomenology is a science that is oriented to get an explanation of visible reality. The phenomena that appear are reflections of reality that do not stand alone because they have meanings that require further interpretation. Phenomenology wants to reveal what is the reality and experience experienced by the individual, to reveal and understand something that is not visible from the individual's subjective experience. Therefore, the researcher cannot include and develop his assumptions in his research.[8] Here the researcher conducts research by going directly to the field, describing and constructing the existing reality and approaching the source of information, so it is hoped that the data obtained will be more leverage. The data collection techniques in this study are:

Observation Techniques Observation is a narrow activity, namely paying attention to something using the eyes, in a psychological sense, observation or also called observation, includes loading attention to an object using all senses. So, observation can be done through sight, smell, hearing, touch, and taste. Interview Techniques An interview which is often referred

---

[3] E-Journal, Nur Mutmainnatul Itsna1 , Risatur Rofi'ah2," Dampak Penggunaan Gadget Pada Interaksi Sosial Anak Usia Dini" Ummul Qura : Jurnal Institut Pesantren Sunan Drajat (INSUD) Lamongan, 2021, Hal.2

[4] Laporan Penelitian, Elias Thesia, "Penegakan Hukum Terhadap Peternak Babi Yang Mencemari Lingkungan Di Kota Jayapura" Jayapura, 2021, hal. 1

[5] Sumber Beritah "Komnas Hak asasi Manusia" di akses pada hari sabtu 22 Januari 2022| Jam 23.00 WIB, Sumber Link: https://www.komnasham.go.id/index.php/news/2021/1/7/1643/menyoal-pentingnya-hak-atas-kesehatan.html

[6] Pasal 62 UU No 39 Tahun 1999 Tentang Hak Asasi Manusia.

[7] Pasal 132 UU No.32 tahun 2009 Tentang Kesehata.

[8] W Creswell, Research Design: pendekatan Kualitatif, Kuantitatif, dan Mixed,di terjemahkan oleh : Achmad Fawaid, (Yogyakarta : Pustaka Pelajar, 2014), hal 53.

---

to as an interview or an oral questionnaire is a dialogue conducted by the interviewer to obtain information from people who have sources of information. Documentation Techniques Documentation from the origin of the word document which means written goods. In carrying out the documentation method, researchers investigate written objects such as books, magazines, documents, regulations, meeting minutes, diaries and so on.[9] In connection with data collection, the presence of researchers is very important. This is because the qualitative approach is a case study, so everything will depend on the position of the researcher. Thus the researcher is positioned as the main research instrument, so important and the necessity of the researcher's involvement and appreciation of the problems and research subjects, it can be said that the researcher is closely tied to the research subject. That is why in qualitative research, in-depth observations and in-depth interviews are required. This research uses data analysis model of Miles and Huberman, while the whole research process consists of:[10] data reduction, data presentation and drawing conclusions and then verified after experiencing data reduction and data display, the final stage is data verification. In decision making still have to re-examine it. [11]Meanwhile, to ensure the validity of the data in qualitative research, there are four standards used to guarantee the qualitative research, namely: Triangulation, checking the validity of the data using something other than the data for checking purposes or as a comparison against the data.

C. DISCUSSION

1. Understanding and development of Gedget from time to time

Entering the 21st century the development of technology continues to experience renewal, one of which is Gadgets or Gawit, Gadget is an English term which means an electronic device or instrument that has a specific purpose and function, especially to assist humans in carrying out their activities[12] The definition of a gadget is a tool or device designed with advanced technology with more specific functions and is practical or easy for its users.[13] Starting from the emergence of coin phones, mobile phones (HP), until now people are more familiar with the term smartphone or gadget. The development of gadgets from time to time started from a device called HP (mobile phone). Gadget is an electronic device that has a practical function, especially to help human work become easier and faster. Small electronic devices that have special functions such as smartphones and notebooks (a combination of portable computers such as notebooks and the internet) (Widiawati, 2014). Gadget is a very important role of communication technology because it makes human life easier, more comfortable and changes one's mindset to changes in attitude and character, Elsa (2014:8) says Gadget is a new innovation from the latest technology with better capabilities and the latest features that have a more practical purpose and function and are also more useful for humans. Gadget is a new technology that has certain functions that are useful for humans to facilitate communication, which is a necessity that must be in hand to facilitate communication.[14]

2. Positive and Negative Impacts of Using Gadgets on Early Childhood YPJ Tembaga Pura

a. Positive and negative impacts in general

Impact can simply be interpreted as an effect or effect, related to the title and the results of observations the author shares two types of impacts from the use of both Positive and Negative impacts. The negative impact of using gadgets on early childhood can have an impact on their social behavior, namely: (1) children will be less active in socializing and less physically active; (2) Forgetting the surrounding environment; and (3) Lack of playing time with friends. Meanwhile, the positive impact of using gadgets on elementary school children can have an impact on their social behavior, namely: (1) facilitating communication; (2) children's entertainment media; (3) increase comfort in learning; and (4) increase knowledge.

b.Negatif The Effect of Gadgets on Early Childhood Health, both Positive and Negative

As for some of the positive impacts of gadgets if parents can be wise in giving them to children, among others:

The positive impacts are as follows:

- Sophisticated language features on Gadgets can improve children's language skills.
- Support children's curiosity, with parental guidance, children can access sites that children want to learn on the internet.
- Stimulate children to follow technological developments, so that children do not stutter in technology at their age.

---

[9] bid., 201.

[10] M. Djunaidi Ghony and Fauzan Almansyur, Metodologi Penelitian Kualitatif, (Jakarta: Ar-Ruzz Media), 2014, hal 307.

[11] Ibid. 253

[12]E-Journal Yummi Ariston ,Frahasini "Dampak Penggunaan Gadget Bagi Perkembangan Sosial Anak Sekolah Dasar", Journal Of Educational Review And Research, 2018, Hal. 87

[13] Loc. Cip. Hal.1

[14] E-Journal ,Midayana , Dr.Evia Darmawani, M.Pd.Kons , Dessi Andriani, S.Pd,.M.M" Dampak Penggunaan Gadget Pada Anak Usia Dini (Studi Kasus Di Tk Elekrina Kertapati Palembang)", PERNIK Jurnal PAUD, 2019, hal.82

The Impact of Gadget Use on Early Childhood at Timika Education Foundation Tembagapura School

- Supporting the academic aspects of children, with the help of the internet children can access the information they need regarding the knowledge taught at school.
- Reducing stress levels and eliminating boredom after studying by playing games occasionally.

While the negative impact of gadgets on children's growth and development include:

• Disrupt brain growth

children At the age of 0-2 years, the child's brain grows rapidly until he is 21 years old. Children's brain development from an early age is influenced by environmental stimulation.

• Stimulation

excessive use of gadgets (cell phones, internet, tv, ipad, etc.) in the developing child's brain, can cause cognitive delays, disturbances in the learning process, tantrums, increase impulsivity, and decrease the child's ability to be independent.

• Slow growth

The dangers of using gadgets in children also limit their physical movement. Which makes the physical development of children to be late. Exposure to technology from an early age also negatively affects children's literacy skills and academic achievement.

• Kurang tidur

75% anak usia 9-10 tahun mengalami kurang tidur karena penggunaan teknologi tanpa pengawasan. Kekurangan tidur akan berdampak buruk pada nilai sekolah mereka, karena otak berkembang dengan baik saat tidur, dan anak butuh tidur yang cukup agar otaknya bisa berfungsi dengan baik.

• Mental disorders

Research at Bristol University in 2010 revealed that the dangers of using gadgets in children can increase the risk of depression, anxiety disorders, inattention, autism, bipolar disorder, psychosis, and other problematic behaviors.

• Aggressive nature

Content in media that can be accessed by children can lead to aggressive behavior in children. Physical and sexual violence is widely spread on the internet, and if not supervised, children can be exposed to it all. This triggers the emergence of aggressive behavior and tends to attack other people in children.

Addicted

When parents are too dependent on technology, they will become increasingly distant from their children. To fill the void of bonding with parents, children also begin to seek solace from Gadgets, which ultimately makes them addicted to technology, and cannot escape it.

• Unsustainable learning process

Excessive use of technology in children can make the learning process discontinuous. Because this technology makes everything easier, so that the child's brain is not sharpened, due to the convenience offered to find shortcuts.

• Decrease memory and concentration

children due to the high speed at which media content generates attention. As parents who live in this modern era, we must be wise in responding to and introducing technological means to our children, so that undesirable things do not happen due to technological developments. Disorders of the eyes due to too many eyes staring at the screen Gadget.[15]

The negative impact of the use of gadgets for early childhood on children's health, according to the author's observations during research and also as a teacher at the YPJ Tembagapura school, namely children's motor skills at an early age, what is meant by motor skills are activities that involve children using muscles in Motor body is divided into 2, namely fine motor and gross motor. Gross motor skills are movements that children make involving large muscle groups, such as arms, legs, calves, or the child's entire body. So, children's gross motor movements include crawling, running, jumping, throwing, and catching a ball, while fine motor movements are children's motor movements that involve small muscles in the child's body, such as the hands, fingers, and wrists[16] The following are examples of cases of the impact of using Gedget on early childhood;

Fine Motor: Feet: Nerve muscles of the legs are not trained so that: Children get tired more quickly from walking not far, Feet become stiff, Foot/foot steps are not right, feet hurt easily. Fine Motor Hands: Hand nerves are not trained so: Finger muscles are weak/less strong, Children have difficulty opening food and drink, Children have difficulty opening the lid of markers/glue/,

---

[15] Loc cip. E-Journal ,Midayana , Dr.Evia Darmawani, M.Pd.Kons , Dessi Andriani, S.Pd,.M.M" <u>Dampak Penggunaan Gadget Pada Anak Usia Dini (Studi Kasus Di Tk Elekrina Kertapati Palembang), Hal, 85-87</u>

[16] Sumber Beritah" Kementerian Kesehatan, "Perkembangan Motorik Anak Usia Dini (1-5 Tahun) yang Perlu Diketahui Orangtua", di Akses pada hari Jumat 28 Januari 2022| Jam 17 33 WIB, Sumber Link: https://hellosehat.com/parenting/anak-1-sampai-5-tahun/perkembangan-balita/perkembangan-motorik-balita/.

Children have difficulty cutting paper, Children have difficulty opening toy containers, and Children less activity / More done by parents[17]

SCHOOL ORIGIN	AGE	NUMBER OF CHILDREN BY GENDER		TYPE OF MOTORIC CASE
		L	P	
YPJ Tembagapura	3-4 years	2 (two) children	5 (Five) children	Difficulty in opening food and drink supplies. Opening the Marker Cover.
YPJ Tembagapura	4-5 years	3 (three) children	3 (three) children	Difficulty Opening Drinking Bottles Difficulty opening Glue. Difficulty Opening toy containers.
YPJ Tembagapura	5-6 years	4 (four) children	2 (two) children	Difficulty Opening markers. Get tired faster when walking long distances. Lack of activity with shadow children. Difficulty opening toy containers. Pencil draw difficulty. Less power to press the pencil.

Source: YPJ Tembagapura School

In connection with several explanations, it can be seen that Gedget has both positive and negative sides, but if it is not used normally for early childhood, it certainly has a negative impact and affects health, which is certainly very dangerous. In the table above, the author finds several additions, based on the results table, the use of gedge is not in accordance with the recommendations or standards of the World Health Organization (WHO) or known as the world health agency for the prohibition of using gadgets based on age ranging from 1-2 years to 3-5 years.

D. CONCLUSION
Based on the background and discussion above, the writer can conclude that:
The effect of using gadgets on children's development has a positive impact and a negative impact. The positive impacts include increasing children's knowledge, building and training children's creativity, facilitating communication, and expanding friendship networks. The proper use of gadgets has helped children in their daily lives, especially in finding data and information for doing school assignments as well as as a means of entertainment from the features provided in gadgets. At this time, Indonesia is facing Covid-19, so the learning method at YPJ Early Childhood School Tembagapura by way of, where parents are obliged to facilitate their children to use Gedget. While the negative impacts include, children become dependent on gadgets, so that in carrying out all their life activities it becomes difficult for children to interact with the surrounding environment. Excessive use of gadgets can interfere with eye health, children become lazy to move and do activities and prefer to play with their gadgets than playing with friends.

So with regard to the conclusion, the author provides suggestions, namely; Limit the use of gadgets to a maximum of two hours, children over two years old, may only be in front of a computer screen, television or gadget for a maximum of two hours each day. Other times should be spent playing outside the home, interacting and communicating with other children in order to recognize emotions. (2) Parents Educate Theirself About Gadgets Before giving Gadgets to children, parents must first know what applications are there. In order to be able to filter content according to the age of the child. Don't be ignorant parents and let your children be exposed to negative content because we don't understand. (3) Provide Supervision Accompany children when playing Gadgets. We as parents can also discuss what children play and do with their gadgets. In addition to establishing communication, we as parents can also monitor children's internet exposure, children's behavior in cyberspace. When we are supervising our children, we try not to be busy as parents with our own gadgets, (4) Provide Teaching on Behavioral Problems on the Internet If

---

[17] The results of the author's observations while at the YPJ school, Tembagapuran, from 2020-2022.

we as parents see content that is not appropriate for the child's age, give him the understanding that the content is not good for him. Likewise, when he sees bad information, invite the child to discuss it. Don't forget to remind children not to easily give personal identity to people they don't know, or applications that aren't clear. As parents, we should not over-expose our children on social media. This is to prevent crimes that often target children in cyberspace. (5) Let Children Play Without Gadgets Encourage children to play inside and outside the house without gadgets. The goal is for him to have quality time that is not spent staring at the Gadget screen. Besides being physically beneficial for children, playing without gadgets can also stimulate motor development. Save our gadgets when the child will play so that he is not tempted to hold the electronic device.

BIBLIOGRAPHY
Book source:
- M. Djunaidi Ghony and Fauzan Almansyur, Metodologi Penelitian Kualitatif, (Jakarta: Ar-Ruzz Media), 2014.
- W Creswell, Research Design: pendekatan Kualitatif, Kuantitatif, dan Mixed,di terjemahkan oleh : Achmad Fawaid, (Yogyakarta : Pustaka Pelajar, 2014)

Sources of Legal Basis
- Undang Undang-Undang Dasar Republik Indonesia 1945.
- UU No 39 Tahun 1999 Tentang Hak Asasi Manusia.
- UU No.32 tahun 2009 Tentang Kesehata.

Internet Source
E-Journal:
- Midayana , Dr.Evia Darmawani, M.Pd.Kons , Dessi Andriani, S.Pd,.M.M" Dampak Penggunaan Gadget Pada Anak Usia Dini (Studi Kasus Di Tk Elekrina Kertapati Palembang)", PERNIK Jurnal PAUD, 2019.
- Doni Harfiyanto,Cahyo Budi Utomo,Tjaturahono Budi," Pola Interaksi Sosial Siswapengguna Gadget Di Sma N 1 Semarang, Journal of Educational Social Studies, 2015.
- Nur Mutmainnatul Itsna1 , Risatur Rofi'ah2," Dampak Penggunaan Gadget Pada Interaksi Sosial Anak Usia Dini" Ummul Qura : Jurnal Institut Pesantren Sunan Drajat (Insud) Lamongan, 2021.
- Yummi Ariston ,Frahasini "Dampak Penggunaan Gadget Bagi Perkembangan Sosial Anak Sekolah Dasar", Journal Of Educational Review And Research, 2018.
- Midayana , Dr.Evia Darmawani, M.Pd.Kons , Dessi Andriani, S.Pd,.M.M" Dampak Penggunaan Gadget Pada Anak Usia Dini (Studi Kasus Di Tk Elekrina Kertapati Palembang)
Source link News online:
- Di akses pada hari sabtu, 22 Januari 2022| jam 22.00WIB sumber Link: https://www.nesabamedia.com/pengertian-gadget/

- Sumber Beritah "Komnas Hak asasi Manusia" di akses pada hari sabtu 22 Januari 2022| Jam 23.00 WIB, Sumber Link: https://www.komnasham.go.id/index.php/news/2021/1/7/1643/menyoal-pentingnya-hak-atas-kesehatan.html.
- Sumber Portal Kementerian Pemberdayaan perempuan dan Perlindungan Anak, di Akses pada hari senin, 23 Januari 2022| Jam 07.00WIT| sumber Link: https://www.kemenpppa.go.id/index.php/page/read/29/133/press-release-menteri-pp-pa-klarifikasi-soal-permen-larangan-penggunaan-hp-pada-anak.
Other Sources:
Other Documents
- Laporan Penelitian, Elias Thesia, "Penegakan Hukum Terhadap Peternak Babi Yang Mencemari Lingkungan Di Kota Jayapura" Jayapura, 2021.

RESULTS OF OBSERVATIONS AND INTERVIEWS:
- The results of the author's interview during the research, starting from January 2022, with a duration of approximately 4 months at the YPJ Tembagapura PAUD research location, with several respondents consisting of parents, teachers, and local residents
- The results of the author's observations while at the YPJ school, Tembagapuran, from 2020-2022.

REFERENCES
1) Di akses pada hari sabtu, 22 Januari 2022| jam 22.00WIB sumber Link: https://www.nesabamedia.com/pengertian-gadget/

2) E-journal, Doni Harfiyanto,Cahyo Budi Utomo,Tjaturahono Budi," pola interaksi sosial siswapengguna gadget di sma n 1 semarang, Journal of Educational Social Studies, 2015, hal.2

3) E-Journal, Nur Mutmainnatul Itsna1 , Risatur Rofi'ah2," Dampak Penggunaan Gadget Pada Interaksi Sosial Anak Usia Dini" Ummul Qura : Jurnal Institut Pesantren Sunan Drajat (INSUD) Lamongan, 2021, Hal.2

4) Laporan Penelitian, Elias Thesia, "Penegakan Hukum Terhadap Peternak Babi Yang Mencemari Lingkungan Di Kota Jayapura" Jayapura, 2021, hal. 1

5) Sumber Beritah "Komnas Hak asasi Manusia" di akses pada hari sabtu 22 Januari 2022| Jam 23.00 WIB, Sumber Link: https://www.komnasham.go.id/index.php/news/2021/1/7/1643/menyoal-pentingnya-hak-atas-kesehatan.html

6) Pasal 62 UU No 39 Tahun 1999 Tentang Hak Asasi Manusia.

7) Pasal 132 UU No.32 tahun 2009 Tentang Kesehata.

8) W Creswell, Research Design: pendekatan Kualitatif, Kuantitatif, dan Mixed,di terjemahkan oleh : Achmad Fawaid, (Yogyakarta : Pustaka Pelajar, 2014), hal 53.

9) M. Djunaidi Ghony and Fauzan Almansyur, Metodologi Penelitian Kualitatif, (Jakarta: Ar-Ruzz Media), 2014, hal 307.

10) Ibid. 253

11) E-Journal Yummi Ariston ,Frahasini "Dampak Penggunaan Gadget Bagi Perkembangan Sosial Anak Sekolah Dasar", Journal Of Educational Review And Research, 2018, Hal. 87

12) Loc. Cip. Hal.1

13) E-Journal ,Midayana , Dr.Evia Darmawani, M.Pd.Kons , Dessi Andriani, S.Pd,.M.M" Dampak Penggunaan Gadget Pada Anak Usia Dini (Studi Kasus Di Tk Elekrina Kertapati Palembang)", PERNIK Jurnal PAUD, 2019, hal.82

14) Loc cip. E-Journal ,Midayana , Dr.Evia Darmawani, M.Pd.Kons , Dessi Andriani, S.Pd,.M.M" Dampak Penggunaan Gadget Pada Anak Usia Dini (Studi Kasus Di Tk Elekrina Kertapati Palembang), Hal, 85-87

15) Sumber Beritah" Kementerian Kesehatan, "Perkembangan Motorik Anak Usia Dini (1-5 Tahun) yang Perlu Diketahui Orangtua", di Akses pada hari Jumat 28 Januari 2022| Jam 17 33 WIB, Sumber Link: https://hellosehat.com/parenting/anak-1-sampai-5-tahun/perkembangan-balita/perkembangan-motorik-balita/.
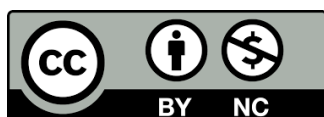
Management the Retraining of Management Competencies of the Deans in Vietnam's Higher Education

Thang – Ngoc Hoang[1], Nhan – Nguyen Thi Thanh[2], Thang - Nguyen The[3]

[1]The dean in the faculty of Political Theory and Humanities Social Science, The University of Fire Prevention and Fighting, Ministry of Public Security of Socialist Republic of Vietnam

243 Khuat Duy Tien street, Thanh Xuan district, Hanoi, Vietnam

[2]The University of Fire Prevention and Fighting, Ministry of Public Security of Socialist Republic of Vietnam

243 Khuat Duy Tien street, Thanh Xuan district, Hanoi, Vietnam

[3]Senior Researcher, The Vietnam National Institute of Educational Sciences, Ministry of Education and Training

101 Tran Hung Dao street, Hoan Kiem district, Hanoi, Vietnam

ABSTRACT: Managing competencies have been becoming the most important concern of the deans in the universities as the higher education of Vietnam has considerably integrated into the world's education with quite a few challenges from within. This research represents the results of how organizational activities of the retraining for the deans in the universities have been carried out by questioning people working in some of the higher education institutions. Findings show that management competencies' retraining has achieved many achievements, but there are some actions that could be taken to improve the quality of this activity these days.

KEYWORDS: Higher Education, The Dean, University, Management Competency

I. INTRODUCTION

Along with professional competencies, management competencies have become an urgent need for intermediate-level managers, especially the dean of the universities. Management competencies are not only demonstrated through understanding and applying new state policies on higher education but knowledge and skills that help managers at this level be proactive also or at least better respond to changes inside the school such as the trend of decentralization, decentralization, etc. Retraining is a process of continuing to improve the competencies and necessary professional qualities for managing staff. Theory of education in schools in the higher education system. This is a process of purposeful, organized activities in order to form, develop, and systematize knowledge, skills, attitudes, etc. Thus, it can be said that retraining and improving management competencies is to improve the quality of training and at the same time improve the ability to successfully integrate with the higher education of other countries.

Challenges to higher education from the trend of internationalization and globalization coming from abroad and changes in education policy and human resource needs and economic development in the country make the management of higher education in general and especially the role of the dean, in particular, is facing more difficulties than ever. It is not only academically responsive but also proficient in management activities.

II. METHOD

The survey participants included 106 people (including the deans/deputy deans of the universities; the personnel staff of the university; the managing staffs of the refresher courses; the lecturers who taught the refresher courses) in 06 universities; mainly have master's and doctoral degrees with the title of lecturer and main lecturer; most of them have 11 or more years of work experience. In addition to studying existing policy documents and documents, this study also applies the Linkert 5-level scale to the questionnaire. The average values of the answers represented the level of respondents' agreement on the given judgments. The given judgments include: Procedures, schemes at the central level; Procedures, schemes at the school level; Schemes of coordination; Each member understand its roles; A Steering Committee of the retraining activities; The managing plan of the retraining; The autonomy of universities.

III. RESULTS AND DISCUSSION

Organizations for retraining management competency for university deans need both departments and agencies with specific functions and tasks, and at the same time, the nature of the organizational apparatus must also take into account relationships or

interactions, purpose-oriented and quality of training, which includes: (1) Process and operating mechanism of the organizational structure of management and training for deans of universities at central level; (2) Operational process and mechanism of the organizational apparatus implementing the grassroots (school) training management; (3) Operational mechanism of coordination agencies (central, retraining agencies, etc.) directing the implementation of training management; (4) Each participant in retraining management knows his or her role as well as the role of others.; (5) Steering committee for retraining activities for university deans; (6) Training management plan from the central level to the schools; (7) The degree of autonomy of universities to manage and foster their faculty deans.

It is difficult to determine the rank or level of the competency management apparatus for the deans in the university, the reason is that the training activities according to the current regulations of the state do not clearly specify the role and the level of the organizations involved. Therefore, the competency development of university deans can be entirely undertaken by the state management agency or in coordination with other organizations, or the management can be managed by three agencies (training institutions). – training; facilities that provide facilities and organize training courses; state management agencies) jointly manage. For example, the Academy of Education Administration provides training services (lecturers, materials, etc.), and Can Tho University is the unit that provides learning locations for all students (office staff, faculty members, etc.) in the Mekong Delta, the Ministry of Education and Training is the agency that approves the training program and supervises the implementation of the training courses. The same method is also used at the Ho Chi Minh City University of Pedagogy.

Whether seen in a variety of concepts, such as developing a team towards common goals or as the art of cohesive cooperation among diverse elements to jointly achieve a more specific, defined goal, then the organization is the expression of the structure of responsibilities of its all members. Organization issues can increase the efficiency of management and governance; good organization makes management-governing functions easy and convenient, ensuring efficient use of resources, using human resources based on competencies. The success of an agency depends heavily on the competencies of its managers to use resources effectively. The organizational process will involve the formation and construction of departments, divisions, and related jobs. A good organization promotes the positive aspects of its members, helps to shape detailed requirements and categorizes, motivates creativity, speeds up work, is easy to connect and decentralize, makes the most of resources. power, while making it easy to control, communicate, enhance ethical values, etc.

Table 1 the opinions of the organizational issues of retraining activities of the deans in the university

	Trainee	Personnel staff	Retraining course's managing staff	Lecturer	Mean
1) Procedures, schemes at the central level	3.18	3.19	3.67	3.00	3.19
2) Procedures, schemes at the school level	3.25	3.50	3.33	3.19	3.27
3) Schemes of coordination	3.12	3.19	3.42	3.05	3.14
4) Each member understands its roles	3.23	3.44	3.50	3.33	3.28
5) A Steering Committee of the retraining activities	3.24	2.81	3.58	2.90	3.18
6) The managing plan of the retraining	3.10	3.00	3.42	2.76	3.07
7) The autonomy of universities	3.41	3.38	3.75	3.38	3.43

With the information obtained from the survey questionnaires, it was found that most of them highly appreciated the organizational issues of the retraining apparatus, all of them had opinions at >3.00 or higher, of which notably many opinions consider a very good level of autonomy of universities to manage and foster the dean staff with =3.43 and vice versa, the training management plan with = 3.07. The opinions also show that there is not much difference between the process and operating regime at the grassroots level and at the central level, respectively = 3.27 and = 3.19. Comparing the opinions of the respondents to the questionnaire shows that apart from the opinion of the staff of the organizing department, the Steering Committee for the training activities is rated at = 2.76, the remaining opinions are from = 3.00 or more.

According to the central level, the process and operating mechanism of the organizational structure of management and retraining for the deans in the university at the central level include ministerial or ministerial-level state management agencies, followed by the following: operating procedures and mechanisms of the organizational apparatus to manage the retraining at the university. In addition, the organization of the apparatus also includes the operation mechanism of the coordinating agencies (central, retraining agencies.) directing the implementation of retraining management. Some basic requirements of the organizational structure, such as each participant in the management of retraining, knows their role as well as the role of other components or establishing a steering committee for retraining activities for the deans of the university or retraining management plan represents the relations from the central level to the schools. Moreover, the degree of autonomy of universities to manage and foster their deans is also reflected in their organizational structure.

Management the Retraining of Management Competencies of the Deans in Vietnam's Higher Education

The interview opinions show that the problem of organizational structure is difficult to accurately evaluate without performing analysis according to each specific content, especially the relationship or the level of interaction efficiency between agencies at all levels or at the same level when they jointly conduct a refresher course or a retraining activity.

IV. CONCLUSIONS

Organize management competency retraining for the deans in the university in particular, and university staff in general, even more generally; all elements are linked together systematically to carry out the retraining process. This is also reflected in aspects of general understanding, legal documents, and the most common format for retraining of the deans in the universities. In summary, the organization of the apparatus for retraining the management competency of the dean according to the competency approach is an organizational requirement like related agencies, and at the same time, the organization must be expressed through relationships in order to guide for the success of the training objectives. However, the organizational apparatus is also expressed through methods and forms of accretion; creating conditions for facilities and environment for management of energy conservation; Learning management - teaching in management competency development for university deans, and responding to the effects of context on retraining management.

REFERENCES

1) Ministry of Education and Training, (2012), Decision on the promulgation of the training program for education administrators.
2) Ministry of Education and Training, (2013), Training materials for faculty managers/departments of universities and colleges. Volume 1, 2, Publishing House, University of Pedagogy, Hanoi
3) Ministry of Education and Training, (2014), Decision No. 2653/QD-BGDDT dated July 25, 2014, of the Minister of Education and Training promulgating the Action Plan of the education sector to implement the Program Government action to implement Resolution No. 29-NQ/TW, 2–3.
4) Ministry of Education and Training, (2014), Circular 47-Regulations on working regimes for lecturers.
5) Ministry of Education and Training, (2017). Summary report for the 2016-2017 school year of higher education institutions, pedagogical schools, Hanoi
6) Ministry of Education and Training, (2017), Circular No. 12/2017/TT-BGDDT-Promulgating Regulations on accreditation of higher education institutions
7) Ministry of Education and Training, (2017), General data on universities for the 2015-2016 and 2016-2017 school years, Hanoi.
8) Ministry of Home Affairs, (2012), Circular guiding the implementation of Decree No. 41/2012/NDCP dated May 8, 2012, of the Government on regulations on employment positions in public non-business units.
9) Ministry of Home Affairs, (2014), Circular No. 19/2014/TT-BNV dated December 4, 2014, of the Ministry of Home Affairs stipulating and guiding the training and retraining of public employees.
10) Ministry of Home Affairs, (2017), Circular No. 10/2017-TT-BNV on Regulations on assessment of training quality for cadres, civil servants, and public employees. Ministry of Home Affairs.
11) Ministry of Home Affairs, (2018), Circular 01/2018 - on training and fostering cadres and civil servants according to Decree 101/2017/ND-CP.
12) Nguyen Phuc Chau, (2013), School management, Publishing House, University of Pedagogy, Hanoi.
13) Government of Vietnam, (2012) Decree No. 41/2012/ND-CP 08/5/2012 of the Government regulating employment positions in public non-business units.
14) Government of Vietnam, (2012), Decree 29/2012/ND-CP on recruitment, employment, and management of public employees.
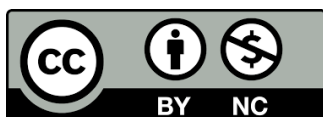
Teacher's Actions in the Development of Religious Deaf Students at SLBKuncup Mas Banyumas

Toifur[1], Rahman Affandi[2], Musyafa Ali[3]

[1,2,3]State Islamic University Prof. K.H Saifuddin Zuhri, Purwokerto, Indonesia.

ABSTRACT: This research aims to describe and analyze the actions of teachers in the development of the religiousness of visually impaired students in SLB Kuncup Mas Banyumas. This type of research is field research with a qualitative approach. The subjects of the study were blind classroom teachers, principals, parents or guardians of students, and blind students. The analysis techniques used are qualitative descriptive with stages of data reduction, data display, and conclusions. Data collection uses interview observation techniques and documentation. The results showed that teacher learning actions that support the development of student religiousness can be categorized into four important parts, namely teacher structuring, teacher soliciting, student responding, and teacher reacting. Teacher structuring is manifested by the behavior of praying and praising the greatness of Allah SWT. Teacher soliciting is manifested with teachers appearing very friendly and humanist. Student response is indicated by some students who carry out tasks given by teachers and some others delay assignments. And teacher reacting is shown by providing punishment that educates by communicating with parents or siblings, and putting forward praise for a conducive learning process.

KEYWORDS: Teacher action, religious development, blind students

INTRODUCTION

Religion is part of human rights. The books of ushul fiqh outline five basic principles in religion that must always be maintained, including maintaining religion.(Azizy, 2003), This includes maintaining the religion of children with special needs. Law No. 20 of 2003 on the national education system provides full guarantee to children with special needs to get quality education services.(Undang-Undang Nomor 20 Tahun 2003 Tentang Sistem Pendidikan Nasional, 2003).

Most education experts agree that educational activities should be able to develop learners in three main areas, such as cognitive, affective, and psychomotor realms or often referred to as knowledge, attitudes, and skills. This means that after completing a certain educational program, learners should become knowledgeable individuals, praiseworthy, and professional in their fields. Reality shows that learning has been limited to teaching only, not to those aimed at improvement, enrichment activities, increased learning motivation, and the development of effective learning attitudes and habits. This kind of condition needs to be revamped and the role of educators is needed, especially in the problem of behavior change. Handarini said that the educational context today prioritizes intellectual development. This condition requires the teacher to complete the teaching material and achieve the target of teaching.(Handarini, 2000).

In the process of education the three fields should get balanced attention so as to produce qualified graduates. But if we observe the phenomenon in the field, many national education activities are less serious in working on the affective realm, even though this realm is very important in the formation of the character of the nation. So it is with the religiousness of students with special needs. The religiousness of students with needs is less well-observed, tends to be worked on carelessly and walk flowing as is.(Sudjak, 2018).

The religiousness of special-needs students in Indonesia is currently described as very what it is, ranging from perfunctory ways of worship and even the religious concern of parents is still very concerning. Many people are of the view that such conditions are thought to stem from what is produced by the world of education. It is education that should contribute the most to this situation. In the field of school education, the occurrence of religious origin, especially children with special needs, is given many responsibilities of religious education.(Arsyad, 2014; SARASWATI, 2020).

Religious education becomes one of the important things that must be owned by every human being including children with special needs. Children with special needs can be entitled to be taught various religious activities like normal humans in general, because children with special needs also do not rule out the possibility to continue learning to read the Qur'an, become imams of

prayer, and the cultivation of religious beliefs. The main purpose of planting and teaching diversity is to instill noble morals, foster faith, instill otimism and motivation in themselves, instill confidence and increase religious awareness of children with special needs.(Jenah, 2019; Muarip, 2016; Nisa, 2016; NUGRAHA, 2020).

SLB Kuncup Mas Banyumas is an SLB that is quite old in Banyumas regency and is very concerned about religious education. The researcher's interest in SLB was strengthened during an interview with one of the teachers and head of tu school. And it turned out to find some data trends that led to this study. For example, teachers at SLB are always trying to instill religiousness through subjects that are mastered by each subject teacher. In addition, there are teachers who experience special needs (blind).

RESEARCH METHOD

The approach used in this research is a qualitative approach. This is done by researchers to be able to describe clearly, in detail, and able to get in-depth and accurate data. Qualitative approach is a study that produces comprehensive descriptive-natural data on oral and written words and behavior in a real-life setting assuming that human behavior can only be understood in depth by knowing where it occurs through observation.(Creswell, 2013). A substantial picture of this study is in accordance with the object of this study, namely in the form of learning events conducted by teachers that allegedly have an impact on the religiousness of students with special needs at SLB Kuncup Mas Banyumas. The data in this study is grouped into two types, namely, main data and supporting data.(Moleong, 2016). Determination of data sources is done by purposive sampling technique, which is a data source sampling technique with certain considerations, because it is considered as the person who knows and mastered the topic studied.(Sugiyono, 2009). Data analysis activities in this study are carried out inductively. Inductive data analysis is done to find the final inference/ conclusion to the data collected piecemeal from the research site. In analyzing the study's data, researchers used a data analysis framework adapted from an interactive model developed by Miles and Huberman, consisting of four stages: (1) the stage of data collection, (2) data reduction, (3) data presentation, and (4) data verification and final conclusion withdrawal.(Miles, 2005).

DISCUSS

The development of the religiousness of special needs students at SLB Kuncup Mas Banyumas is the responsibility of all teachers. The development of children's religiousness is widely done through learning and certain programs in this SLB. Educational actions that educate and respond to students during the learning process, can be categorized into four categories of pedagogical moves as stated by Bellack, et, al, namely; 1) teacher structuring, which is a teacher learning act intended to prepare and focus students' attention on the topic to be taught, 2) teacher soliciting, which is a teacher learning action intended to encourage student response, both verbal and non-verbal through questions and tasks given by the teacher, 3) student responding, namely the action of student responses to questions and tasks given by the teacher, and 4) teacher reacting, which is the teacher's learning action with regard to reactions or direct actions.(Bellack, A. Arno, Kliebert, M. Herbert, Hyman, T. Ronald, dan Smith, 1973).

In general, the learning actions of SLB teacher Kuncup Mas Banyumas support the development of student religiousness. The study findings that teacher-based learning actions that contribute to the development of student religiousness corroborate Piaget's opinion, stating that the nature of development is influenced by two factors, namely internal and external factors. Both of these factors influence changes in cognitive structure. Internal factors are affected by changes in cognitive structure that occur gradually. External factors can be the influence of teachers, parents, and peer groups, while internal factors are determined by the level of intellectual development.(john w santrock, Woloshyn, Vera E., Gallagher, Tiffany L., Di Petta, Toni, Marini, 2007). Environmental influence, teachers are very thick seen in the development of religiousness in SLB Banyumas. This condition is in accordance with Suparno's opinion which states that without the presence of teachers learning activities in elementary schools, especially in the low class can not be done.(Suparno, Paul, 2002). Some of the reasons underlying the statement, among others: 1) elementary school students still urgently need guidance, 2) learning facilities and infrastructure in elementary schools in Indonesia are relatively inadequate, 3) parental care as guardians of students is still lacking, and 4) learning in elementary school is the basis of learning at a higher level, thus the presence of teachers in learning activities is absolutely necessary.(Widiyanto, 2001a).

Data shows that the development of the religiousness of students with special needs in SLB is the responsibility of all teachers. In the process it has been done systematically and planned. Reigeluth said, good learning must provide clear information, thinking training (thoughtfull practices), responses to information (information feedback), and strong internal and external motivation from students (strong intrinsic and extrinsic motivation).(Widiyanto, 2001b).

In religion, the religious behavior of individuals with disabilities does not come by itself, but needs continuous conditioning by all academic community SLB Kuncup Mas. The same opinion was conveyed by other classroom teachers that the development of religiousness is carried out by all residents in schools supported by the involvement of parents of student guardians. According to one of the teachers involving parents or siblings of learners who are done incidentally.

The religious development of children with special needs in SLB is done through regular classes and strengthened by extra and co-curricular programs. The development of the religiousness of blind children in SLB Kuncup Mas is generally done through the

learning of subjects and more specifically the subjects of Islamic Religious Education and certain programs, such as the commemoration of religious holidays in Islam.

According to the principal, islamic education is carried out and is the responsibility of all classroom teachers. This is done because of the absence of teachers of Islamic Religious Education subjects in SLB Kuncup Mas, although it has been a long time to submit Islamic educators to the relevant office and informally invite PAI students to join this SLB, but until now there is still a vacancy of Islamic Religious Education teachers. To support this program, the foundation and academic community of SLB Kuncup Mas strive to create a situation that supports the achievement of instructional learning goals and the impact of their accompaniment. Encourage students to worship diligently. Comfortable and attractive class arrangement, installation of posters of evocative slogans. The act of teacher learning that supports the development of religious students of SLB Kuncup Mas which includes ideological, ritualistic, intellectual, experential, and consequential dimensions carried out through integration with special subjects and subjects of Islamic Religious Education can be categorized into four categories, namely:

a. Teacher structuring

Teacher learning actions are intended to prepare and focus students' attention on the topic to be taught. In this stage the teacher always makes RPP in accordance with the subjects he has. This condition is reinforced by the statement of some teachers who state that teachers at SLB Kuncup Mas always make RPP, at the beginning of learning teachers convey learning goals. In preparing for learning, sometimes the teacher is assisted by his wife or son. Help provided by his wife and child in the form of chats containing instructions for learning by teachers to students. This condition occurs because the teacher in question has a vision disability with a total blind classification (interview with the teacher, Mr. Ahmadi). This statement was corroborated by another teacher, that the teacher often helped her husband in preparing for learning. Preparation of learning by teachers assisted by his wife or pretend is done 1 day before learning or the night before the next morning learning is carried out. Help from loved ones around him is only done if the situation is urgent. Mr. Ahmadi more often uses special software tools that have been installed on his mobile phone.

b. Teacher soliciting

Teacher soliciting is a teacher's learning action that is intended to encourage student response, both verbal and non-verbal through questions and tasks given by the teacher. In the process, teachers give islamic religious learning treatment to blind children online. At this stage the teacher provokes the activeness of students by asking questions through chat (perception, with past subjects), using non-verbal language: cues such as provoking student liveliness, appearing very friendly, adjusting to the child's level of language understanding. In this category the ideological and ritualistic development of student religiousness is very thick. For example, by convincing the power of Allah SWT over the diversity of His creation. The phenomenon of children with special needs is strongly emphasized by the secret teacher of His creation which is never in vain. In addition, teachers encourage students to perform daily prayers such as mandatory prayers, sunah fasting, the importance of other prayers such as sacrifice. The same story was conveyed by Ahmadi's father who always associated natural phenomena with the power of God to strengthen the aqidah of blind children. The teacher emphasizes the limitations of man.

At this stage, teachers use many voice note services on whatsapp to provide learning tasks. To foster the religiousness of students with special needs, especially the blind teachers in SLB, encourage students to have religious experiences, such as sacrifice. This condition is in line with Dale's statement which underlines the importance of students' direct experience (learning by doing) in learning something in order to obtain optimal results.(Schunk, 2012). Through direct involvement students are actively involved with the physical world and their environment, such as seeing, hearing, feeling, experiencing directly, both individually and collectively will achieve better learning outcomes.

c. Student responding

Student responding is the student's response to questions and tasks given by the teacher. In response to questions and tasks from teachers in general students carry out tasks from the teacher. The teacher assigned the students to perform prayers by asking for photographic evidence. Most students respond well to teacher assignments, although there are usually one or two children who do not respond to the teacher's wishes. For example, ask for a delay in the time of collecting tasks. In the context of religiousness it is not uncommon for blind students who still question God's justice by linking the condition of him who has a vision disability. There are some students who tend to be proactive and disciplined in task collection. There are even students under the guidance of their parents proactively self-study by joining certain foundations for self-study. For parents these students rely on schools in the midst of pandemic situations are very unlikely. In response to school assignments given by teachers, students with visual impairment rely a lot on the support of guardian parents by guiding the reading of the assignment given by the teacher.

In the context of the implementation of religious rituals such as prayer and fasting some students already have a responsibility to carry out the worship. Unlike Dhodo, other blind students still need efforts to remind their parents. It's just that students still do not have the ability to read the Qur'an well, students are still directed to memorize short letters. This

statement was corroborated by zakira's parents/guardians who stated that her daughter did not have the ability to read the Qur'an, right, but had the ability to memorize short letters. According to his narration that Zakira already had the memorization of juz 30 as a result of his participation in the tahfidzulqur'an program at Langgong Sari Cilongok Banyumas boarding school before the pandemic. This statement is corroborated by the statement of the teacher (Mr. Ahmadi) who stated that low-grade students are still limited to being taught to know the hijaiyyah and have not yet reached the efforts to read the Qur'an. According to him, it is very difficult to teach the Qur'an braile to blind students, when the student has not understood and mastered the Latin braile. While in visually impaired children are encouraged to have the ability to write and read Latin braile letters.

Teachers at SLB Kuncup Mas Banyumas prepare and focus students' attention on the topic to be taught. Learning goals developed are not only fixated on instructional goals but also developed the achievement of nurturant impact. This condition is in line with the opinion of Joyce &Weil, who stated that the ability to organize educational learning, which includes four activities, including designing a learning program that facilitates the development of soft skills in addition to the formation of hard skills both formed directly from the instructional effect and as an indirect impact of the accumulation of learning experiences lived by students throughout the range of the process. learning or nurturant effect(Weil, 1996).

Although in general the teachers at SLB try to prepare well, but most of them also expressed inadecibility in organizing learning that seeks to facilitate the development of soft skills in addition to the formation of hard skills. This is in line with Paolitto and Reimer's statement that teachers need to plan and think carefully.(Harding, Carol Gibb dan Snyder, Kenneth, Tom, Huck, 1991). In addition, teachers must consider the specificity of the body of knowledge. Another important thing is that the teacher's empathy becomes the starting point in his interaction with students. Takwin writes that the basic element of empathy that one must have, first, is imagination that depends on the ability to imagine. Second, there is self-awareness (self-awareness or self-consciousness). Third, there is awareness of others; Knowledge and attention to others. Fourth, there are feelings, desires, ideas and representations or results of actions both in good people and in others as parties who are given empathy accompanied by openness to understand each other. Fifth, the availability of an aesthetic frame of mind. Sixth, the availability of a religious framework. The religiousness above by Glock and Stark was later developed into five parts: ideological dimension, ritualistic dimension, intellectual dimension, experential dimension, and consequential dimension..

According to Glock and Stark teachers need to show a high individual example where in themselves mentally and emotionally can produce similar responses from their students. The impact they (teachers) provide models and awaken their religiousness in relationships with students and colleagues. This positive personal interaction can encourage the high quality of teaching and learning process and high-quality behavior in assessing and sharing relationships. This shows that a teacher plays an important role in improving the quality of learning, building healthy interactions with his students which in turn makes teaching and learning situations can take place healthily.

The student's response to questions and tasks given by the teacher can be said to be good and educational. Students pay attention to the learning provided by the teacher. According to Gagne & Berliner, the processing of information in learning will occur, if there is attention from the learner. Attention arises when the presenter / teacher is sympathetic and empathetic, positioning himself as a good model at the time of teaching, and the material delivered according to the needs of students.

d. Teacher reacting

Teacher reacting, which is the teacher's learning action with regard to the teacher's reaction or follow-up to the response shown by students. In giving a reaction the student response found a mixed reaction. According to the teacher, the usual reaction is to communicate with the student's family. According to the teacher, the family is very helpful when there is a reaction that is not conducive from students. Similar statements were conveyed by other teachers that communication was made by teachers to parents or relatives of students with special needs when the teacher found a slow response of students in the fulfillment of tasks. A slightly different attitude was shown by Mr. Ahmadi who remained patient and waited for a response from students by occasionally charging for assignments and encouraging students to work through voice notes. The expression of greeting is always put forward by the teacher when initially responding to students, expressions of gratitude, good always be fulfilled by the teacher. In the context of religiousness, teachers slowly and continuously encourage blind children to be able to accept their circumstances.

In giving a reaction the student response found a mixed reaction. Some teachers say the importance of closeness and diving into the world of children. This condition is in accordance with Key's opinion which states that teachers need to train and organize the process of social structure democratically in the classroom. Teachers should not be authoritarian.(Darch & Eaves, 1986). Teachers should have an integrative and democratic approach, uphold ideal democracy, and accept the rights of students as individuals.(Harding, Carol Gibb dan Snyder, Kenneth, Tom, Huck, 1991). The teacher's reaction to the student's response is also done by giving praise and stars to students. In this case Davies stated that students will learn better and more when every step he does immediately get a response and reinforcement from the teacher(Davies, 2011). This is corroborated by Broophy &Good stated, the most common teacher's turn is praise. Compliments can create a positive mood or class

situation.(Boiliu & Polii, 2020). Students will feel comfortable and motivated if the teacher in learning gives appreciation for the results of the work done by students. If the teacher is able to provide a positive return from the results of student work performances, the learning situation will be more responsive, active, and participatory (Syahniar, 2006). In addition, there is a strategic role of teachers as models in this stage. Humanist interaction in educational situations will encourage students to do better. This is in accordance with Vigotsky's opinion which states the importance of others to build (religious) children for the better (john w santrock, Woloshyn, Vera E., Gallagher, Tiffany L., Di Petta, Toni, Marini, 2007). Another teacher's reaction is to communicate and coordinate with parents or siblings of blind students. This condition is very important for teachers to be able to ensure the continuity of the learning process.

CONCLUSIONS

Teacher learning actions that support the development of student religiousness can be categorized into four important parts, namely teacher structuring, teacher soliciting, student responding, and teacher reacting. Teacher structuring is manifested by the behavior of praying and praising the greatness of Allah SWT. Teacher soliciting is manifested with teachers appearing very friendly and humanist. Student response is indicated by some students who carry out tasks given by teachers and some others delay assignments. And teacher reacting is shown by providing punishment that educates by communicating with parents or siblings, and putting forward praise for a conducive learning process.

REFERENCES

1) Arsyad, A. R. (2014). Religious Education for Special Need Learners at SMPLB, the Center of Special Needs Education and Special Education Services. *Al Qalam; Jurnal Penelitian Agama Dan Sosial Kuncupaya*, *20*(1), 161–170.

2) Azizy, Q. (2003). *Melawan Globalisasi*. Puataka Pelajar.

3) Bellack, A. Arno, Kliebert, M. Herbert, Hyman, T. Ronald, dan Smith, L. F. (1973). *The Languange of The Classroom*. Teacher College Press.

4) Boiliu, F. M., & Polii, M. (2020). Peran Pendidikan Agama Kristen dalam Keluarga di Era Digital terhadap Pembentukan Spiritualitas dan Moralitas Anak. *IMMANUEL: Jurnal Teologi Dan Pendidikan Kristen*, *1*(2), 76–91. https://doi.org/10.46305/im.v1i2.18

5) Creswell, J. W. (2013). *Qualitative inquiry and research design: Choosing among five approaches*. Sage.

6) Darch, C., & Eaves, R. C. (1986). Visual displays to increase comprehension of high school learning-disabled students. *Journal of Special Education*, *20*(3), 309–318. https://doi.org/10.1177/002246698602000305

7) Davies, M. (2011). Concept mapping, mind mapping and argument mapping: What are the differences and do they matter? *Higher Education*, *62*(3), 279–301. https://doi.org/10.1007/s10734-010-9387-6

8) Handarini, D. M. (2000). *Pengembangan model pelatihan ketrampilan sosial bagi SMU terpadu.* Universitas Negeri Malang.

9) Harding, Carol Gibb dan Snyder, Kenneth, Tom, Huck, A. O. S. (1991). *Theory based Strategies For Moral Education*. Proquest Sociology.

10) Jenah, K. (2019). *Pembelajaran Baca Tulis Al-Quran Dalam Meingkatkan Kesadaran Beragama Pada Siswa Tuna Netra Di SDLB Negeri Kedung Kandang Malang*. Universitas Islam Negeri Maulana Malik Ibrahim Malang.

11) john w santrock, Woloshyn, Vera E., Gallagher, Tiffany L., Di Petta, Toni, Marini, Z. A. (2007). *Educational Psychology*. McGraw-Hill Ryerson.

12) Miles, M. B. and A. M. H. (2005). *Qualitative Data Analysis (terjemahan*. UI Press.

13) Moleong, L. J. (2016). *Metodologi Penelitian Kualitatif*. PT Rosdakarya.

14) Muarip, T. (2016). *Efektivitas Penanaman Sikap Keberagamaan Pada Siswa Tunanetra (Studi Kasus Pada Siswa Tunanetra Tingkat Smp Dan Sma Di Sekolah Luar Biasa (Slb) A Pembina Tingkat Nasional Lebak Bulus Jakarta Selatan)*. Universitas Islam Negeri Syarif Hidayatullah Jakarta.

15) Undang-Undang Nomor 20 Tahun 2003 Tentang Sistem Pendidikan Nasional, (2003).

16) Nisa, R. (2016). *Penanaman Akidah Terhadap Siswa Tuna Netra Di Sdlb Bina Netra Fajar Harapan Martapura Kabupaten Banjar*. Iain Antasari Banjarmasin.

17) Nugraha, I. A. (2020). *Optimisme Dan Motivasi Spiritual Imam Sholat Tuna Netra (Studi Kasus Seorang Tuna Netra Imam Sholat Mushola Al-Hidayah Grendeng Purwokerto)*. Iain Purwokerto.

18) Saraswati, M. (2020). *Peran Guru Pendidikan Agama Islam Dalam Pembinaan Akhlak Siswa Tuna Netra Di Sekolah Luar Biasa Kuncup Mas Banyumas*. Iain Purwokerto.

19) Schunk, D. H. (2012). *Learning Theories: An Educational Perspectives, 6th Edition.* Pearson Education Inc.

20) Sudjak. (2018). Problematika Pendidikan Inklusi Di Sekolah. *Jurnal Modeling*, *5*(2), 185–188.

21) Sugiyono. (2009). *Metode Penelitian Pendidikan Pendekatan Kuantitatif, Kualitatif, dan R & D*. Alfabeta.

22) Suparno, Paul, D. (2002). *Pendidikan Kuncupi Pekerti di Sekolah Suatu Tinjauan Umum*. Kanisius.

23) Syahniar. (2006). *Tindak Pembelajaran Guru Yang Berkontribusi Terhadap Peningkatan Kemampuan Interpersonal Siswa MIN 01 Malang*. Universitas Negeri Malang.

24) Weil, B. J. dan M. (1996). *Models of Teaching*. Prentice Hall.

25) Widiyanto, T. P. (2001a). *Tindak guru Atas Perilaku Emosional Santri dalam Interaksi Pembelajaran di Sekolah Dasar Kanisius Yogyakarta*. Universitas Negeri Malang.

26) Widiyanto, T. P. (2001b). *Tindak guru Atas Perilaku Emosional Siswa dalam Interaksi Pembelajaran di Sekolah Dasar Kanisius Yogyakarta*. Universitas Negeri Malang.
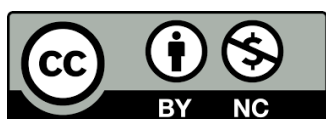
Difficulties Encountered By Students at a University in Vietnam in Speaking English

Tran Thi Thao[1], Vi Thi Trung[2]
[1,2] Thai Nguyen University – Vietnam

ABSTRACT: The research investigates into the speaking difficulties of fourth – year students at Thai Nguyen University. The goals of the research are to find out what linguistic difficulties and psychological difficulties do EFL learners at Thai Nguyen University face when speaking English. Quantitative method was used as the main method of this study. A total of 150 students were chosen as participants of the study. Due to the impact of Covid-19, data were collected through online survey in two weeks. The research discovered three linguistic difficulties (pronunciation, grammar, and vocabulary) and three psychological difficulties (attitude, anxiety and motivation). The findings of the study revealed that students tend to encounter linguistic difficulties than psychological difficulties. The most common problem is grammar incompetence, followed by vocabulary and anxiety. Furthermore, the outcome of the study indicated that EFL learners at Thai Nguyen University do not have pronunciation difficulty. The findings also show that students have positive attitudes, high levels of motivation toward speaking English. In addition, the researcher has proposed some recommendations for both teachers and students to reduce these speaking difficulties.

KEY WORDS: English speaking, linguistic difficulties, psychological difficulties.

I. INTRODUCTION

1.1. Background of the study

The use of English as a second language (ESL) or foreign language (EFL) in oral communication is one of the most common but highly complex activities (Hosni, 2014). Speaking is also considered one of the most important skills among the four skills (writing, reading, listening, and speaking) (Ur, 2000; p: 12). To achieve good speaking skill, students must master many aspects of speaking, namely pronunciation, fluency, grammar, comprehension, and vocabulary. However, achieving these targets of speaking is not an easy task as learners may encounter many difficulties when speaking English. These speaking problems can come from within learners themselves (linguistic ability, psychology) or come from the outside environment (classroom environment, learning materials). In this study, the researcher will focus on the problems that come from within learners which are linguistic difficulties and psychological difficulties.

There are three linguistic problems that many students face when speaking English, namely incorrect pronunciation, grammar incompetence and vocabulary shortage. First of all, many students have trouble pronouncing clear and correct words in English. As a result, teachers and other students will not understand them clearly. The second linguistic problem that EFL learners encounter is grammar incompetence. The grammar structures of the second language are different from the grammar structures of the first language. Therefore, learners sometimes mistake the grammatical patterns of two languages when they speak. Last but not least, most students lack an adequate number of vocabularies when speaking English. Consequently, students may have difficult to express their ideas and they may make a lot of pauses when they speak.

Moving to the other side of the argument, psychological difficulties such as attitude, anxiety, and motivation, also cause serious problems for EFL learners. Firstly, learners' attitude toward learning plays an important role in determining learners' level of proficiency. If students have a positive attitude toward learning, they are more likely to produce effective communication and receive higher grades. However, if students have negative attitude, they may not have enough effort in studying and may encounter several speaking problems such as lack of motivation. The second speaking problem that various learners encounter is anxiety. Students' anxiety is developed when they have negative perspective about themselves. Furthermore, some students feel anxious when they do not have enough time to prepare for their speech. Finally, students' motivation is a crucial factor in determining students' success or failure in completing tasks (Cherifa, 2016). If students have strong motivation to succeed, they will gain better scores than those who have weaker motivation.

Even though there are several studies investigated into the linguistic problems and psychological barriers that learners face during speaking tasks (Mufidah, 2017; Cherifa, 2016; Hosni, 2014 and Paakki, 2013), this problem still receives little attention in Vietnam.

Difficulties Encountered By Students at a University in Vietnam in Speaking English

Therefore, this study intends to find out what linguistic difficulties and psychological difficulties EFL learners face when speaking English.

1.2. Statement of the research problem

As an English major, I find that speaking English poses many obstacles for EFL learners to overcome. The most prominent problem is linguistic problems. To be more specific, many learners struggle to express their ideas in English with appropriate vocabularies, correct grammar structures and correct pronunciation. Students can improve their language knowledge by participating in different speaking activities. The second problem is psychological difficulties, namely attitude, anxiety, and motivation. Many students do not what to say during English speaking activities because they have no motivation, negative attitude, and high level of anxiety. Besides, Therefore, this study hopes to help students overcome their speaking difficulties by investigating into the linguistic and psychological factors and contribute to fill in the gap of the field.

1.3. Significance of the study

The study is expected to find out what linguistic problems and psychological difficulties do EFL learners encounter when speaking English. It is also hoped that the research will benefit university students who are struggling with these difficulties.

1.4. Research questions

To understand the struggles in speaking English of English majors, the research aims to answer the following questions:

- *What linguistic problems do EFL learners at Thai Nguyen University face when speaking English?*
- *What psychological problems do EFL learners at Thai Nguyen University face when speaking English?*

II. LITERATURE REVIEW

2.1. Linguistic difficulties

Language competence, according to Amoah and Yeboah (2021), is the ability to use the language and its parts or forms of the language learner. Saunders and O'Brien (2006) states that the correct use of language forms is critical for learners' oral proficiency. In terms of second language speaking, many learners might not be able to produce efficient oral communication due to their lack of vocabulary, grammatical incompetence, and poor pronunciation. According to Burkart (1998), language learners need to have knowledge of three area involved within the speaking of which mechanics of language elements (pronunciation, grammar, vocabulary).

2.1.1. Pronunciation

According to Derwing and Munro (2005), having a good pronunciation of the language can help in normal communication, particularly intelligibility. Thornbury (2005) stated that the lowest level of knowledge a speaker draws on is that of pronunciation. This means that words are stored with their pronunciation and do not need to be reconstituted every time they are used. Aspects of pronunciation includes vowels, consonants, word stress, syllable, rhythm, connected speech and intonation pattern. Learners should be familiar with different sounds, their features and how to articulate them. They should also learn about word stress and intonation. Correct and clear pronunciations are important in language learning because good pronunciation makes the communication easier to understand (Dan, 2006 in Varasarin, 2007). Since English is not a phonetic language, non-native learners may struggle when they pronounce English words. Learners also confuse when they see words with similar spellings but have different pronunciation because of their surrounding contexts such as tenses and phonemes that come after them. If they fail to pronounce correctly, their speech will not be understood.

2.1.2. Grammar

According to Fromkin, Rodman and Hyams (2011), grammar is the basic unit of meaning, such as words and a set of rules to combine them into a new sentence. Crystal (1993) defined grammar as the study of the way words and their component parts combine to form sentences. The researcher classified grammar into two types: competence grammar and performance grammar. Competence grammar is the total set of rules possessed by a speaker; it is a grammar of the speaker's competence. It is a performance grammar if it is capable of accounting for just the sentences that a speaker has actually used (as discovered in a sample of output, or corpus). The variety and proper usage of the learners' grammatical structure, which includes the length and complexity of the utterances as well as the capacity to employ subordinating clauses, is referred to as grammatical accuracy (Cherifa, 2016). The number of grammatical errors is considered the main indicators of grammatical accuracy according to IELTS (2001 p.15) as cited in Hughes (2002 p.87).

In the process of learning second language, students need to understand grammar structures of target language (TL) so that they can express their ideas clearly. Heaton (1978) as cited in Rahayu (2020) points out that students' ability to manipulate structure and to distinguish appropriate grammatical form in appropriateness. In order to create effective oral communication, learners should have knowledge of words, sentences, and different grammar structures. The grammar structures of two languages are different, thus, it is important that learners do not mix them up.

2.1.3. Vocabulary

Vocabulary is the basic element in language that includes a single word, set phrase, variable phrases, phrasal verbs, and idioms (Mufidah, 2017). According to Cherifa (2016), achieving vocabulary accuracy relates to the appropriate selection of words when

speaking. Learners have to be able to use different words and expressions for different situation accurately in order to achieve effective communication. In addition, students should acquire an adequate number of words and should also know how to use them accurately to communicate well in a foreign language like English (Huyen & Nga, 2003). Having adequate vocabulary knowledge can enable learners to speak properly. Without sufficient vocabulary, learners cannot convey their ideas which lead to inefficient communication. Gan (2012) found that insufficient vocabulary in English is a predominant problem among students.

2.2. Psychological difficulties

According to Oxford (1990) as cited in Cherifa (2016), the psychological factors are very important in determining success or failure for language learners. Similarly, other researchers such as Ur (1996), Hosni (2014), Cherifa (2016) and Amoah & Yeboah (2021) point out several psychological factors that hinder students' speaking difficulties, namely attitude, anxiety, and motivation.

2.2.1. Attitude

In second language acquisition (SLA), attitude is one of the most important personality factors, which directly affects the level of proficiency of each learner. According to Montero (2014), the way a learner develops his/her linguistic abilities is mostly influenced by the attitude that he/she processes, either to a target language or a target culture. A number of studies have been conducted to prove the theoretical assertions about the relationship between attitude and second language learning, and it has been discovered that attitude and other affective variables are as important as aptitude for language achievement, and that positive and negative attitudes have different reasons for arising (Bachman, 1990; Gardner, 1985; Malallaha, 2000 & Coleman et al., 2003, as cited in Hosseini & Pourmandnia, 2013). Hosseini and Pourmandnia (2013) defined attitude "as a disposition or tendency to respond positively or negatively towards a certain thing such as an idea, object, person or situation". Furthermore, Ellis (1992) asserts that the term 'attitude' refers to the set of beliefs that a learner holds towards members of the target language (TL) group or second language (L2) community and also towards his/her own culture. Hence, a learner's attitude includes not only the learner's attitude toward native speakers of the TL, but also the learner's attitude toward the language as a whole: the language learning process, the language teachers, the country where the language is entirely spoken, and even the learner's classmates who are studying the same language.

Many researchers have concentrated on the three components of attitude which are cognitive, emotional, and behavioral. These three components are believed to have a reciprocal influence (Wenden, 1991).

- Cognitive refers to any information, fact, or knowledge relevant to an attitudinal subject includes the thoughts, beliefs, and values of a language.
- Emotional or "feelings" is comments (positive or negative) about the language (Baker, 1992; Rajecki, 1982).
- Behavior or a behavioral intention or the action can be done (possible acts) for the language (Rajecki, 1982).

2.2.2. Anxiety

According to Horwitz as cited in Nascente (2001), anxiety is a feeling of tension, apprehension and nervousness associated with the situation of learning a foreign language. Sanders and Wills (2003) said that anxiety is "a complex, multifaceted experience, a feeling which comes flooding into our whole selves, affecting many different aspects of our being". In the process of learning foreign language, anxiety is a feeling of the worry aroused the negative emotional reaction when learning or utilizing a second language (Young, 1999). According to Ying (2008), language anxiety is caused by learners personal and interpersonal, learner beliefs about language learning, teacher belief about language anxiety, teacher-learner interactions, classroom procedures and language testing. Similarly, language anxiety is "a distinct complex of self-perceptions, beliefs, feelings, and behaviors related to classroom language learning arising from the uniqueness of the language learning process" (Horwitz, Horwitz, & Cope, 1986). Furthermore, anxiety about speaking a certain language can influence the quality of oral language production and make individuals appear less fluent than they really are (Horwitz, 1991).

There are three types of anxiety which are proved by different researchers:

- **State anxiety:** It is defined as an unpleasant emotional arousal in face of threatening demands or dangers. A cognitive appraisal of threat is a prerequisite for the experience of this emotion (Lazarus, 1991). According to Ormrod (2011), state anxiety is temporary feeling of anxiety elicited by a threatening situation. It means this type of anxiety happen on subject based on situation that will be faced or ongoing situation.
- **Trait anxiety:** It reflects the existence of stable individual differences in the tendency to respond with state anxiety in the anticipation of threatening situations. Trait anxiety is pattern of responding with anxiety even nonthreatening situations goes away (Ormrod, 2011). The trait anxiety happened for long time, and it keeps coming out in subject. The person who got trait anxiety always feeling fear or worry about something.
- **Situation-specific anxiety:** It refers to the persistent and multifaceted nature of some anxieties (MacIntyre & Gardner 1991). It is aroused by a specific type of situation or event such as public speaking, examinations, or class participation (Ellis, 1994; p: 480).

2.2.3. Motivation

It is clear that motivation plays an important role in determining success and failure of ESL learners. Motivation is defined as "some kind of drive which pushes someone to do things in order to achieve something" (Harmer, 2001). It is a connection of

efforts and will to reach a goal in the language, plus favorable attitudes towards learning the language (Gardner, 1985). Since language learning is a long process, if learners can develop a sustainable level of motivation for long-term achievement, they will find pleasure in learning. Thus, motivation to learn is the force that drives learners to seek out intellectual and new experience. Motivation has different categories depend on different researchers.

III. RESEARCH METHODOLOGY
3.1. Research design
The research project selected quantitative as the research design method. Quantitative research focuses on collecting numerical data and generalizing it across groups of people or to explain a particular phenomenon (Babbie, 2010; Muijs, 2010).

3.2. Data collection instruments
A questionnaire is a tool for gathering information in the form of question lists that are provided to participants to collect information about them. According to Brown (2001), "Questionnaires are any written instruments that present respondents with a series of questions or statements to which they are to react either by writing out their answers or selecting from among existing answers."

The survey questionnaire of the research attempts to answer the two research questions through different data collection instruments, namely: EFL learners' linguistic difficulties scale, Students' attitude toward speaking English scale, Foreign Language Classroom Anxiety scale, and English learning motivation scale.

3.2.1. EFL learners' linguistic difficulties scale
The EFL learners' linguistic difficulties scale is a 5-point likert scale based on the notion of Krashen (2003) on affective factors which includes poor pronunciation, grammar incompetence, and vocabulary shortage. Questionnaire items were adapted from Amoah and Yeboah (2021). The scale ranges from strongly disagree to strongly agree with 5 = strongly agree, 4 = agree, 3 = normal, 2 = disagree, 1 = strongly disagree.

3.2.2. Students' Attitude toward English speaking activities scale
The students' attitude toward English speaking activities scale is a 5-point scale adapted from the original 7-point scale format of Gardner's Attitude Test Battery (1985). The scale ranges from strongly disagree to strongly agree with 5 = strongly agree, 4 = agree, 3 = normal, 2 = disagree, 1 = strongly disagree. Aspects of the questionnaire items were modified from Gardner's (1985) so that it will be suitable for Vietnamese students.

3.2.3. Foreign Language Classroom Anxiety scale
The Foreign Language Classroom Anxiety scale (FLCAs) is a 5-point likert scale that is adapted from Horwitz (1986). The scale ranges from strongly disagree to strongly agree. Aspects of the questionnaire items were selected and modified.

3.2.4. English learning motivational scale
Motivation items were selected and adjusted from Gardner's 7-point scale Motivation Test Battery format (1985) so that it will be suitable for Vietnamese students. Participants were asked to rate each statement by their level of agreement in a close ended 5-level Likert scale with 5 = strongly agree, 4 = agree, 3 = normal, 2 = disagree, 1 = strongly disagree.

3.3. Data analysis procedures
Due to the impact of COVID-19, data were collected through online survey questionnaires in two weeks. The survey was sent out through online platforms. A total of 150 answers were returned and used for analysis. Data were analyzed using the Statistical Package for the Social Sciences (SPSS). The survey consists of two main parts, each part deals with one research question:

IV. FINDINGS AND DISCUSSIONS
The results of the study will be presented descriptively according to the research questions; (1) *What linguistic problems do EFL learners at Thai Nguyen University face when speaking English?* (2) *What psychological problems do EFL learners at Thai Nguyen University face when speaking English?* The findings are summarized in the table below

	Speaking difficulties	Mean	Std. dev
Linguistic difficulties	Pronunciation	2.9	1.3066
	Grammar	3.674	0.985
	Vocabulary	3.428	0.8552
Psychological difficulties	Attitude	3.736	0.9639
	Anxiety	3.234	1.238
	Motivation	3.522	1.004

From the information presented in the table, we can see that students' pronunciation does not cause them speaking problems. Furthermore, all participants of this research have a positive attitude toward speaking English and a relatively high level of motivation. Therefore, students' attitude and motivation have no significant impact on students' speaking difficulties. On the other hand, grammar, vocabulary, and anxiety somewhat affect learners' speaking problems. Among three factors, grammar has the

strongest impact, followed by vocabulary and anxiety. All in all, we can conclude that students often face linguistic difficulties than psychological difficulties when speaking English.

The results of the survey revealed that EFL learners at Thang Long University often face linguistic difficulties than psychological difficulties when speaking English. In an attempt to answer the first research question "*What linguistic problems do EFL learners at Thai Nguyen University face when speaking English?*", the results shown that students often encounter three linguistic difficulties namely pronunciation, grammar, and vocabulary which agree with the findings of Rianingsih (2015). Furthermore, the findings revealed that grammar incompetence and vocabulary shortage are the most common linguistic problems. Based on the answers received from participants, it seems that their linguistic difficulties are caused by the use of first language, lack of practice and lack of adequate linguistic knowledge. For instance, many students reported that they often forget to pronounce the ending sound or mistake the pronunciation of English words for Vietnamese words. This problems are mainly caused by their overuse of Vietnamese in English class. Moreover, many students said that some words and grammar structures in English are too complicated to remember, which are caused by lack of linguistic knowledge and lack of practice.

In an attempt to answer the second research question *"What psychological problems do EFL learners at Thai Nguyen University face when speaking English?"*, the outcomes revealed three psychological problems, which are attitude, anxiety, and motivation. The results shown that learners have a positive attitude toward speaking English, and a high motivational level. However, data from the research shown that participants have a relative high level of anxiety. Based on the responses received from participants, the causes of their anxiety are the learners' self-perception, classroom environment and the teachers. The findings of this study agreed with the study of Januariza and Hendriani (2016) who believes that students' anxiety is caused by themselves and the teachers who teach the speaking subject.

REFERENCES

1) Al Hosni, S. A. (2014). Speaking Difficulties Encountered by Young EFL Learners. *International Journal on Studies in English Language and Literature (IJSELL), 2*, 22-30.
2) Al Nakhalah, A. M. M. (2016). Problems and Difficulties of Speaking that Encounter English Language Students at Al Quds Open University. *International Journal of Humanities and Social Science Invention. 5*(12), 96-101.
3) Amoah, S. & Yeboah, J, (2021). The Speaking Difficulties of Chinese EFL Learners and Their Motivation Towards Speaking The English Language. *Journal of Language and Linguistic Studies. 17*(1), 56-69.
4) Arnold, J. (2000). *Affect in Language Learning*. Cambridge: Cambridge University Press.
5) Babbie, E. (2010). *The Practice of Social Research.* 12th edition. Belmont, CA: Wadsworth Cengage.
6) Bachman, L. F. (1990). *Fundamental Considerations in Language Testing*. Oxford: Oxford University Press.
7) Baker, C. (1992). *Attitudes and Language*. Clevedon Hall: Multilingual Matters.
8) Burkart, G. S. (1998). *Modules for Professional Preparation of Teaching Assistant in Foreign Languages.* Washington, WA: Center for Applied Linguistic.
9) Cherifa, D. (2016). *The Main Psychological Difficulties That EFL Learners Face in Speaking Skill: A case study of second year (LMD) students of English at Mohamed Kheidar University of Biskra.* Unpublished master's thesis, Mohamed Kheidar University of Biskra.
10) Coleman, D., Strafield, S., & Hagan, A. (2003). The Attitudes of IELTS stakeholders: Student and Staff Apperception of IELTS in Australian, UK, and Chinese Tertiary Institutions. *IELTS Australia Research, 5*, 20-34.
11) Crystal, D. (1993). *The Cambridge Paperback Encyclopedia.* Cambridge: Cambridge University Press.
12) Dan, C. (2006). "How can I improve my student's pronunciation?." Report submitted to China's Experimental Centre for Educational Action Research in Foreign Languages Teaching. Retrieved October 29, 2021, from https://www.actionresearch.net/writings/china/chendan.htm
13) Derwing, T. M. & Munro, M. J. (2005). Second Language Accent and Pronunciation Teaching: A Research-Based Approach. *TESOL Quarterly, 39*, 379-397
14) Ellis, R. (1992). *Understanding Second Language Acquisition.* New York: University Press.
15) Ellis, R. (1994). *The study of Second Language Acquisition.* Oxford University Press, Oxford.
16) Fromkin, V., Rodman, R. & Hyams, N. (2011). *An Introduction to Language.* Wadsworth, Cengage Learning.
17) Gan, Z. (2012). Understanding L2 Speaking Problems: Implications for ESL Curriculum Development in a Teacher Training Institution in Hong Kong. *Australian Journal of Teacher Education, 37*(1). http://dx.doi.org/10.14221/ajte.2012v37n1.4
18) Gardner, R.C. (1985). *Social Psychology and Second Language Learning: The role of Attitudes and Motivation.* London: Edward Arnold Publishers.
19) Harmer, J. (2001). *The Practice of English. Language Teaching.* Longman.
20) Horwitz, E. K., Horwitz, M. B., & Cope, J. (1986). Foreign language classroom anxiety. *Modern Language Journal, 70*(2), 125-132.

21) Horwitz, E. K. (1986). Preliminary Evidence for The Reliability and Validity of A Foreign Language Anxiety Scale. *TESOL Quarterly, 20*(3), 559—562. doi:10.2307/3586302

22) Horwitz E. K., & Young D. J. (1991). *Language Anxiety: From Theory and Research to Classroom Implications.* Englewood Cliffs, NJ: Prentice-Hall.

23) Hosseini, S. B. & Pourmandnia, D. (2013). Language Learners' Attitudes and Beliefs: Brief Review of the Related Literature and Frameworks. *International Journal on Trends in Education and Their Implications*, *4*(4), 63-74.

24) Hughes, R. (2002). *Teaching and Researching Speaking*. New York: Pearson Education.

25) Huyen, N. T. T. & Nga, K. T. T. (2003). Learning Vocabulary through Games: The Effectiveness of Learning Vocabulary Through Games. *EFL Asian Journal*. *5*(4), 90- 105.

26) Januariza, Y. & Hendriani, S. 2016. Student' Anxiety in Learning Speaking. *Proceedings of the Fourth International Seminar on English Language and Teaching, 4*(2), 468-474.

27) Krashen, S. (1988). *Second Language Acquisition and Second Language Learning*. London: Prentice Hall International (UK).

28) Krashen, S. (2003). *Explorations in Language Acquisition and Use: The Taipei lectures.* Portsmouth, NH: Heinemann.

29) Lazarus, R. S. (1991). Cognition and Motivation in Emotion. *American Psychologist, (46)*4, 352-367.

30) MacIntyre, P. D. & Gardner, R. (1991). Methods and Results in The Study of Anxiety and Language Learning: A Review of Literature. *Language Learning*, *41*, 85-117.

31) MacIntyre, P. D. & Gardner, R. (1991). Investigating Language Class Anxiety Using The Focused Essay Technique. *Modern Language Journal*, *75*, 296-304.

32) Malallaha, S. (2000). English in an Arabic Environment: Current Attitudes to English among Kuwait University Students. *International Journal of Bilingual Education and Bilingualism, 3,* 19-43.

33) Montero, R. P., Chaves, M. J. Q. & Alvarado, J. S. (2014). Social Factors Involved in Second Language Learning: A Case Study from Pacific Campus, Universidad de Costa Rica. *Revista De Lenguas Modernas, 20*, 435-451.

34) Mufidah, H. (2017). *Factors Affecting the Speaking Difficulties of The Eleventh Grade Hotel Accommodation Students at SMK Negeri 6 Palembang.* Unpublished graduate thesis, Islamic State University.

35) Muijs, D. (2010). *Doing Quantitative Research in Education with SPSS*. 2nd edition. London: SAGE Publications.

36) Nascente, R. M. M. (2001). Practical Ways to Help Anxious Learners. Retrieved December 29, 2021, from http://www3.telus.net/linguisticsissues/anxious.html

37) Nunan, D. (1991). *Language Teaching Methodology: A Textbook for Teachers.* New York: Prentice Hall International, Ltd.

38) Oxford, R. (1990). *Language Learning Strategies: What every Teacher Should Know.* U. S A. Heilene & Heilene Publishers.

39) Ormrod, J. E. (2011). *Educational Psychology: Developing Learner.* Boston: Pearson Education.

40) Paakki, H. (2013). Difficulties in Speaking English and Perceptions of Accents: A Comparative Study of Finnish and Japanese Adult Learner of English. Retrieved September 23, 2021, from http://urn.fi/urn:nbn:fi:uef-20131057

41) Putri, A. R. (2020). A Study of Students' Anxiety in Speaking. *Journal of Education, Linguistics, Literature and Language Teaching, 3*(1)*,* 35-47.

42) Rahayu, S. (2020). The Extrovert and Introvert Students' in Speaking Ability of English Department at IAIN Langsa. *Journal of Academia in English Education, 1*(2), 13-23.

43) Rajecki, D. W. (1982). Attitudes, Themes and Advances. Sinauer Associates.

44) Rianingsih, R. (2015). *The Teacher Strategies in Overcoming Students' Difficulties in Speaking at English Intensive Program of Ma An-Nur Cirebon*. Unpublished thesis, Tarbiyah and Teaching Science of Syekh Nurjati State Institute for Islamic Studies.

45) Sanders, D., & Wills, F. (2003). *Counselling for Anxiety Problems*. London: Sage

46) Saunders, W. M., & O'Brien. (2006). Oral Language. In F. Genesee, K. Lindholm-Leary, W. M. Saunders, & D. Christian (Eds.), *Educating the English Language Learners: A Synthesis of Research Evidence* (pp. 14-45). Cambridge: Cambridge University Press.

47) Thornbury, S. (2005). *How to Teach Speaking*. Essex: Pearson Education Limited.

48) Tileson, D. W. (2004). *What Every Teacher Should Know about Students Motivation.* Thousand Oaks, CA: Crown Press.

49) Ur, P. (1996). *A Course in Language Teaching*. Cambridge: Cambridge University Press.

50) Ur, P. (2000). *A Course in Language Teaching: Practice and Theory*. Cambridge: Cambridge University Press.

51) Varasarin, P. (2007). An Action Research Study of Pronunciation Training, Language Learning Strategies and Speaking Confidence. Retrieved November 15, 2021from https://vuir.vu.edu.au/id/eprint/1437

52) Vo, V. V. (2017). Undergraduate Students' Attitude Towards Learning English: A case Study at Nong Lam University. *VNU Journal of Science: Education Research, 33*(4), 1-7.

53) Wahyuningsih, S. & Afandi, M. (2020). Investigating English Speaking Problems: Implications for Speaking Curriculum Development in Indonesia. *European Journal of Educational Research. 9*(3), 967 - 977.

54) Wenden, A. (1991). *Learner Strategies for Learner Autonomy*. London: Prentice-Hall International.
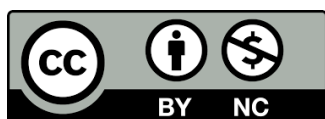
Effective School Leadership: The Institution of the Mentoring and Coaching

Katis Christos
Ternopil National Pedagogical University

ABSTRACT: This article describes the institution of the mentor which facilitates contact and support from the peer and thus helps to reduce feelings of isolation and loneliness. It was also emphasized that the mentor provides professional and emotional support and thus helps reduce feelings of anxiety and frustration. It boosts self-confidence and self-esteem, as it provides rich opportunities for reflection on the new role and awareness of the strengths and weaknesses that need strengthening and improvement. Reference was also made to the role of coach. The training as mentioned concerns a method that belongs to the same category of practical methods as the institution of the mentor. The in-school mentoring process as referred to in this article includes goal-oriented learning practices between two individuals that lead to behavior change so mentor and coach training programs can offer valuable services at relatively low cost to the state and quite high benefit for education.

KEYWORDS: Mentor, coach, education, school, educational administration, specific professional values, solutions and directions

INTRODUCTION

The growing international trend for professionalization of school principals is increasingly leading to the perception of a change in their professional profile. That is, from bureaucratic executives to become leaders of organizations, people and societies. This change sets as a priority to build their professionalism on the basis no longer of abstract scientific knowledge but of professional ability. The school leader must be able to deliver results, improve teaching and learning processes, communicate and collaborate effectively with the school's human resources, and meet the demands of states, societies and individuals. In general, the school principal must become synonymous with success, which makes it necessary to redefine the profession. Thus, in parallel with the scientific knowledge for the educational administration, a body of scientific knowledge for the school leadership begins to be formed, which is based on a series of researches, describes models and analyzes behaviors and professional practices. In many countries of the world, certification and licensing procedures are established, professional associations are established, codes of professional ethics are established, specific professional values are promoted and schemes of continuous professional development are created (see Kalogiannis, 2015; Fasoulis, 2006).

In order to achieve effective school leadership, a rich mix of methods of continuous professional development is offered (Huber, 2004; Darling-Hammond and LaPointe, 2007) which includes: traditional methods of theoretical lectures, collaborative, communicative and procedurally oriented methods that focus in cohort structures, in group and plenary discussions of participants, interactive role-playing and problem-solving simulation methods, practical methods of coaching, mentoring, field apprenticeships, problem solving (problem based learning, case studies, action research and projects). These methods link theory with practice and activate thinking, and modern methods of online learning. Of these professional development methods, two have begun to gain ground due to their high efficiency but also their low cost; these methods are the institution of the mentor and the coach.

THE INSTITUTION OF THE MENTOR (MENTORING)

To understand the term "mentor" we need to refer to Homer's Odyssey. In particular, the Mentor was an adviser to Odysseus and, during the latter's absence in the Trojan War adventure, he took care of Odysseus' son, Telemachus, whom he took under his protection. In the relevant literature we find a plethora of definitions that seem to coincide in terms of the conceptual approach of the term despite the different national contexts. In the United Kingdom the mentor is a more experienced person, willing to share his knowledge with a less experienced person in a relationship of mutual trust (Bush and Middlewood, 2005). In America, the term mentor refers to "an experienced professional who serves as a wise guide to a younger protégé" (Daresh, 1995). In Singapore, "the mentor is an older person who undertakes to guide the development of a younger person and to contribute to his personal empowerment and career" (Chong et al., 1989). Bassett (2001), in order to distinguish the mentor from coaching, states that the institution of the mentor has more to do with the development of career and life and can not function successfully between a mentor and the its director or evaluator ".

Effective School Leadership: The Institution of the Mentoring and Coaching

The institution of the mentor is governed by the assumption that "the role of leader is a solitary endeavor and that by having students the opportunity to relate to peers in their personal and professional concerns, they can reduce feelings of isolation" (Daresh, 1995). Usually, the mentor-learner relationship has an open time horizon, less emphasis on goals (Wallis and McLoughlin, 2009) and is based on mutual commitment to work collaboratively to achieve a personalized career development plan (Daresh, 2001). The main task of the mentor is to provide career planning advice and guidelines in relation to the professional development of the learner but also to provide useful knowledge about the organization's policy (Wallis and McLoughlin, 2009). It is also oriented towards the functions of psychosocial development through counseling and the creation of a friendly relationship between mentor-learner (Kram, 1985).

The mentor according to the British School Management Task Force (1991) must have high professional credibility and be a good professional. It is also very important to be accompanied by the reputation that has the potential to contribute to the development of human resources. In order to be able to successfully meet the needs of his role, a minimum period of three years of experience in the position of director is required, but also not far from his first experience as a manager. Good interpersonal skills are still needed, which should be constantly strengthened. Because the manager is called upon to carry out his work in a multicultural environment, he must, on the one hand, show sensitivity and tolerance and, on the other hand, be able to give alternative solutions to complex problems. This practically means that he will be able to participate fully in the mentoring process, which, in turn, requires constant collaboration with peers. The latter are called upon to provide advice in order to advance the personal professional development of the mentors.

The skills, based on West-Burnham and Smith (1993), that are particularly useful in the mentoring process are vision for the future, listening ability, providing feedback, dealing with negative intentions or behaviors, information, empowerment. and finding solutions. Grover (1994) argues that a mentor to be successful must have seven qualities and in particular be knowledgeable, experienced, supportive, reliable, flexible, accessible and creditworthy.

The institution of the mentor has been extensively researched and commented on extensively. A summary of the literature gives us the roles played by the mentor (Daresh and Playko, 1989; Bolam et al., 1995; Bush and Coleman, 1995; Southworth, 1995). Specifically, the mentor provides stimuli, responds confidentially to the new manager's needs and offers support without being critical through the provision of emotional support and professional-personal assistance. Communicates and is open to dialogue, listens and observes in a sensitive and confidential relationship. It is a resonator that enables the protégé to find solutions and directions. He knows the art of listening without judging, while he can guide with effective leadership and by providing opportunities for implementation of leadership actions. He is the one who introduces the protégé to the culture and processes of the organization, imparts knowledge to him, helps him to develop leadership skills and motivates him to achieve the goals. He is a model with his attitude and behavior. Evaluates formally and informally. It protects and is the refuge in which the protected person can act without fear of failure or loss of self-confidence. It promotes through its influence and connections the professional career of the apprentice, supervises him and provides him with feedback. Finally, it evaluates achievements and personal goals, helps to modify them if necessary, and provides ongoing support.

For the institution of mentoring to succeed, a stable relationship of trust must be established between the two parties; otherwise the value of the relationship will be lost for both and may even become detrimental (Chong et al., 1989). In a relationship that is distinguished for mutual benefits, both the career development and the psychological development of both individuals are enhanced through the rich experiences and motivations offered. The benefits that result are multiple and are addressed to both the mentor and the protected as well as the education system. The literature organizes the pros and cons of mentoring in these three areas (Bolam et al., 1995; Bush and Coleman, 1995; Southworth, 1995; Hobson, 2003; Grow, 2005; Chong et al., 1989).

As for the protected, the institution of the mentor facilitates contact and support from the peer and thus helps to reduce feelings of isolation and loneliness. Provides professional and emotional support and thus helps reduce feelings of anxiety and frustration. It boosts self-confidence and self-esteem, as it provides rich opportunities for reflection on the new role and awareness of the strengths and weaknesses that need strengthening and improvement. Accelerates the pace of learning, contributes to professional development, improves personal, communication and political skills, encourages new ideas and creativity of the newcomer and takes risks from him. Improves technical knowledge and problem analysis, helps in the transition to the new role and in the development of the new professional identity and at the same time offers gains in knowledge and skills. Finally, it provides a sufficient number of strategies and tactics, cultivates friendly relations and creates useful support networks.

For the mentors, the institution is a tonic and invigorating process, as the young person conveys his positive attitude and enthusiasm. The mentoring process also improves job satisfaction and boosts self-esteem, while challenging the mentor's assumptions about the questions asked by the client. Provides the opportunity for reflection, review of professional practices and the creation of new perspectives and new organizational perceptions. It strengthens the mentor's ability as a manager, as through it he strengthens his skills and is informed. It facilitates the testing of new ideas, plans and strategies, while offering opportunities for mutual learning, while enhancing the sense of professionalism. Increases professional results and gives opportunities for promotion. Finally, it brings benefits through networking not only with apprentices but also with peers.

Effective School Leadership: The Institution of the Mentoring and Coaching

The benefits for the education system come primarily from the fact that the institution of the mentor is an efficient form of professional support and development. The networking that develops benefits mentors and apprentices and provides opportunities for both contact with other members of education and learning new practices and research findings. The mentor-client relationship reinforces organizational norms and cultures and ensures that knowledge and skills are passed on to new colleagues. Improves the overall performance of the working group, enhances the learning capacity of schools, creates know-how in the development of assessment and staff development and consequently upgrades the prestige of the school. In other words, it contributes to the sustainability of quality school leadership. Finally, it contributes to the consolidation of a culture of mutual support and development between the wider community of principals and the schools they serve.

However, the literature presents a number of disadvantages and limitations (Bush and Coleman, 1995; Southworth, 1995; Hobson, 2003; Grow, 2005; Chong et al., 1989; Daresh and Playko, 1992; Walker et al., 1993). Initially, mentor-protected assignment is often problematic and dangerous. That is why the matching must be done on the basis of the voluntary principle, that is, there must be consent from both sides. In particular, inappropriate mentors may be selected, problems may arise between the mentor and the protégé due to excessive expectations and excessive dependence of the protégé or due to excessive attachment of the mentor, to the point that he is reluctant to let the protégé become independent. Other times the training philosophies and approaches adopted by both sides for personnel management do not match. Many times, mentors are not properly trained. On the other hand, young people's desire for specific advice instead of support can lead to tensions. In addition, through the mentoring process a great influence on a person is allowed. At the same time, team leadership and the development of other leaders are being undermined. Sometimes, the privacy of the relationship can be violated. At other times, the assumptions and perceptions of experienced managers may be outdated; they may provide guidance based on traditional role expectations, but which do not meet modern requirements and rapid change. The institution of the mentor can tacitly support assumptions about the paramount importance of managers. The literature also mentions that mentors may become critical, overprotective, attempt psychotherapy, or encourage passive addiction. There are also accusations of favoritism but also the appearance of feelings of jealousy and dissatisfaction from colleagues. Another serious problem that can arise is the commitment of time to the detriment of the school administration. Sometimes there is not enough time to develop the relationship properly, while carefully designed internships lead to deprivation of critical leadership resources from schools that need them. Many times, the institution of mentor can become an expensive learning tool, because it requires high costs both in money for the salaries of apprentices and program managers and in the time of mentors and senior management teams. Finally, sufficient apprenticeship time is not always calculated for each apprentice.

The institution of mentor is used extensively for leadership preparation and development in several countries, including Australia, England and Wales, Hong Kong, Singapore and the USA (Bush and Middlewood, 2005; Bush and Jackson, 2002). In America, the institution is a fundamental element of the pre-service development programs of the school leadership offered by many universities, while as early as 1995, twenty states had introduced mandatory mentoring programs for novice principals (Daresh, 1995). The programs, despite the ambiguity of the purposes and definitions of mentoring, seem to benefit both mentors and participants. In England, the institution of the mentor is an integral part of the introductory training programs for school leaders, following the recommendations of the School Leadership Task Force (Bush and Jackson, 2002).

In several studies the institution of the mentor receives positive responses regarding its usefulness in the professional development of candidates and current principals, while internships in different schools generally cover the shortcomings of the curricula that unilaterally emphasize the simple transfer of knowledge through traditional teaching methods (see Leithwood et al., 1994). In the survey of Bolam et al. (1993) with a sample of 238 new managers and 303 mentors who participated in the Headteacher Mentoring Pilot Scheme, 66% of new managers and 73% of mentors gave positive responses ranging from " successful "to" very successful "for the institution. In an international survey of the same (Bolam et al., 2000) with the distribution of questionnaires to 700 managers from five countries, Hungary, the Netherlands, Norway, Spain and Wales, 2/3 said that their informal support local managers was helpful, while 48% in all countries answered that mentors provide helpful support. The same answer was given by 80% of respondents who participated in a mentoring program in New York (Grover, 1994).

COACHING

One method that belongs to the same category of practical methods as the institution of the mentor and is constantly gaining ground in recent years in school leadership development programs is that of coaching. The International Coach Federation (2008) defines coaching "as a lasting partnership designed to help clients produce satisfactory results in their personal and professional lives." According to the Association, coaches help people improve their performance and upgrade their quality of life. This suggests that coaching focuses more on developing specific skills and competencies on the job and provides feedback on performance (Green et al., 1991). Popper and Lipshitz (1992) add that it also emphasizes psycho-social aspects, through which the development of skills and abilities on project execution can become more productive. The coaching process involves practical, goal-oriented forms of learning between two individuals that lead to behavioral change (Wallis and McLoughlin, 2009). Provides ongoing, secure, and

Effective School Leadership: The Institution of the Mentoring and Coaching

confidential support that aims to consolidate significant personal, professional, and institutional development through a process that evolves over time (Bloom et al., 2005).

West and Milan (2001) distinguish between two types of coaching, coaching for growth and coaching for skills and performance. The first presupposes the development of a supportive relationship and dialogue, which create the conditions for thoughtful learning. On the other hand, coaching for skills and performance has three dimensions:

Professionalism: maintaining neutrality and clear standards of conduct, ensuring confidentiality, commitment to continuous personal and professional development.

Purpose: to help the person adapt appropriately and creatively to the challenges.

Relationship: is a collaboration between two people with the goal of developing self-awareness. Power is equal.

Coaching as a method aims at the socialization of the potential or current school principal and is considered by most scholars as broader than mentoring. In particular, it tends to be considered a form or aspect of mentoring, but with a narrower focus (Hopkins-Thomson, 2000). Bassett (2001) argues that coaching emphasizes the development of skills and helps to activate the individual to improve his performance in the chosen field, which is why it is usually used in sports. Clutterbuck (1992) is also one of those who consider mentoring to be broader than coaching, which he classifies as a basic mentoring skill. Coaching, according to Clutterbuck (1998), turns into mentoring when the discussion between coach and co-worker enters into more personal issues.

The coaching process is influenced by factors that have to do with the degree of experience and know-how of coaches and coaches, their personal characteristics (Hobson, 2003), the degree of commitment of the coach, the time available in the coaching process, the place of coaching within broader school leadership development strategies (Simkins et al., 2006), with careful coaching-coaching matching and integrating coaching into a broader learning process (Bush et al., 2007).

Durkan and Oates (1994; see also Davies, 1996) report that the coaching process goes through five stages: identifying the process in terms of the skills to be developed or the experience to be gained, delegating power to decision-making, the training of individuals in the task they are coaching, the continuous evaluation by the coach and the sufficient time for reflection.

The trained coach is expected to have a set of interpersonal skills, such as: recognition, validation, clarification, focus, challenge, hierarchy, refinement and empowerment (Wallis and McLoughlin, 2009). A good coach is also expected, (ibid): a) to provide honest, realistic and constructive feedback, b) to be a good listener and c) to suggest and encourage useful action steps. The benefits of coaching for the prospective school leader, some of which work in both directions, are (Hanbury, 2009; Wise and Jacobo, 2010): The development of the coach. It is done in three ways: through coaching strategies, through strategies for achieving goals and through self-care on the path to renewal. The formation of a positive working relationship with the coach that gives the coach the opportunity to think realistically, ethically and professionally about his career. The focus is on the personal concerns that come from each person's unique experiences. Enhancing self-confidence by exploring concepts that the coach may be reluctant to explore. The positive and creative challenge of ideas and assumptions. Finding a solution to a problem through his own action supported by the coach. The change of perspective through the investigation of the essence of the issues. Coaches add value to the personal and professional development of the coach.

The benefits of coaching extend to the education system, as do those who work with the leader, who begins to use the coaching skills he has learned. Individuals and groups with whom the leader works also benefit as they experience the work he or she is beginning to accomplish. Finally, the whole organization benefits, as the actions of the leaders and their teams bring substantial results, while coaching contributes to problem solving and culture change (Wise and Jacobo, 2010). Research has shown that coaching is valuable for leadership development (Rajan, 1996; Hanbury, 2009), while other research shows that it leads to increased effectiveness of school practices (Robertson, 2008; Reiss, 2006).

Coaching has become increasingly popular, in recent years, in England both as an important part of continuous professional development and as a means of leadership sharing and succession planning (Creasy and Paterson, 2005). The National College of School Leadership offers coaching as a method of development in many leadership programs (Tolhurst, 2006), and has included it in the development of National Professional Qualification for Headship graduates.

It is worth noting that both the institution of mentoring and coaching are based on theories of vocational learning, which emphasize that professionals increase learning opportunities through close collaboration with their experienced colleagues. The theories that support coaching and the institution of the mentor are primarily the theory of sociocultural learning, theories of organizational learning and the cognitive psychology of skills. The basic principle of sociocultural learning is that human activities and human learning in general are embedded in the context of social interaction and with the help of others (Knapp, 2008) and that cognitive processes are developed within collaborative problem-solving environments (Mastergeorge, 2001).). The leader of this school, Vygotsky (1978) believed that learning occurs through engagement with others. According to this theory, trainees (protected and coached) construct meanings and habits of the mind for the culture of their work environment through social interactions (Wertsch, 1996).

Organizational learning theories state that organizations have "organizational memory", that is, meanings and information that have been transformed into practices and inform action (Argyris and Schön, 1978). On the other hand, cognitive psychology of skills states that real-life skills are acquired through some form of coaching and through feedback (Sloboda, 1986). Based on the

above theories, the coach and the coach can construct meanings together through situations they encounter and plan a course of action. In order for the coach-coach relationship to work, the coach must, on the one hand, understand the coach's Upcoming Development Zone in order to build on it the appropriate closest meanings and, on the other hand, be sensitive to the cultural environment in the country. (Mastergeorge, 2001). In this way he will be able to help the coach to build a vision that will make it common throughout the school community.

CONCLUSION

In an era of intense international ferment for the profession of school principal, where specific trends are promoted, developments are launched and situations begin to consolidate, the Greek education system does not seem to want to recognize the central position of the school leader in Greek education. As a result, it is indifferent to the development of introductory training schemes and continuing vocational training for aspiring and incumbent school principals. The unfortunate thing is that at the level of policy planning there does not even seem to be the intention to produce policies specifically for the Greek school leadership. It could be argued that the current political leadership of education is comfortable with the executive role of the directors so far, when in fact many of them are friendly or close to specific parties and political ideologies, follow political lines and generally constitute the custodian of central policies. options. On the other hand, the financial crisis has made any discussion about planning, organizing and offering mass-scale training programs prohibitive. At this juncture, then, the mentor and coach training schemes can offer valuable services at a relatively low cost to the state and a fairly high benefit to education.

REFERENCES

1) Kalogiannis, D. (2015). Professionalism, professionalism and professional skills of school leadership. Trends, institutional dimensions, characteristics and perspectives in the international and Greek reality. Athens: National and Kapodistrian University of Athens, PTDE, unpublished doctoral dissertation.

2) Fasoulis, K. (2006). The administration of education and the development of its executive potential in member states of the European Union (EU) - Comparative Overview of emerging trends and perspectives. In A. Trilianos, G. Dimakos, I. Kekes, E. Fyrippis, K. Fasoulis, I. Mylonakou-Keke & Th. Babalis. (Ed.), Recognition Honorary Tribute to Professor Theodoros G. Exarchakos. Athens: National and Kapodistrian University of Athens.

3) Argyris, C., & Schön, D. (1978). Organizational learning: A theory of action perspective. Reading, MA: Addison Wesley.

4) Bassett, S. (2001). The use of phenomenology in management research: an exploration of the learner's experience of coach-mentoring in the workplace. Paper presented at the Qualitative Evidence-Based Practice Coference, Coventry, May.

5) Bloom, G., Castagna, C., Moir, E., & Warren, B. (2005). Blended coaching: Skills and Strategies to Support Principal Development. New York: Sage.

6) Bolam, R., McMahon, A., Pocklington, K., & Weindling, D. (1993). National Evaluation of the Headteacher Mentoring Pilot Scheme. London: DFE.

7) Bolam, R., McMahon, A., Pocklington, K., & Weindling, D. (1995). Mentoring for new headteachers: recent British experience. Στο Journal of Educational Administration, 33(5), 29-44.

8) Bolam, R., Dunning, G., & Kastanje, P. (Eds.) (2000). New Heads in the New Europe. Munster: Waxmann.

9) Bush, T., & Coleman, M. (1995). Professional development for heads: the role of mentoring. Στο Journal of Educational Administration, 33(5), 60-73.

10) Bush, T., Glover, D., & Harris, A. (2007). Review of School Leadership development. Nottingham: NCSL.

11) Bush, T., & Jackson, D. (2002). A preparation for school Leadership. International Perspectives. Στο Educational Management and Administration, 30(4), 417-429.

12) Bush, T., & Middlewood, D. (2005). Leading and Managing People in Education. London: Sage.

13) Chong, K. C., Low, G. T., & Walker, A. (1989). Mentoring: A Singapore Contribution. Singapore Educational Administration Society.

14) Clutterbuck, D. (1992). Mentoring. Henley: Henley Distance Learning.

15) Clutterbuck, D. (1998). Learning Alliances: Tapping into Talent. London: Chartered Institute of Personnel and Development.

16) Creasy, J., & Paterson, F. (2005). Leading coaching in schools. Nottingham: NCSL.

17) Daresh, J. C. (1995). Research base on mentoring for educational leaders: what do we know? Στο Journal of Educational Administration, 33(5), 7-16.

18) Daresh, J. C. (2001). Leaders helping leaders: A practical guide to administrative mentoring. Thousand Oaks, CA: Corwin Press.

19) Daresh, J. C., & Playko, M. A. (1989). Administrative mentoring: A training manual. Columbus, OH: The Ohio Lead Center.

Effective School Leadership: The Institution of the Mentoring and Coaching

20) Daresh, J. C., & Playko, M. A. (1992). Mentoring for Headteachers: A Review of Major Issues. Στο School Organization, 12(2), 145-152.

21) Darling-Hammond, L., & LaPointe, M. (2007). Introduction. Στο M. L. LaPointe, L. Darling-Hammond & D. Meyerson (Eds.), Preparing School Leaders for a Changing World: Case Studies of Exemplary Programs. Stanford, CA: Stanford Educational Leadership Institute.

22) Davies, B. (1996). Re-engineering school leadership. Στο International Journal of Educational Management, 10(2), 145-152.

23) Durkan, J., & Oates, D. (1994). The Manager as Coach: Developing Your Team for Maximum Performance. London: Pitman.

24) Green, H., Holmes, G., & Shaw, M. (1991). Assessment and Mentoring for Headship: New Approaches to Senior Management Development in Schools. Oxford: Oxford Polytechnic, Centre for Education Management.

25) Grover, K. L. (1994). A study of first year elementary principals and their mentors in the New York City public schools. Paper presented at the Annual Meeting of the American Research Educational Association, New Orleans, 4-8 April.

26) Grow, G. M. (2005). Developing Leaders for Schools facing challenging circumstances. Στο M. J. Coles & G. Southworth (Eds.), Developing Leadership. Creating the schools of tomorrow. Maidenhead, UK: Open Universtity Press.

27) Hanbury, M. (2009). Leadership coaching. An evaluation of the effectiveness of leadership coaching as a strategy to support succession planning. Nottingham: NCSL.

28) Hobson, A. (2003). Mentoring and Coaching for New Leaders. Full Report. Nottingham, NCSL.

29) Hopkins-Thomson, P. A. (2000). Colleagues helping collegues: mentoring and coaching. Στο NASSP Bulletin, 84(617), 29-36.

30) Huber, S. G. (2004). Preparing School Leaders for the 21st Century. London: Routledge Falmer.

31) Knapp, M. S. (2008). How can organizational and sociocultural learning theories shed light on district instructional reform? Στο American Journal of Education, 114(4), 521-539.

32) Kram, K. (1985). Mentoring at work: Developmental Relationships in Organizational Life. Glenview, IL: Scott Foresman.

33) Leithwood, K., Begley, P. T., & Cousins, J. B. (1994). Developing Expert Leadership for Future Schools. London: The Falmer Press.

34) Mastergeorge, A. (2001). Guided participation in sociocultural learning: Intervention and apprenticeship. Στο Topics in Language Disorders, 22(1), 74-81.

35) Popper, M., & Lipshitz, R. (1992). Coaching on Leadership. Στο Leadership and Organization Development Journal, 13(7), 15-18.

36) Rajan, A. (1996). Leading People. Tunbridge Wells: CREATE.

37) Reiss, K. (2006). Leadership Coaching For Educators: Bringing Out The Best In School Administrators. Thousand Oaks, CA: Corwin Press.

38) Robertson, J. (2008). Coaching educational leadership: Building leadership capacity through partnership. London: Sage.

39) School Management Task Force. (1991). Mentor Scheme for New Headteachers. London: SMTF.

40) Simkins, T., Coldwell, M., Caillan, I., Finlayson, H., & Morgan, A. (2006). Coaching as an in school leadership development strategy: Experiences from Leading from the Middle. Στο Journal of In-Service Education, 32(3), 321-340.

41) Sloboda, J. (1986). Acquiring skill. Στο A. Gellatly (Ed.), The Skilful Mind: An Introduction to Cognitive Psychology. Milton Keynes: Oxford University Press.

42) Southworth, G. (1995). Reflections on mentoring for school leaders. Στο Journal of Educational Administration, 33(5), 17-28.

43) Tolhurst, J. (2006). Coaching for schools: A practical guide to building leadership capacity. Harlow: Pearson Education Limited.

44) Vygotsky, L. S. (1978). Tool and symbols in children's development. Στο M. J. Cole, V. John-Steiner, S. Scribner & E. Souberman (Eds.), Mind in Society: Development of higher psychological processes. Cambridge, MA: Harvard University Press.

45) Walker, A., Chong, K. C., & Low, G. T. (1993). Principalship training through mentoring: The Singapore experience. Στο Journal of Educational Administration, 31(4), 35-50.

46) Wallis, J. L., & Mcloughlin, L. (2009). Public value-seeking leadership: its nature, rationale and development in the context of public management reform. Στο S. F. Goldfinch & J. L. Wallis (Eds.), International Handbook of Public Management Reform. Cheltenham: Edward Elgar.

47) Wertsch, J. V. (1996). A sociocultural approach to socially shared cognition. Στο L. B. Resnick, J. M. Levine & S. D. Teasley (Eds.), Perspectives on socially shared cognition. Hyattsville, MD: American Psychological Association.

48) West-Burnham, J., & Smith, P. (1993). Mentoring and Appraisal. Στο P. Smith & J. West-Burnham (Eds.), Mentoring in the Effective School. Harlow: Longman.

49) West, L., & Milan, M. (2001). The Reflecting Glass: Professional Coaching for Leadership Development. London: Palgrave MacMillan.

50) Wise, J., & Jacobo, A. (2010). Towards a framework for leadership coaching. Στο S*chool Leadership and Management, 30*(2), 159-169.
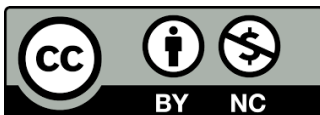
The Impact of Undecided Voters in Israeli Elections

Yaron Katz

Holon Institute of Technology, Israel.

ABSTRACT: This paper examines the impact of undecided voters in elections campaigns in Israel. The question asked here is if undecided voters can break the political dead-lock which became evident in four consecutive elections in just two years – between 2019 and 2021. The paper argues that the crucial role of undecided voters is the result of four main developments. The first is the multi-party parliamentary system, which allows the voters to swing between different parties and influence on handful of options to form coalition government. The parliamentary system emphasizes the excessive and crucial role of small parties to determine who will be in power – which means that they are in a position to impose their extreme ideology on the entire society. The second is that participation in elections is constantly declining, increasing the impact of motivated voters who follow the campaigns closely before making their final decision. The fact that this audience is persuaded by specific events and not by ideology or social identity allows to maximize the impact of their vote. The third is related to technological and cultural changes. Digital and social media have become popular among Israeli young people and first time voters, allowing them to promote new social and political behavior and bypass the censorship of traditional media and the traditional ideology of non-first time voters and the old political establishment.

KEY WORDS: elections, political deadlock, undecided voters. Campaigns, parties

INTRODUCTION

Elections are an important aspect of any democracy and are crucial to assume political power in competition between rival candidates. They are considered as orchestrated attempts by political organizations to get public support through persuasive communication in order to influence public policy in their favor (Marmor-Lavie and Wiemann, 2006). Common knowledge is that political campaigns have the capacity to influence voter preferences and determine the power struggle in any political system (Panagopoulos, 2012). As such, they are treated as important by political actors of all sorts – politicians, parties and candidates, governments and other political institutions, lobby groups, social movements and other kinds of citizens' associations – who are convinced of the crucial importance of campaigns on election results and have increasingly view political campaigning as an essential supplement to their engagement in the process of policy-making (Schmitt-Beck and Farrell, 2002). While research shows that traditionally political campaigns had no measurable effects on either turnout or candidate choice (Tuchman and Coffin, 1971), modern campaigns have greater impact on election results by influencing undecided voters (Spenkuch and Toniatti, 2018). But although modern political contests tend to be very close with the result that undecided voters determine the final political outcome of the democratic process, the concept of swing voters has been almost entirely ignored by academic analysts of voting and elections (for example: Schmitt-Beck and Farrell, 2002; Mayer, 2007).

The paper provides another aspect to the issue, arguing that new politics has enhanced the important role of undecided voters, since concentrating on undecided voters can be used as a strategic tool to attract new supporters. As determined here, in an environment of close elections, an important aspect of modern campaigns is that parties are looking to attract new voters which are considered as outsiders or undecided – and could swing their vote between parties and determine the final result (Fenno, 2002). The role of undecided voters can best be examined in the political environment that dominated in the four election campaigns held in Israel between 2019 and 2021. It is argued that in a dynamic environment of multiple elections, the parties that participate in the democratic process cannot change their position from one election to the next, and this reality gives advantage to parties supported by swing or undecided voters, which can break the deadlock between old rivals.

POLITICAL DEADLOCK

In the last decade Israel has been locked in a political deadlock, with the result that four election campaigns took place in just two years. These elections were undecided and left to the influence of small parties that represent minorities and undecided voters. The elections in April 2019 were called after the government failed to legislate the Draft Law and the demand that ultra-Orthodox religious males would not serve in the military. This issue dominated the election campaign with the result that no political party succeeded to form a governing coalition. The result was undecided and tied election – in which the right-wing and the ultra-Orthodox

parties gained only 60 Knesset Members out of 120 – one Knesset Member short of forming a government. A small right-wing secular party representing another minority group – Russian immigrants – refused to join the government, and a second round of election was scheduled to September 2019. The main conflict in the second election was again dominated by the military draft issue, led again by these two minorities groups (ultra-Orthodox and the secular Russian party), and this debate was intensified to a political conflict between two major blocs – the right-wing bloc that supports the ultra-Orthodox parties and the left-wing bloc that supports military service for all. No bloc could form a government since the small secular Russian party demanded a national unity government and refused to support any of the rival political blocs. The stalemate led to a third election campaign (in March 2020), which again ended up in inclusive result and forced to establish a unity government between the right and the left. But this arrangement did not last long, and a fourth round of election took place after a year (March 2021). This election was also decided by small parties and undecided voters – as three right-wing parties were joined by five left-wing parties to form a narrow government with a majority of only one Knesset Member, escalating a public debate about the role of parties that represent right-wing voters but assisted in transferring power to the left-wing.

The consecutive election campaigns were a competitive contest between two main governing alternatives, one from each side of the political map – the right-wing and the center-left wing. But the election results demonstrated the weakness of the large mainstream parties, allowing target groups headed by undecided and swing voters which included ideological, minority and small parties, to determine the final outcome. The question investigated here, is what is the impact of undecided voters on close election results, while looking as Israeli politics as a test case for parliamentary elections. The importance of investigating the Israeli elections is due to the growing number of undecided voters that should attract a lot of interest with its crucial role in determining the close election results of the last decade.

The research aims to investigate the way that internal social changes in these groups can lead to changes in political behavior and voting, in a process that is slowly and gradually changing the Israeli political landscape. These internal social changes are hard to identify and the research is trying to build a scenario that looks at the way that targeted social groups are undergoing internal changes which could have a tremendous impact on the shape of the political system. This social voting has enhanced the impact of small parties and undecided voters that swing between parties, since Israel has been ruled by coalition governments and no political party has ever had a parliamentary majority. The need of support of small parties to form a government turned Israeli politics into politics of conflict, and as this research demonstrates, this position has been widely used by different parties to gain influence among voters and political power in the Knesset.

ELECTORAL SYSTEMS

The impact of undecided voters is important in every election campaign, although it differs in a direct voting system such as a presidential election in the United States and in a multi-party system such as a parliamentary election held in Israel. The winner-takes-all principle applies to American politics (Herrnson and Campbell, 2008). In contrast, in Israel the principle that the candidate who gets the most votes wins the election does not apply, as currently is the situation following the March 2021 election. The largest party of the Likud with 30 out of 120 members of the Knesset (the Israeli parliament) lost the election and a small party with only six Knesset members is heading the government. This unconventional political situation is since Israel is a multicultural society and forming a government requires coalition between parties representing different agendas and cultural groups. Shamir and Rahat (2017) found that Israel's multi-party system results in a more competitive environment than election campaigns in a two-party system. In both political systems undecided voters represent the votes that can provide the margin of victory in any close race, although the consequences may differ. In the American political system, voters that are breaking ranks within the traditional two-party system are identified as independents or voters that "swing" their vote between Democrats and Republicans. But as a whole, with the majority of voters, American politics represents a "zero-sum" game where a vote for one party is practically voting against the other party. Exception may apply, as occurred in the election of the year 2,000, which ended in virtual tie between George W. Bush and Al Gore, but since 1% of the votes were to the Green party, Gore lost the election with just 537 votes difference. In Israel, undecided voters can switch their support to a handful of parties, in many cases within the same political bloc. As proposed by Balmas, Rahat and Sheafer (2012), the multi-party system in Israel promotes fierce competition between the contenders, who are forced to emphasize their leadership abilities in comparison to other candidates who often hold similar ideological positions on various issues. Based on this conclusion, this research looks at Israeli voters as undecided or floating participants which have a wide variety of options to cast their vote, whereas American voters are considered as swing voters that make a black or white one-sided decision with a more radical and direct impact on the election results.

Since Israel has been ruled by coalition governments and no political party has ever had a parliamentary majority, small parties representing minorities are important players in coalition building and party politics (Rahat and Shefer, 2007). This gives them important leverage and political power disproportionate to their size. These parties have had a central role in Israeli politics, maintaining a balance between the left-wing and the right-wing blocs, and their influence has far exceeded their relative size. This instrumental influence may raise a red flag however, since the idea of political identity as a driving force behind intergroup conflict

can lead to fundamentalism, as competition between social identities might be resolved by one identity asserting dominance over the others (Altemeyer & Hunsberger, 2004). Fisher (2016) explains that fundamentalist movements that participate in political systems can gain prominent political positions that allow them to impose their extreme ideology on the entire society. Geruso & Spears (2020) argue that election disputes can weaken democratic legitimacy and risk political violence.

The influential role of small parties is based on a political system of proportional representation and thus ideological parties which are committed to their identity party politics have an important role. At election time, votes from the entire country are tallied up and parties are represented in the Knesset in direct proportion to the percentage of votes received. This system facilitates the presence of many small parties and makes it virtually impossible for any one party to get the 61 seats required to pass legislation and to govern. The resulting need to form coalitions comprised of several parties gives disproportionate power to smaller parties that can make or break a potential coalition. Parties that represent interests of different groups have been partners in almost every coalition. Since Israel has been ruled by coalition governments and no political party has ever had a parliamentary majority, the parties that represent minority interests are important players in coalition building and party politics and this gives them important leverage and political power disproportionate to their size. These parties have had a central role in Israeli politics, maintaining a balance between the left-wing and the right-wing blocs, and their influence has often far exceeded their relative size.

PARTICIPATION IN ELECTIONS

Undecided voters in Israel's elections set the balance between the two main political blocs. They are considered as swing voters – as they wave between the two blocs while changing their mind at the last minute or by not voting at all. The growing number of undecided voters in Israel should attract a lot of interest due to its important role in determining election results and the growing number of voters that are persuaded by specific events taking place before the elections rather than by informed decision and ideology. Undecided voters provide the most motivated audience in the election before making their final decision (Wolfsfeld, 2001), and this is evident in Israeli politics. Willocq (2019) sees undecideds as sophisticated citizens who follow the campaigns closely before making their final decision, to maximize the impact of their vote. These findings were sustainable in Israeli elections too. For example, Samuel-Azran, Yarchi & Hayat (2021) found that voters that had doubt in the accuracy of the news media consumed news from more diverse sources. The findings indicate that the typical Israeli sophisticated voter consumes more news to follow the campaign from various traditional news outlets and social media, more likely to carry out online discussions about the elections and to base the decision on policy issues, more likely to debate between parties within the same ideological camp (internal floater) and more likely to vote than less sophisticated undecided voters.

The issue of undecided voters has been crucial in every election campaign in Israel, since the difference in voting between the coalition and opposition is marginal and the multi-party system requires coalition between different parties with at least 61 seats out of 120 in the Knesset (Rahat, Hazan, & Ben-Nun Bloom, 2016). As a result, in the last decade all governments were established based on a marginal majority in the Knesset. In 2013, the government had a majority of 62 out of 120 Knesset Members; in 2015 61 of 120; and in three election cycles in 2019 and 2020 no majority was achieved. The government established in 2021 was based on a slim majority of 61 out of 120 Knesset Members.

The participation in Knesset elections is a major factor to decide the results. In the 21st Knesset (April 2019) the general vote was 68.5% and the election ended in a political tie, as the right-wing bloc received only 60 Knesset Members. In the 22nd Knesset (September 2019) general voting was almost equal to the previous election (69.8), although the right-wing bloc declined to 55 Knesset Members. In the 23rd Knesset (March 2020) the participation among the general public was 71.5% but the vote was still short of breaking the deadlock between the right-wing and the left-wing blocs. In the last election to the 24th Knesset (March 2021) the overall participation was 67.4% although a center-right government was established with a majority one Knesset Member (61 of 120). These number show that as the number of undecided voter increases, participation in the elections decreases. This could be explained by lack of interest in the political campaigns, as a survey conducted before the September 2019 election showed that 40% of the voters said that they were following the elections campaign less than they did before previous election (April 2019). A survey conducted before the March 2020 election showed that their proportion increased to 49%. Their proportion mounted in the 2021 election, when more than half of the voters (55%) said they were following the elections less than in the previous ones. Hermann and Anabi (2021) found that in the 2021 election turnout was relatively low, with a decline of more than 4% on the 2020 election. They explain that many citizens had become disillusioned with politics and only 29% of respondents believed that the elections would resolve the political deadlock. The Israel Democracy Institute study (2020) found that the rise in indecision increased across the board, but was especially prevalent among centrists, with 34% that were unsure of who they'll vote for on Election Day compared to just 8% before the March 2020 election. The left voters saw a rise from 9% ahead of March 2020 to 19% before 2021. The right-wing bloc had the lowest level of indecision, at just 14%, but that is still a notable rise from the 8% before March 2020.

The Impact of Undecided Voters in Israeli Elections

IMPACT OF THE MEDIA

The tendency to generate close elections is true today in all political systems (Geruso & Spears, 2020) because political campaigning is best implemented by successful use of the media and social networks. But it is difficult to analyze the behavior of young people and first time voters, since they are involved in social media and are able to bypass the campaigns held on traditional media. As found by Aldrich, Gibson, Cantijoch and Konitzer (2015), online messages are important for campaign participation, particularly among younger citizens when they are mediated through social networks. Ohme, de Vreese and Albaek (2018) explain that the digital media environment changes the way that citizens receive political information during an election campaign. Ha et. al (2014) suggest that online media use is the strongest predictor for political efficacy, creating a self-selection polarized trend of political use of the media. Another explanation to the growing impact of social media on undecided voters is the relationship between the size of online social networks and election voting and election results (Cameron, Barrett & Stewardson, 2016). This is explained in that social media networks play a significant role in sharing information between individuals and small target groups (Sucharitha, Vijayalata, and Prasad, 2021) while establishing new forms of online engagement that offers different ways for commemoration in various social platforms and among different audiences (Pentzold and Sommer, 2011). By doing so, social media affects its audience and the possible ways to co-create and remember, as well as the ways content is saved and stored, constituting new forms of "decentralized archival regimes" (Zalewska, 2017). The result that in new politics, technological and cultural changes pose new dilemmas for political campaigning as the increasing numbers of undecided voters constitute a challenge for conventional pre-election polls in multi-party systems (Kreiss, Schollmeyer and Augustin, 2021). Pre-election surveys need to deal with the recurrent problem of undecided voters, as data indicates that most of these undecided respondents come to a decision only a few days before the vote, if not the very same day of the election

Israel is a relevant and interesting case study to the impact of the media, since Israelis are highly involved in politics and tend to consume a lot of political information (Nossek & Adoni, 2017). Digital and social media are very popular among Israeli minorities and young people, allowing them in promote social and political behavior and bypass censorship and domination of the old political establishment (Shomron and David, 2022). New media became a major tool for political campaigning in Israel (Laor, 2021) with internet penetration rate of 90% of the total population at the start of 2022. The number of social media users in Israel at the start of 2022 was equivalent to 79.7 percent of the total population (Digital 2022). These numbers establish the crucial role of undecided voters that rely on social media to make their voting decision. As explained by Nossek & Adoni (2017), Israeli citizens are highly engaged in politics and tend to consume a lot of political information. Lachat (2007) argues that undecided voters are heavy users of the media and make informed decisions about their vote. Wolfsfeld, Yarchi and Samuel-Azran (2016) found a clear connection between peoples' informational and participatory repertoires in Israeli elections. They argue that in today's high-choice media environment, individuals and groups with the highest level of political interest are more likely to develop richer political information repertoires that involve exploiting both digital and traditional ways of searching for political information. Thus, as found in Israel's political system, individuals and groups with richer political information repertories can be expected to have higher levels of political knowledge, efficacy, and participation. Samuel-Azran, Yarchi and Hayat (2021) support the other view. Through the investigation of the April 2019 election campaign, they found that voters that had doubt in the accuracy of the news media consumed more news from more diverse sources, highlighting the role of information consumed by both decided informed and undecideds voters.

CONCLUSION

This paper investigates the role of undecided voters as a tie breaker component in modern political campaigns, using the consecutive series of national elections held in Israel. The main target of the research is to examine the consecutive ties in the four election campaigns held in just two years (April 2019, September 2019, March 2020 and March 2021), which all ended is close and almost similar results. The question investigated is what is the impact of undecided voters on close election results, while looking as Israeli politics as a test case for parliamentary elections. The importance of investigating the Israeli elections is due to the growing number of undecided voters that should attract a lot of interest with its crucial role in determining the close election results of the last decade. The research looks at potential modifications and changes in the contest between the right and the left and the transfer of votes from one political camp to the other. It found that there were minor changes in the voting of the vast majority of the supporters of the right and the left blocs, and the marginal changes in voting results were to large extent the result of a small number of voters that were influenced by social media or first-time voters that were influenced by changes in target groups which hold traditional social belongings and political identities. This conclusion highlights the important role of undecided voters in close political races, as is the case in Israel's political system.

REFERENCES

1) Aldrich, Gibson, Cantijoch and Konitzer (2015). Getting out the vote in the social media era: Are digital tools changing the extent, nature and impact of party contacting in elections?
2) Party Politics. Volume 22. Issue 2

3) Altemeyer, Bob; and Hunsberger, Bruce (2004). A Revised Religious Fundamentalism Scale: The Short and Sweet of it. International Journal for the Psychology of Religion, 14 (1)

4) Balmas, Meital; Rahat, Gideon; and Sheafer, Tamir (2012). Two routes to personalized politics: Centralized and decentralized personalization. Party Politics. Volume 20. Issue 1

5) Cameron, Barrett & Stewardson (2016). Can Social Media Predict Election Results? Evidence from New Zealand. Journal of Political Marketing. Volume 15, Issue 4

6) DIGITAL 2022: ISRAEL. SIMON KEMP. February 15 2022. Israelis are the world leaders in social media use, with 77 percent of adults using social platforms, and rank second in smartphone ownership, according to a survey published Tuesday

7) Fenno, R. F. (2002) Home Style: House Members in Their Districts. Harlow: Longman.

8) Fisher, Netanel (2016). The Fundamentalism Dilemma: Lessons from the Israeli Haredi Case. International Journal of Middle East Studies. Volume 48, Issue 3

9) Ha, Wang, Fang, Yang, Hu, Yang, Yang, Xu, Morin. (2014). Political Efficacy and the Use of Local and National News Media Among Undecided Voters in a Swing State: A Study of General Population Voters and First-Time College Student Voters. Electronic News. Volume 7. Issue 4

10) Hermann, T.: and Anabi, O (2020). 885 days to the Election: Jewish Israelis are Paying Less Attention. The Israeli Democracy Institute. https://en.idi.org.il/articles/30892

11) Hermann, T. and Anabi, O. (2021). Only 29% of Israelis think the elections will resolve the political stalemate. Israel Democracy Institute, 9 March

12) Herrnson, Paul. S; and Campbel, Colton. C (2008). Modern Political Campaigns in the United States. Routledge Handbook of Political Management

13) Geruso & Spears (2020). The Risk of Narrow, Disputable Results in the U.S. Electoral College: 1836-2020. National Bureau of Economic Research. October. https://www.nber.org/papers/w27993

14) Kreiss, Schollmeyer and Augustin (2021). Towards Improving Electoral Forecasting by Including Undecided Voters and Interval-valued Prior Knowledge. Proceedings of Machine Learning Research. https://proceedings.mlr.press/v147/kreiss21a.html

15) Laor, Tal (2021). Amphibians': media figures on social networks and traditional media in Israel. Israel Affairs. Volume 27 - Issue 3

16) Lachat, R. (2007). A heterogeneous electorate: Political sophistication, predisposition strength, and the voting decision process. https://romain-lachat.ch/publications/appendixB.pdf

17) Marmor-Lavie, G. and Weinmann, G. (2006). Measuring Emotional Appeals in Israeli Election Campaigns. International Journal of Public Opinion Research, Volume 18, Issue 3

18) Mayhew, D. R. (2004) Congress: The Electoral Connection. New York: Yale University Press.

19) Mayer, William G. (2007). The Swing Voter in American Presidential Elections. American Political Research. Volume 35, issue 3

20) Nossek, H; and Adoni. H (2017). Coexistence of "old" and "new" news media in a transitional media system: News repertoires in Israel". Participations 14, 2

21) Ohme, de Vreese and Albaek (2017). The uncertain first-time voter: Effects of political media exposure on young citizens' formation of vote choice in a digital media environment. New Media & Society. Volume 20. Issue 9

22) Pentzold, C. and Sommer, V (2011) Digital networked media and social memory: theoretical foundations and implications. Aurora. Revista de Arte, Mídia e Política 10

23) Rahat, Hazan & Ben-Nun Bloom (2016). Stable Blocs and Multiple Identities: The 2015 Elections in Israel. Journal of Representative Democracy. Volume 52 - Issue 1

24) Rahat and Shefer (2007). The Personalization(s) of Politics: Israel, 1949–2003. Political Communication. Volume 24 - Issue 1

25) Samuel-Azran, T.: Yarchi, M; and Hayat. T (2021). Less critical and less informed: The role of media (dis)trust in Undecided voters' media (dis)engagement during Israel's April 2019 elections. Information Communication & Society

26) Schmitt-Beck, Rüdiger; and Farrell, David M. (2002). Do Political Campaigns Matter?

27) Campaign Effects in Elections and Referendums. Routledge

28) Shamir, M. and Rahat, G. (2017). The Decline of the Large Mainstream Parties. In: The elections in Israel 2015 Edited by Michal Shamir and Gideon Rahat

29) Sheafer, Tamir; and Wolfsfeld, Gadi (2009). Party Systems and Oppositional Voices in the News Media: A Study of the Contest over Political Waves in the United States and Israel.

30) The International Journal of Press/Politics. Volume 14. Issue 2

31) Shomron and David (2022). Protecting the community: How digital media promotes safer behavior during the Covid-19 pandemic in authoritarian communities—a case study of the ultra-Orthodox community in Israel. New Media & Society. February

32) Spenkuch, Jörg L; and Toniatti, David (2018). Political Advertising and Election Results. The Quarterly Journal of Economics, Volume 133, Issue 4

33) Sucharitha, Vijayalata and Prasad (2021). An Evolutionary Framework for Invariant Events Identification in Micro-blogs. JARDCS. https://www.jardcs.org/abstract.php?id=6061

34) Wolfsfeld, Gadi (2001). Voters as Consumers: Audience Perspectives on the Election Broadcasts. In: Language & Communication in Israel, 1st Edition

35) Wolfsfeld, G.; Yarchi, M.; and Samuel-Azran, T. (2016). Political information repertoires and political participation. New Media & Society Volume 18, Issue 9

36) Willocq. S (2019). Explaining time of vote decision: The socio-structural, attitudinal, and contextual determinants of late deciding. Political Studies Review, 17 (1)

37) Tuchman, S., & Coffin, T. E. (1971). The influence of election night television broadcasts in a close election. Public Opinion Quarterly, 35(3)

38) Zalewska, M (2017) Selfies from Auschwitz: rethinking the relationship between spaces of memory and places of commemoration in the digital age. Studies in Russian, Eurasian and Central European New Media 18
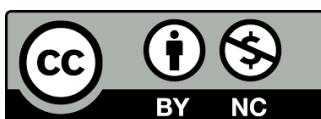
Analysis of Determining Anthropometry Factors Ability of Smash Salto Sepakraw

Henry Hermawan[1], Sapta Kunta Purnama[2], Haris Nugroho[3]

[1,2,3] Postgraduate Faculty of Sports, Sebelas Maret University, Surakarta

ABSTRACT: Anthropometry is a term that describes body dimensions such as height, weight, circumference and folds . In mastering the somersault sepaktakraw smash technique, there are dominant anthropometric parts. The purpose of this study was to determine the anthropometric factors that determine the ability of the sepaktakraw somersault smash. This research method uses a quantitative approach with a confirmatory factor analysis design. The data to be collected will be processed and analyzed using the Computerized Statistics Program with the SPSS (Statistical Product and Service Solutions) version 23 system and using the Kaiser-Meyer-Olkin and Barlett's Test. The population in this study were all male sepak takraw athletes from Central Java in the smash position, totaling 73 athletes. The sampling technique used was purposive random sampling as many as 15 athletes. The results of this study are anthropometric factors that determine the ability to smash the sepaktakraw somersault or those with a component value of > 0.5 are body weight with a value of 0.923, height with a value of 0.911 and foot length with a value of 0.772. The conclusion in this study is that the dominant anthropometric factors that determine the ability to smash some somersault sepaktakraw are body weight, height and foot length.

KEYWORDS: Anthropometry, Smash Salto Sepaktakraw Ability

INTRODUCTION

Sport is a physical activity or body movement that can be done by individuals or groups from the age of children, adolescents to the elderly while still able. The definition of sport from the point of view of physiology is a series of regular and planned physical movements that a person does consciously to improve his or her functional abilities, in accordance with the purpose of doing sports (Palar et al., 2015). Sport plays an important role in human survival and is considered capable of providing many benefits. Sport is a series of body activities that are carried out regularly in a conscious state. Sport will have a positive impact on sports actors because the movement activities obtained during various sports activities will provide physical fitness and spiritual satisfaction for the body (Sudiana., 2019). Today's sport has become a lifestyle that has mushroomed in all circles, especially sports is one of the physical activities that must be done during the covid-19 pandemic. The community must remain active even though they are working and studying from home.

Sports achievements are closely related to the self-esteem of a nation where one of them is when sports achievements become state assets that can foster a sense of pride and can evoke a sense of nationalism of a nation. On the other hand, to indicate that a nation is progressing or not, it can be seen from several elements, one of which is sports achievements. The achievement of peak performance in sports can only be achieved through a systematic, planned, regular and continuous coaching process (Candrawati et al., 2018) In other words, sports achievements have a high prestige value for a nation by giving rise to excellence in international competition. Sports achievements have a special place for a nation where when a match between countries is held, it becomes a moment where the national flag flutters proudly when it gets a gold medal. The goal of achieving sports achievement is influenced by various factors, both internal and external factors. If we look broadly and deeply, it will be seen that in achieving sports achievement various supporting factors are needed including technical, tactical, mental, biomotor (physical), psychomotor, anthropometric, motivation, nutrition, genetic factors (Maksum, 2005).

Sepaktakraw is a traditional sport that was first played by the Malays using a rattan ball by simply forming a circle and trying to keep the ball in the air without touching the ground. Sepaktakraw has been played from basic to professional level with different technical, physical, tactical, mental and motivational levels (Sujae et al., 2008). As the sport of sepak takraw develops, nowadays it is not only competed in 3 against three but is divided into four numbers that are competed, namely two against two, three against three, four against four and also hoop takraw (Hidayat et al., 2020).

Sepak takraw attracts the public's interest because the sport of sepak takraw can be performed or played on indoor or outdoor fields, even along with the current innovation, sepak takraw can be played on the beach or what is often called Beach

Analysis of Determining Anthropometry Factors Ability of Smash Salto Sepakraw

Takraw. In this case, an active role in the community is really needed to build a centralized training ground that is able to accommodate the interests and talents of children or adults in the sport of sepak takraw (Hidayat et al., 2020)

In the game of sepak takraw, it is the same as that played in volleyball where there is a service performed by a player called tekong, a back pass made by a player called a feeder. The player who has the task of being the feeder in the sepak takraw game is positioned on the right of a tekong or also known as the right flank, the spike carried out by the player is called the smasher. Players who have a special task as a scorer of points through the smash movement in sepaktakraw occupy a position to the left of a tekong or also known as apit left, and block. It's just that in the game sepak takraw is not allowed to use hands and arms.

Although Sepak takraw is a traditional sport, it is a sport with merit. Sepak takraw is one of the many sports by contributing to efforts to increase achievement at the local to international level to make the name of the region and even Indonesia special. Aspects of the game of takraw itself cannot be separated from training and improving achievement (Murti et al., 2020)

The improvement of sepaktakraw achievement in Central Java continues to be carried out through the efforts of various supporting factors. Aspects that have not been maximized continue to be a concern as evaluation material to make improvements in order to achieve optimal performance. Based on the results of observations through an analysis of each championship, one aspect of the ability that is not maximized in the Central Java sepak takraw is the ability to smash the position.

Smash is the most important part in the game sepak takraw. That to get points at every opportunity will be done through a series of playing patterns with the last touch through a sharp smash. Various kinds of attack techniques have been used as weapons to kill the opponent. However, currently almost all teams have used the somersault smash technique as an effective attack tool and the somersault smash is the most frequently used attack technique in a match.

This technique has a high success rate in getting the numbers. However, the somersault smash technique has a high level of difficulty so that it requires a correct and tiered training approach. Therefore, as a basis for starting training, it requires the help of safe training tools to avoid injury. In addition, courage is also needed in doing the somersault smash exercise. From this side, individual factors affect the mastery of skills. One of the efforts to improve the ability to smash somersaults in sepak takraw is the need for support from good physical abilities.

In addition to the physical condition factor, there is also a body proportion factor or anthropometry which cannot be ruled out for its function on achievement (Sulaiman, 2008). Efforts to improve sports performance for an athlete are not only based on high interest, but also must meet the somatic requirements and optimum age (Hanif & Syam, 2015). Many experts argue that a person's achievement depends on the size, shape, proportion, composition, maturation and function of organs (Maulina, 2018). The term Anthropometry comes from the words "Anthropos" which means human and "Metricos" which means measure. Definitively anthropometry is stated as something that concerning physical geometry, mass, and body strength. While the notion of Anthropometry is a collection and numerical related to the physical characteristics of the human body, size, shape and strength as well as the application of these data for handling design problems (Azmi et al., 2021).

Based on the results of initial observations through interviews with resource persons (Setyo Budi, soccer takraw coach, Central Java) on 27 July 2021, several problems were found in the field, such as the absence of specific guiding instruments regarding anthropometric characteristics and physical conditions required for somersaulting smashes (Miller, 2012). Anthropometric factors and physical conditions are supporting and assisting in the ability to smash some somersault sepaktakraw. These factors have a dominant influence when performing the somersault sepaktakraw smash technique. In an effort to get the results of the somersault sepaktakraw smash technique properly, it will require anthropometric conditions that are in accordance with the needs of the technique (Bafirman & Wahyuri, 2018).

Anthropometric tests and measurements and physical condition of the somersault sepaktakraw smash ability will be conducted on male sepaktakraw athletes from Central Java. Athletes involved in these tests and measurements are athletes who act as smashers with abilities that have been trained continuously and specifically programmed and have experience competing at national and international levels. In this case, the athletes involved in the tests and measurements are PPLP athletes, former PPLP athletes, and Pelatda athletes. With the hope that the results of the tests and measurements are stronger and more valid to be a reference in determining anthropometric factors that are in accordance with the needs to support the somersault sepaktakraw smash.

METHOD

The approach taken in this research is a quantitative approach, using factor analysis. Factor analysis is an analysis to find new variables called factors whose number is less than the number of original variables. The new variable contains as much of the information contained in the original variable as possible. In the process of reducing the number of variables, the missing information should be as minimal as possible (Rumlawang & Toamain, 2007) The purpose of factor analysis itself is to reduce the amount of information from the original variables to be smaller without losing important information (Jenita Aryanti Radjah et al., 2021)

The method used in this research is confirmatory factor analysis. Confirmatory factor analysis (CFA) is a technique in which a priori, theories, and concepts have been known or determined beforehand the indicators used and which variables are included in these indicators (Nurmala Sari Putri, 2018) Confirmatory factor analysis is used to look for unmeasured indicator variables based on existing theories.

Analysis of Determining Anthropometry Factors Ability of Smash Salto Sepakraw

The independent variable (independent variable) is a variable that affects or is the cause of changes in the dependent variable, and the dependent variable is a variable that is affected or is the result, due to the existence of independent variables (Sugiyono, 2011).

The population used in this study were all male sepak takraw athletes from Central Java in the smash position. The total population in this study were 73 athletes. Sampling technique used is purposive random sampling, which is a method of taking samples intentionally in accordance with the required sample requirements by taking into account the considerations made by the researcher. Based on these criteria, the number of samples in this study was 15 athletes.

Data retrieval method used observation and documentation. Observation is a way to collect research data by having a naturalistic nature that takes place in a natural context, the perpetrator participates naturally in the interaction (Zakky, 2020). Observations were made assisted by using a tool in the form of an observation blank. Documentation is a technique of collecting data by using written, printed, recorded documents or materials related to the thing to be researched. The documentation method is considered an easy method and is more efficient in time and energy and does not require too much cost.

Data processing is done by entering data into a computer program. The data that has been entered will be processed using the SPSS program with reference to the data code which will then be analyzed. The data analysis used in this study is confirmatory factor analysis technique, which is a priori factor analysis technique based on known or predetermined theories and concepts. The data will be processed using the SPSS Version 23 program.

RESULTS AND DISCUSSION
1. Data Description

Table 1. Statistical description of anthropometric

	N	Min	Max	mean	Std. Deviation
Weight	15	44.90	65.70	56.6867	4.76428
Height	15	153.20	177.10	166.2800	5.40479
Leg length	15	79.00	93.00	87.5867	4.30861
Foot length	15	22.30	27.30	24.2533	1.30869

Source: Primary data processed (2022)

Explanation :
a. Weight

Based on the statistical descriptive table above, information about the anthropometric component is obtained, namely the weight of male sepak takraw athletes from Central Java. The number of samples involved in the study were 15 athletes, the minimum score was 44.90, the maximum value was 65.70, the average value was 56,686 and the standard deviation value was 4,764.

b. Height

Based on the statistical descriptive table above, information about the anthropometric component is obtained, namely the height of the male sepak takraw athlete from Central Java. The number of samples involved in the study were 15 athletes, the minimum score was 153.20, the maximum value was 177.10, the average value was 166.28 and the standard deviation value was 5,404.

c. Leg length

Based on the statistical descriptive table above, information about the anthropometric component is obtained, namely the leg length of male sepak takraw athletes from Central Java. The number of samples involved in the study were 15 athletes, the minimum score was 79.00, the maximum value was 93.00, the average value was 87,586 and the standard deviation value was 4,308.

d. Foot length

Based on the statistical descriptive table above, information is obtained about the anthropometric component, namely the length of the feet of the male sepak takraw athletes from Central Java. The number of samples involved in the study were 15 athletes, the minimum score was 22.30, the maximum value was 27.30, the average value was 24,253 and the standard deviation value was 1,308.

2. Analysis Prerequisite Test:

The analysis prerequisite test in this study was carried out in two stages, namely the normality test and the linearity test. The results of these test stages will be described as follows:

a. Normality test :

Analysis of Determining Anthropometry Factors Ability of Smash Salto Sepakraw

Table 2. Normality Test

Variable	N	asymp. Sig (2-tailed)	Probability	Conclusion
Weight (X1)	15	0.066	0.05	Normal distributed data
Height (X2	15	0.200	0.05	Normal distributed data
Leg length (X3)	15	0.131	0.05	Normal distributed data
Foot length (X4)	15	0.200	0.05	Normal distributed data

Source: Primary data processed (2022)

b. Linearity Test:

The next step is to do a linearity test using the ANOVA method to find out whether each component variable has a linear relationship or not with a significance level of 0.05 as follows:

Table 3. Summary of linearity test results

Variable	linearity	Sig.	Conclusion
$X_1 Y$	0.982	0.05	There is a linear relationship
$X_2 Y$	0.324	0.05	There is a linear relationship
$X_3 Y$	0.835	0.05	There is a linear relationship
$X_4 Y$	0.948	0.05	There is a linear relationship

Source: Primary data processed (2022)

3. Factor Analysis:

a. Factor analysis I

Table 4. KMO and Bartlett's Test

Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.512
Bartlett's Test of Sphericity	Approx. Chi-Square	101.143
	df	66
	Sig.	.004

Source: Primary data processed (2022)

Based on the results of the analysis above, the Kaiser-Meyer-Olkin Measure of Sampling Adequacy value is 0.512 > 0.5 and the significance value is 0.004 < 0.05 so it can be concluded that the variable components in the study are significant and can be processed to the next stage.

Table 5. The results of the anti-image matrix correlation I

Anti-image Correlation	Weight (X1)	Height (X2)	Leg Length (X3)	Foot Length (X4)
Weight (X1)	**.573** [a]	-.936	-.295	-.105
Height (X2)	-.936	**.587** [a]	.429	-.136
Leg Length (X3)	-.295	.429	**.456** [a]	-.673
Foot Length (X4)	-.105	-.136	-.673	**.580** [a]

b. Factor analysis II

Table 6. The results of KMO and Barlett's Test II

Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.620
Bartlett's Test of Sphericity	Approx. Chi-Square	60,635
	df	21
	Sig.	.000

Source: Primary data processed (2022)

Based on the results of the analysis in the table above for 7 variables, the Kaiser-Meyer-Olkin Measure of Sampling Adequacy value is 0.620 and a significance value is 0.000. If the Kaiser-Meyer-Olkin Measure of Sampling

Analysis of Determining Anthropometry Factors Ability of Smash Salto Sepakraw

Adequacy value is > 0.5 and the significance value is < 0.05, there is a strong relationship. The table above shows that the Kaiser-Meyer-Olkin Measure of Sampling Adequacy value is 0.620 > 0.5 and the significance value is 0.000 < 0.05 so that it can be concluded that the 7 component variables in the study are significant and can be processed to the next stage.

Table 7. The results of the anti-image matrix correlation II

Anti-image Correlation	Weight (X1)	Height (X2)	Foot Length (X4)
Weight (X1)	**.560** [a]	-.964	-149
Height (X2)	-.964	**.598** [a]	.001
Foot Length (X4)	-149	.001	**.757** [a]

Based on the anti-image matrix correlation table above, it shows that there is one variable that has a measure of sampling adequacy (MSA) value below 0.5, namely cardiovascular endurance with a value of 0.207. These variables will be reduced and declared unfit for further analysis. The next step is to reduce the variable using factor analysis III by excluding the cardiovascular endurance variable because it has a measure of sampling adequacy (MSA) value below 0.5 so it does not meet the feasibility.

c. Factor analysis III

Table 8. The results of KMO and Barlett's Test III

Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.723
Bartlett's Test of Sphericity	Approx. Chi-Square	56,079
	df	15
	Sig.	.000

Source: Primary data processed (2022)

Based on the results of the analysis in the table above for the 6 variables, the Kaiser-Meyer-Olkin Measure of Sampling Adequacy value is 0.723 and a significance value is 0.000. If the Kaiser-Meyer-Olkin Measure of Sampling Adequacy value is > 0.5 and the significance value is < 0.05, there is a strong relationship. The table above shows that the Kaiser-Meyer-Olkin Measure of Sampling Adequacy value is 0.723 > 0.5 and the significance value is 0.000 < 0.05 so that it can be concluded that the 6 component variables in the study are significant and can be processed to the next stage.

Table 9. The results of the anti-image matrix correlation III

Anti-image Correlation	Weight (X1)	Height (X2)	Foot Length (X4)
Weight (X1)	**.623** [a]	-.958	.073
Height (X2)	-.958	**.640** [a]	-.217
Foot Length (X4)	.073	-.217	**.873** [a]

Source: Primary data processed (2022)

The results of the analysis in the third anti-image matrix correlation table show that the six variables, namely foot length has a value of 0.873, height has a value of 0.640, and weight has a value of 0.623 .

Table 10. The results of communalities

	Initial	Extraction
Weight	1,000	.923
Height	1,000	.911
Foot length	1,000	.772

Source: Primary data processed (2022)

The results of communalities in the table above reflect the values provided that the greater the value of the communalities of a variable, the closer it is to the variables formed. From these results, the role of the largest dimension is the variable weight of 0.923 and the role of the smallest dimension is speed with a value of 0.503. The six variables have communalities values > 0.5 so it can be concluded that they can be tested using further factor analysis.

Table 11. Result of rotated component matrix ᵃ

	Component	
	1	2
Weight	.959	.055
Height	.944	.141
Foot length	.680	.557

Source: Primary data processed (2022)

Based on the results of the rotated component matrix ᵃ analysis of anthropometric factors and physical conditions that determine the ability of the somersault takraw salto smash can be described as follows:

1) The weight factor has a variable correlation value, namely factor 1 of 0.959 and factor 2 of 0.055. Because the correlation value of factor 1 > the correlation value of factor 2, body weight is included in the factor 1 group.

2) The height factor has a variable correlation value, namely factor 1 of 0.944 and factor 2 of 0.141. Because the correlation value of factor 1 > the correlation value of factor 2, height is included in the factor 1 group.

3) The foot length factor has a variable correlation value, namely factor 1 of 0.680 and factor 2 of 0.557. Because the correlation value of factor 1 > the correlation value of factor 2, the length of the sole of the foot is included in the factor 1 group.

CONCLUSION

Based on the results of research and data analysis that has been carried out, as well as referring to the discussion in the previous chapter, it turns out that the proposed hypothesis can be accepted, thus it can be concluded that:

1. The dominant anthropometric factors that determine the ability of the somersault sepaktakraw smash are body weight, height and foot length.

2. Based on the findings in the research stages that have been carried out, there are several implications, namely anthropometric factors that can contribute to determining the ability of the somersault sepaktakraw smash. The results of research on anthropometric components can provide convenience for coaches in understanding the anthropometric aspects of athletes and their functions in the achievement of sepaktakraw athletes.

REFERENCES

1) Azmi, Arif, M., & M Ramadani, D. (2021). Perancangan Alat Pemanggang Menggunakan Pendekatan Antropometri. *JURNAL UNITEK*, *14*(1), 1–46. https://doi.org/10.52072/unitek.v14i1.183

2) Bafirman, & Wahyuri, A. S. (2018). *Pembentukan Kondisi Fisik*. Rajawali Pers: Depok.

3) Candrawati, Y., Sugiyanto, S., & Ilahi, B. R. (2018). EVALUASI PROGRAM PEMBINAAN PRESTASI OLAHRAGA BOLA VOLI PADA SMK NEGERI DI KOTA BENGKULU. *Evaluasi Program Pembinaan Prestasi Olahraga Bola Voli Pada SMK Negeri Di Kota Bengkulu*, *2*(1), 1–48. https://doi.org/10.33369/jk.v2i1.9186

4) Hanif, A. S., & Syam, A. (2015). *Sepak Takraw Pantai*. Rajawali Pers: Depok.

5) Hidayat, R., Budi, D. R., Purnamasari, A. D., Febriani, A. R., & Listiandi, A. D. (2020). Faktor Fisik Dominan Penentu Keterampilan Bermain Sepak Takraw. *Jurnal MensSana*, *5*(1), 1–42. https://doi.org/10.24036/jm.v5i1.127

6) Jenita Aryanti Radjah, Aden, Ilmadi, Nina Valentina, & Isnurani. (2021). ANALISIS FAKTOR-FAKTOR YANG MEMPENGARUHI KUALITAS KERJA MAHASISWA PRAKTEK MENGGUNAKAN METODE ANALISIS FAKTOR DI CV. RAMA TEKNIK. *Jurnal Lebesgue : Jurnal Ilmiah Pendidikan Matematika, Matematika Dan Statistika*, *2*(1). https://doi.org/10.46306/lb.v2i1.57

7) Maksum, A. (2005). Olahraga membentuk karakter: fakta atau mitos? *Jurnal Ordik*.

8) Maulina, M. (2018). PROFIL ANTROPOMETRI DAN SOMATOTIPE PADA ATLET BULUTANGKIS. *AVERROUS: Jurnal Kedokteran Dan Kesehatan Malikussaleh*, *1*(2), 1–6. https://doi.org/10.29103/averrous.v1i2.413

9) Miller, T. (2012). *NSCA's Guide to TESTS AND ASSESSMENTS*. Human Kinetics: United States.

10) Murti, D. L. A. W., Marani, I. N., & Rihatno, T. (2020). Pengaruh Kekuatan Otot Tungkai, Kelentukan Togok dan Keseimbangan Terhadap Servis Sepak Takraw. *Gladi : Jurnal Ilmu Keolahragaan*, *11*(02), 12. https://doi.org/10.21009/gjik.112.04

11) Nurmala Sari Putri, S. (2018). *ANALISIS FAKTOR KONFIRMATORI UNTUK MENGETAHUI INDIKATOR KEPUASAN DAN TINGKAT KEPUASAN PELANGGAN PDAM TIRTASARI KOTA BINJAI*. 1–92.

12) Palar, C. M., Wongkar, D., & Ticoalu, S. H. R. (2015). Manfaat latihan olahraga aerobik terhadap kebugaran fisik manusia. *Jurnal E-Biomedik*, *3*(1). https://doi.org/10.35790/ebm.3.1.2015.7127

13) Rumlawang, F. Y., & Toamain, A. S. (2007). ANALISIS FAKTOR. *BAREKENG: Jurnal Ilmu Matematika Dan Terapan*,

1(2), 1–24. https://doi.org/10.30598/barekengvol1iss2pp18-24

14) Sudiana, I. K. (2019). DAMPAK OLAHRAGA WISATA BAGI MASYARAKAT. *DAMPAK OLAHRAGA WISATA BAGI MASYARAKAT*, *16*(1), 12. https://doi.org/10.23887/ika.v16i1.19826

15) Sugiyono. (2011). Variabel Bebas. *Metode Penelitian Kuantitatif, Kualitatif, Dan R&D*.

16) Sujae, I. H., Koh, M., Sujae, I. A. N. H., & Koh, M. (2008). *Technique analysis of the kuda and sila serves in sepaktakraw*. *January 2015*, 37–41. https://doi.org/10.1080/14763140701687552

17) Sulaiman. (2008). *Sepak Takraw "Pedoman bagi Guru Olahraga, Pembina, Pelatih dan Atlet*. Unnes Press: Semarang.

18) Zakky. (2020). Pengertian Observasi Menurut Para Ahli dan Secara Umum [Lengkap]. *Www.Zonareferensi.Com*.
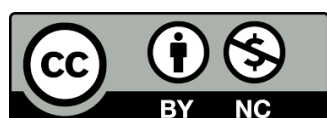
On Syncretic and Polyfunctional Properties of Uzbek and English Participles

Dildora Ganieva

PhD, Doctoral student of Andijan State University

ABSTRACT: This research aims at studying syncretic properties of participles, and exploring their polyfunctional realization. It is a comparative study of participles in Uzbek and English languages, that belong to different language families, the Altaic and the Indo-European correspondingly, and perhaps, therefore, the studied units in Uzbek are contextually oriented, and in English, they are inherently oriented. The research employs a qualitative method using comparative and componential analyses. The samples in the study are taken from written sources. The findings of the research proves that participles, as being non-finite forms of the verb and therefore considered syncretic units, perform various functions depending on the context they occur. This polyfunctional realization is characteristic to the both languages, although, several functions of participles in the one language are different from participles in the other language.

KEY WORDS: Syncretism, Polyfunctional, Non-Finite, Deranked, A Participle, A Converb, An Absolute Tense, A Relative Tense, A Present Participle, A Past Participle, A Future Participle.

INTRODUCTION

In linguistics, syncretism and polyfunctionality associate with the integrity of form+meaning+function that any language unit contains. Syncretism of linguistic units is related to the semantic structure, and it is the realization of several semes by means of the same form. Polyfunctionality is the result of realization of one or another property of a certain syncretic linguistic unit in the process of speech, or a sematic context.

A participle, a functional form of the verb, modifies a noun or a noun phrase and syntactically functions as an attribute or a predicative of the sentence as an adjective. It is known that the difference between this non-finite form and the adjective is the participle modifies a noun from the viewpoint of a process or a state as the verb and the adjective modifies from the viewpoint of a property.

As it is known, non-finite forms of the verbs are such units of a language, which possess properties of verbs, and of other certain word classes, for instance, infinitives have properties of verbs and nouns, participles have features of verbs and adjectives. It means that these units are syncretic and therefore, they perform more than one function in different contexts.

Participles possess a relative tense and an absolute tense of the clause refers to the predicate of this clause. It means that in a sentence with a past predicate we can use past, present and future participles in Uzbek and past and present ones in English. Moreover, these forms can be used in sentences with present or future predicates.

LITERATURE REVIEW

Participle and its types

According to *Glossary of Linguistics Terms*, a participle is a lexical item, derived from a verb, that has some of the characteristics and functions of both verbs and adjectives. Crystal (2008:351) defines a participle in the following way: "A traditional grammatical term referring to a word derived from a verb and used as an adjective". Haspelmath (1994:152) refers to the earlier work of Crystal and outlines the term as following: "Participles are best defined as verbal adjectives, i.e. words behave like adjectives with respect to morphology and external syntax, but regularly derived from verbs". Shagal, who studies participles typologically as a dissertation, states that participles are morphosyntactically deranked verb forms that can be employed for adnominal modification (Shagal, 2017:1). The Russian encyclopaedic linguistic dictionary (1990:399) gives the definition of a participle: "a non-finite form of the verb denoting a feature of names (of a person, an object) related to an action and used as an attribute". Giniyatullina et al (2017:1278) state: "Participle is a non-finite form of the verb which expresses characteristics of a subject according to its action." According to Mengliev (1996:16), functions of a participle are conjugating a verb to a noun (sometimes to another verb) and giving this verb a property of an adjective.

On Syncretic and Polyfunctional Properties of Uzbek and English Participles

A participle functions as an attribute in the sentence. Participles function like adjectives in that they modify the head noun with which they are combined (Haspelmath, 1994:153). The participle form of the verb is a lexeme-form proper to an adjetivised word and linked with a noun (Rahmatullaev, 2010:25).

Moreover, the term "participle" is used instead of the term "converb" as it given by several Western researchers (Fox, 1983; Konig&van der Auwera, 1990) because in some languages participles are used as adverbs.

According to Haspelmath (he states that it was adopted from Lehmann 1984:152), there are inherently oriented participles, i.e. the participle marker specifies its orientation, and contextually oriented participles, which their orientation is clear only from their syntactic context (1994:154). Shagal (2017:39) utters that inherently oriented participles are participles whose each form can be used to modify only one particular participant of the verb. Contextually oriented participles are the same participial form functioning for relativizing several participants of the verb. He also affirms that participles of the European type are inherently oriented. In Mongolic, Turkic, Nakh-Daghestanian and Dravidian languages, participles can be contextually oriented (Shagal, 2017:17).

In the Uzbek language, there are different opinions on classifying types of participles. Although several researches claim that participles are divided into three types according to their tense: a past participle, a present participle and a future participle (Mirzaev et al, 1962; Rahmatullaev, 2010:192); there are studies stating that these tenses are not absolute, but relative (Hojiev, 1973; Rahmatullaev, 2010)

In many researches, a word form, which is called a present participle, is considered to be made up by an affix –*yotgan.* This affix is originated from the combination a converb ending –*a/y* and an independent word *yotgan* which denoted the present tense and it became a dependent morpheme (Rahmatullaev, 2010:192).

There are such viewpoints about a future or present-future tense ending –*digan* in the Uzbek language. This ending also arose from the combination of a converb ending –*a/y* and an independent word *turgan*. Consequently, one dependent unit and one independent unit integrated and became to function as one dependent morpheme

In the English language a participle is divided into two types in accordance with its tense: a present participle and a past participle (Quirk et al., 1972:39; The American Heritage Book of English Usage: 24). Mingazova et al (2018:271) compare English and Arabic participles and state: "English possesses two participles – Participle I and Participle II, which are characterized by the following features: voice (active and passive), aspect (indefinite and perfect), tense (present and past); they comply with direct and indirect objects, are modified by adverbs". However, the researchers Comrie and Thompson (2007) argue that any non-finite form of a verb has a relative tense depending on the tense of the whole clause in which the tense is considered absolute.

Haspelmath also differentiates two types of participles: active and passive participles (1994:153).

Syncretism and Polyfunctionality

In linguistics, there are several researches that study syncretism and polyfunctionality in different aspects and of various units. Gvishiani (1979) investigates polyfunctional words in language and speech. Reformatskiy (1996) explores polyfunctionality comparing it to its similar phenomenon syncretism. Ganieva (2011, 2018, 2019) also studies syncretism and polyfunctionality comparatively. Shapa and Mardarenko (2009), investigating polyfunctionality of participles, state that polyfunctionality, due to the expansion of compatibility options, as well as morphological and syntactic changes, leads to certain semantic shifts, to a change in the volume of the semantic structure of lexical units. Minca (2010) studies functions and context differences of the -*ing* participle and the gerund. Kabanova (2011) highlights that because of polyfunctionality of participles, in a clause, they function as different parts of sentence from verbs and adjectives. Machova (2015) explores polyfunctionality of English modals from the diachronic perspective. Ganieva (2016) studies syncretism in phraseological units. Shagal (2017) emphasizes that in many languages, forms employed for adnominal modification and traditionally referred to as participles appear to be extremely polyfunctional. Dobroradnykh (2018) states that her "…study is aimed at revealing how -ing forms behave in the media and how their polyfunctional nature is used for fulfilling tasks of the discourse in question." Iskandarova and Ashurov (2020) discuss syncretic characteristics of phrasemes from the viewpoint of linguaculturology.

MATERIALS AND METHODS

The samples for this research are taken from the works of the present-day English and Uzbek authors, also, there are several ones from the web. The methodology of the study is qualitative, including comparative and functional-componential analyses.

FINDINGS AND DISCUSSION

Despite the fact that the suffixes –*ing* and –*ed* are considered as the participle endings, the –*ed* is used to form a past particple of regular verbs only, a different rule applies for irregular verbs: their past patriciple is formed by altering the root of the word:

(1) By the way, since you are interested in these little problems, and since you are good enough to chronicle one or two of my trifling experiences, you may be interested in this. (A.C.Doyle)

(2) Tiresome old red-nosed imbecile! (J.Joyce)

(3) Mr. Bingley was good-looking and gentlemanlike; he had a pleasant countenance, and easy, unaffected manners (J.Austin)

A participle formed by –ing ending functions as a lexeme, which modifies a word following it:

(4) Hence, you see, my double deduction that you had been out in vile weather, and that you had a particularly malignant boot-slitting specimen of the London slavey. (A.C.Doyle)

(5) And his sisters are charming women. (J.Austin)

In the above sentences the words *boot-slitting* and *charming* modify the nouns specimen ва womenthat follow them respectively.

Moreover, a participle denoting a property of the subject can be substantivised:

(6) I remarked, "the thing always appears to me to be so ridiculously simple that I could easily do it myself, though at each successive instance of your reasoning I am baffled until you explain your process (A.C.Doyle)

(7) In understanding, Darcy was the superior. (J.Austin)

There are such adjectives with the –ing ending in Modern English although they originated from verbs etymologically and are in the form of a participle, the contemporary English considers them as adjectives:

(8) I have nothing to say against him; he is a most interesting young man; and if he had the fortune he ought to have, I should think you could not do better.(J.Austin)

(9) "I think you will find," said Sherlock Holmes, "that you will play for a higher stake to-night than you have ever done yet, and that the play will be more exciting. (A.C.Doyle)

In these sentences, the property of a verb of the words *exciting* and *interesting* and the property an adjective fused and though the roots of such words had been verbs, at present they are acknowledged as adjectives.

Moreover, although participles with this ending are used as a naming unit and modify the nouns following them, differ functionally:

(10) Mrs. Honeychurch left her letter on the writing table and moved towards her young acquaintance. (E.Forster)

The word combination *writing table* in the sentence above should mean a table which is writing, however, the modifier of the word combination received the naming function and the combination means a table for writing.

(11) Then something resembling a little grey snake, about the thickness of a walking stick, coiled up out of the writhing middle, and wriggled in the air towards me and then another. (G.Wells)

In this sentence, the word combination *walking stick* does not mean a stick that is walking, but a stick for walking.

Furthermore, a participle formed by the –ing ending can be used as a relative clause after a noun and functions as an attribute in the sentence:

(12) I have an inspector and two officers waiting at the front door (A.C.Doyle)

The word waiting in the sentence above is modifying noun-word combinations an inspector and two officers.

The participle form being investigated can have a similar function in forms of the phrase **there+to be**:

(13) There are three men waiting for him at the door," said Holmes(A.C.Doyle)

Another function peculiar to a participle with –ing ending is that it makes up continuous forms of the verb with the help of auxiliary verbs. In this case, the auxiliary verb preceding a present participle determines the tense of a sentence or clause:

(14) O, I am thinking about that song, The Lass of Aughrim (J.Joyce)

(15) Lydia—the humiliation, the misery she was bringing on them all, soon swallowed up every private care. (J.Austin)

(16) You will be having a charming mother-in-law, indeed; and, of course, she will always be at Pemberley with you (J.Austin)

(17) In September, she will have been living in France for a year.

Moreover, an -ing participle is used with verbs of perception as *see, hear, feel, listen to, look at, notice, observe, overhear, perceive, smell, spot, watch* and expresses a perceived action:

(18) And she was afterwards seen walking into Hyde Park in company with Flora Millar. (A.C.Doyle)

(19) Mr. Collins, however, was not discouraged from speaking again, and Mr. Darcy's contempt seemed abundantly increasing with the length of his second speech(J.Austin)

(20) P. Dunne, railway porter, stated that as the train was about to start he observed a woman attempting to cross the lines. (J.Joyce)

Furthermore, as it was stated above[1], there are participles that function as converbs in English. There are various views in this issue, in many researches and web sites purposing teaching the English language -ing forms used in contexts as the followings are considered participles:

(21) "Yes," he continued, glancing out of the window (A.C.Doyle)

---

[1]Haspelmath, 1994. Passive Participles across Languages. In *Typological studies in language.* P.153.

On Syncretic and Polyfunctional Properties of Uzbek and English Participles

In this sentence, it is considered that the word glancing is a participle, because it is connected to the subject he. However, this word with the -ing ending is regarded as a modifier of the verb (continued) in languages claiming that a converb exists. We can observe such an attitude in the Uzbek equivalent of this sentence:

(22) "Ha", derazadan tashqariga qaragancha davom etdi u.

Although in the sentence above the word qaragancha is the translation form of glancing, it is considered as a converb because of its ending –gancha which is one of the endings that form converbs in the Uzbek language.

Another type of a participle in English is formed by the ending –ed in regular verbs and by changing a root in irregular verbs and therefore it is preferred by the author to generally call it **a past participle**.

Like adjectives, a past participle denotes an attribute of a following noun:

(23) They attacked him in various ways—with **barefaced** questions, ingenious suppositions, and distant surmises. (J.Austin)

(24) At his fall the guardsmen took to their heels in one direction and the loungers in the other, while a number of **better-dressed** people, who had watched the scuffle without taking part in it, crowded into help the lady and to attend to the injured man. (A.C.Doyle)

Furthermore, in some cases, a noun following this participle may be omitted and functions of being an attribute and an object (or a person) are integrated, a function of being an object may become primary, in other words, this participle may become substantivized:

(25) There's little doubt that **The Chosen** will soon become one of the most well-known and celebrated pieces of Christian media in history. (From the Web).

Moreover, there are several past participles, which have become adjectives in the Modern English because of certain changes in the language development:

(26) These were the condemned men, due to be hanged within the next week or two. (Orwell)

The word *condemned* in the sentence is originated from the verb condemn etymologically, contemporary English dictionaries present it as an adjective:

"condemned adjective. A condemned is someone who is going to be killed, especially as a punishment for having committed a very serious crime, such as murder." (https://dictionary.cambridge.org/dictionary/english/condemned)

(27) Holmes twisted himself round upon the sofa to get a fairer view of the man's excited face. (A.C.Doyle)

Although the root of the word excited is formerly the verb excite, it is determined as an adjective by modern English dictionaries:

"ex·cit·ed (ĭk-sī′tĭd)adj.

1. Being in a state of excitement; emotionally aroused; stirred.

2. Physics Being at an energy level higher than the ground state." (https://www.thefreedictionary.com/excited)

Another function of a past participle is that it is used instead of a subordinate clause after a noun within a compound sentence and functions as a determiner-attribute:

(28) And that was how a great scandal threatened to affect the kingdom of Bohemia, and how the best plans of Mr.Sherlock Holmes were beaten by a woman's wit. (A.C.Doyle)

In this sentence, the participle threatened interprets a preceding noun construction with the word scandal.

The ending –ed functions to make up perfect tense forms when it is used after an auxiliary verb to **have** and one can find out the tense of a clause according to the tense of a **have** form:

(29) Not handsome enough to dance with! I wish you had been there, my dear, to have given him one of your set-downs. I quite detest the man. (J.Austin)

(30) For the years, he felt, had not quenched his soul or hers. (J.Joyce)

(31) By the time that their sailing-ship reaches Savannah the mail-boat will have carried this letter. (A.C.Doyle)

Furthermore, a past participle is considered a form to assist on making up passive forms of verbs:

(32) Miss Bennet was therefore established as a sweet girl, and their brother felt authorized by such commendation to think of her as he chose. (J.Austin)

(33) The blinds would be drawn down and Aunt Kate would be sitting beside him, crying and blowing her nose and telling him how Julia had died. (J.Joyce)

Like a present participle, this form of a participle is also used as a converb in the Uzbek language:

(34) As he spoke, he left the room, fatigued with the raptures of his wife. (J.Austin)

An article presented in the website thoughtco.com discusses a past participle and can indicate past, present, and future meanings referring to "Essentials of English: A Practical Handbook Covering All the Rules of English Grammar and Writing Style." These samples also show that a tense in participle forms is not absolute, but relative:

(35) Thus deceived, he will be outraged. [Both actions are in the future]

(36) Baffled by your attitude, I cannot help you. [Both actions are in the present]

(37) Baffled by your attitude, I could not help you. [Both actions in the past] (https://www.thoughtco.com/past-participle-1691592)

The aforementioned cases indicate that past participles in the English language are polyfunctional.

The ending *–gan* is the most productive affix in the Uzbek language. Semantically, it combines semes of a property and a tense and distinctly manifests one of them within a context. Moreover, this affix possesses the meaning of past tense relatively. In other words, *–gan* functions as making up a past participle form in Uzbek.

(38) Keyin shipillagan qadam tovushlarini eshitib, boshini ko'tardi (U.Hoshimov)

In (38) the participle *shipillagan* integrates the senses of property and tense, however, the sense of property is realized more distinctly. The sense of tense is very weak, not obvious.

(39) Hozirgi yoshlar faqat uzi tanlagan qizga uylanadi (Kh.Tukhtaboev)

In (39) the participle *tanlagan* also indicates the meaning of property more obviously; however, here one can notice the sense of past tense from the word.

The sense of participles becomes the primary one when two forms of participles are used in the sentence:

(40) Majlisga oldinroq kelgan qatnashchilar bu yoqqa utishsin, endi keladigan khodimlar esa orqa qatorda utirishadi (D.Abdukodirova)

In (40) the two participles are used which are made up from one verb root plus two affixes denoting two tenses (*kelgan* and *keladigan*). Since they are used together in one sentence, are opposed to each other and this opposition is related to the meaning of tense within these affixes, the participle endings *–gan* and *–digan* function to manifest the sense of tense more distinctly, although they integrate both the sense of property and the sense of the tense.

Additionally, a participle formed by the ending *–gan* receives conjugation affixes and functions to make up a verb form, which is used as a predicate. In such cases the sense of time, that is the past tense, becomes a primary sense, the sense of property completely drops behind:

(41) Egasiga tortganmi, bilmayman! (T.Murod)

(42) Uz yoghida qovrilib yurgan Manzura buni "Uyingizni soghingandirsiz?" degan ma'noda tushunib, yengil seskandi (T.Malik).

In (41) and (42) the verb forms made up by the *–gan* ending (tortganmi, soghingandirsiz) are finite forms, which are supposed to be a predicate. In such cases, this ending is regarded as a tense indicator.

Besides, the *–gan* affix is used with defective verbs and, also functions as a predicative verb:

(43) Yuragi qaynab turgan ughillarining yashirincha chiqishlarini esa khayoliga ham keltirmagan edi (T.Malik).

Moreover, an affix *-lik* which forms abstract nouns in Uzbek can be added to a participle stem with the *–gan* ending and make up a substantivized noun. In this case, such a derivative is often used with possessive endings:

(44) Yuldoshkhonning ichiga joylashib olgan shayton esa: "Siringni ochma, qayerdan olganligingni aytma…", deb shivirlagan edi. (Kh.Tukhtaboev)

In (44) the word *olganligingni* is formed by adding an abstract noun-forming affix *–lik* and possessive endings to the participle stem *olgan.*

The observed usages of a participle with the *–gan* ending approve that this participle form is a polyfunctional, polysemantic, in other words, syncretic unit in the Uzbek language.

Another type of the participle in the Uzbek language is formed by an ending *–yotgan* and is called a present participle. Like a past participle, it is a syncretic form which integrates the semes of property and tense. If the seme of property leads within participles with the *–gan* ending, both the semes of property and tense are manifested in a mixed state within this participle form and defining which one is leading is rather problematic:

(45) Yuldoshkhon Oysuluv bilan raqs tushayotgan yigitni yomon kurib ketyapti (Kh.Tukhtaboev).

In (45) the participle with the *–yotgan* ending (tushayotgan) is used, the finite verb (yomon kurib ketyapti) indicates the present tense. If this sentence is compared with the *–gan* participle as follows

(46) Yuldoshkhon Oysuluv bilan raqs tushgan yigitni yomon kurib ketyapti,

there one can realize the action expressed by the *–gan* participle occurs before the action which expressed by the predicative form. It is related to the tense of the finite verb; being in the present tense, this finite verb causes to manifest the senses of property and tense in the integrated way.

A participle with the *–yotgan* ending can be substantivized like all other participles. In this case the participle is declined by case, possessive and plural endings peculiar to nouns, and also syntactically functions as a subject, an object and an adverbial modifier within a sentence:

(47) Uyga yetib olishiga hali fursat bulsa-da, ayriliq kunlarining tugayotgani uning qalbini quvonch nuri bilan yoritdi (T.Malik).

In (47) the participle *tugayotgani* is substantivized and functions as the subject of the sentence.

Furthermore, the -*yotgan* affix can serve to form a present tense of the verb. According to "Uzbek tili grammatikasi": "Only in the following cases a present participle assists in forming a present tense verb:

1) attends to make up a negative form of the present tense with the word *yuq: ishlayotgani yuq* (is not working), *kelayotgani yuq* (is not coming);

2) is used when one talks about something he has heard with the defective verb *emish: ishlayotgan emish* (as I've heard, he is working), *kelayorgan emish* (as I've heard, he is coming); 3) is used with the affix –*dir* to talk about a supposed action: *ishlayotgandir* (I suppose he is working), *kelayotgandir* (I suppose he is coming)". (Uzbek tili grammatikasi: Morfologiya, 1975:513). Thus, the affix –*yotgan,* functioning as composing a participle form, sometimes functions to make up the present tense and also to make the continuous present tense when it is used with defective verbs and these demonstrate to realise the syncretic and polyfunctional characteristics of this ending.

The ending –*digan* is considered to form a future or present-future participle. According to Hojiev, the tense of the participle form with this ending is relative and it can function in different ways (Hojiev, 1973:173).

A participle with –*digan* ending is used with personal endings which are characteristic to conjugated verbs. "This form indicates the present tense (a usual action) or the future tense according to the context:

(48) Uchrashadigan odamingning nomi nima? (Shuhrat)

(49) Sen bilan biz hamma narsani tushunadigan odamlarmiz (B.Kerboboev)." (Hojiev, 1973:173)

In (48) the participle *uchrashadigan* denotes to the future tense and (49) the participle *tushunadigan* denotes to the present tense. Thus, even the name of this ending mentions about its syncretic and polyfunctional nature.

Moreover, any participle is a medium between the verb and the adjective and it is typical to a present-future participle. Therefore, one can observe the mixture of the semes of property and tense within these participles, mostly the seme of tense goes back, and the seme of property becomes a primary one:

(50) Mahallada eshigining tagida velosiped jiringlasa, bir sapchib tushmaydigan odam qolmagan. (U.Hoshmov)

Another function of the participle with the –*digan* ending is characteristic to other participles too. It is the function of becoming substantivized within a context:

(51) Yuldoshkhon, men senga hamisha ochiq gapirganman, sendan yashiradiganim qolmagan. (Kh.Tukhtaboev)

CONCLUSIONS

The study aimed at comparatively exploring participles in English and Uzbek languages. I have found that participles in both languages became syncretic because of several reasons so that there is asymmetry between a form and content of participles.

Classifying participles as present and past in English, and present, past and future in Uzbek refers only a participle itself, it does not indicate a tense of the clause where this participle is used.

All the forms of participles are polyfunctional as they perform several functions and signify several senses according to the context they are in. This occurrence is characteristic to the two languages; however, an Uzbek past participle and an English past participle, for instance, do not function similarly in most cases.

Furthermore, there are some words in English, which originated from certain participles in the development of the language; however, the Modern English considers them adjectives.

In general, participles, being a non-finite form the verb and possessing a syncretic nature, are polyfunctional in English and Uzbek languages.
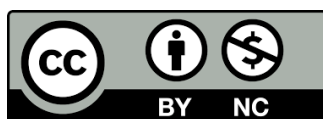
REFERENCES

1) Crystal D. A Dictionary of Linguistics and Phonetics. Oxford: Blackwell Publlishing, 2008. (fifth edition) 508 p.
2) Comrie, B., Thompson, S. Lexical Nominalization. 2007. at: https://www.researchgate.net/publication/286628461
3) Dobroradnykh, T. "The cognitive discursive aspect of realization of polyfunctional linguistic units in the mass media (on the material of the gerund)". Research Result. Theoretical and Applied Linguistics, 2018. Volume 4, Issue 4. P.20-28.
4) Fox, B. "The Discourse Function of the Participle in Ancient Greek". Discourse Perspectives on Syntax. New York: Academic Press, 1983. P. 23-41.
5) Ganieva, D. "Asymmetric Relationship between a Signifier and a Signified of a Converb with the Ending -ib". (in Russian). Issues of Philological Sciences. Moscow, Volume 2, 2011. P.96-97.
6) Ganieva, D. "On Syncretism and Collateral Phenomena". Education of Language and Literature. Tashkent, Volume 4, 2018. P.24-26.
7) Ganieva, D. "Semantic Syncretism and Polyfunctionality". (in Uzbek). Scientific Bulletin of Namangan State University. Namangan, Volume 6, 2019. P.275-278.
8) Ganieva, Sh. "Phraseological Meaning and its Structure". The Way of Science. Volgograd, Volume 11, 2016. P.40-42

9) Giniyatullina A Y, Garaeva M R, Bushkanets L E, Timerhanov A A, Khanipova I, Khairutdinov R R, Ibragimov G. "Morphological and syntactical features of adjectives in English and Tatar participles". Journal of Fundamental and Applied Sciences, 2017, Volume 9(7S). P.1277-1285.

10) Gvishiani, N. Polyfunctional Words in Language and Speech. (in Russian). Moscow: Vysshaya shkola, 1979. 200 p.

11) Haspelmath, M. "Passive Participles across Languages". Typological Studies in Language. Amsterdam: John Benjamins Publishing Company, 1994. Volume 27. P.151-178.

12) Hojiev, A. The Verb. (in Uzbek), Tashkent: Fan, 1973. 192 p.

13) Iskandarova, Sh., Ashurov, D. "Linguculturological Analysis of "Head" stem Phrasemas". JournalNX, 2020. Volume 6, Issue 12. P.378-383.

14) Kabanova, A. Non-Finite Forms of the Verb in the Modern Romanian Language (in Russian). Synopsis of the PD dissertation. Moscow, 2011. 18 p.

15) Konig, E., Van der Auwera, J. "Adverbial Participles, Gerunds and Absolute constructions in the Languages of Europe". Toward a Typology of European Languages. 1990

16) Mengliev, B. Semantic Properties and Syntactic Opportunities of Morphological Means (in Uzbek). Synopsis of the PD dissertation. Tashkent, 1996. 19 p.

17) Minca, N. "The –ing participle and the gerund: peculiarities and context differences". https://www.diacronia.ro/ro/indexing/details/A24017/pdf

18) Mingazova, N., Subich, V., Zakirov, R., Ali Al-foadi, R. "Participles in english and arabic: structural and functional approaches". Revista Publicando, 2018. Volume 5, Issue 17. P.270-277.

19) Mirzaev, M., Usmonov, S., Rasulov, I. The Uzbek Language. (in Uzbek). Tashkent, Ukituvchi: 1962.

20) Quirk, R; Greenbaum, S; Leech, G.; Svartvik, J. A Grammar of Contemporary English. Longman, 1972. 1120 p.

21) Rahmatullaev, Sh. The Contemporary Literary Uzbek Language. (in Uzbek). Tashkent: Mumtoz suz, 2010. 298 p.

22) Reformatskiy, A. Introduction to Linguistics. (in Russian). Moscow: AspectPress, 1996. 536 p.

23) Shagal, K. Towards a Typology of Participles. Academic Dissertation. Helsinki, 2017. 264 p.

24) Shapa, L., Mardarenko, H. "Semantical Shift in Attributive Participles in Sublanguages of Science and Engineering (on the Basis of the English Electrical Engineering Sublanguages)" (in Russian). Proceedings of Odessa Polytechnic University, 2009, Volume. 1(33) – 2(34). P.298-302.

25) The Russian encyclopaedic linguistic dictionary. (in Russian). Moscow: Sovetskaya Encyclopedia, 1990. 688 p.

26) https://glossary.sil.org/term/participle

27) https://dictionary.cambridge.org/dictionary/english/condemned

28) https://www.thoughtco.com/past-participle-1691592

Idanna Pucci, *The World Odyssey Of A Balinese Prince*

I Ketut Ardhana

Faculty of Arts Udayana University, Hindu University of Indonesia, Denpasar

ABSTRACT: Idanna's work is very significant to understand that there were many things that had been contributed to understand the dynamics of the Balinese communities by highlighting the role of Anak Agung Made Djelantik in the period. One aspect that has been contributed to our understanding is about to what extend the role of a Balinese prince in the context of social, cultural, economic, political changes that occurred in the past time, though in the context of a macro and national level, it is argued that there were several Balinese palaces were joined with the colonial regimes.

KEYWORDS: Balinese, foreigner, and colonial influences.

I. INTRODUCTION

First of all, I would like to thank to Mr. Hadi Wahyujatmika from Periplus Bookstores who has already contacted and invited me to be a discussant in this great opportunity regarding the book launching title *the World Odyssey of a Balinese Prince* that has been published in a well-known and famous publisher, The Periplus Publisher. In addition to this, I would like also particularly to Idanna Pucci who came to Bali in 1980s and stayed in the coast from the far eastern hills of Sidemen where she lived in the region of Karangasem.

She has successfully written an interesting and impressive book of a Balinese Prince that is very useful to have a better understanding on what really happened in the past time of Balinese history, particularly during Anak Agung Made Djelantik's life in a nineteenth century Balinese world, has seen a twenty century European war and a feudal society transformed into a proud, sometime chaotic republic. Djelantik was retired from the World Health Organization (WHO). He was born in the Karangasem regency in 1919 that was more less ten years after the fall of the Balinese palaces to the Dutch colonial regime particularly in the beginning of the twentieth century (Puputan Badung broke out in 1906 and the Puputan Klungkung broke out in 1908). The Karangasem itself did not fight in terms of *puputan* or "fight until the end" as other three Balinese kingdoms such as Badung, Tabanan and Klungkung (Ardhana, 2011). Although this happened, it does not mean that the other palaces did not play an important role in terms of the Balinese struggles in the past of Balinese history.

In the context of the Balinese eyes, the Balinese perceive that during the pra and after the Dutch colonial period has been considered as *Zaman Enteg Gumi Baline (in the time of a stable Balinese world-the Balinese language),* while after the wars they perceived as a chaotic period, in which more than a million the Balinese dead during the communist rebellion in Bali in particular, and in Indonesia in general.

II. CONTRIBUTION TO A BALI MULTICULTURAL SOCIETY AND THE WORLD

The author has been successful in showing us on how the Balinese nature and culture in the context of harmonious life that has been showed regarding the symbolic meaning of the Mount Agung or Gunung Agung (Eiseman, 2000) and the ritual and religious daily life of the Balinese as she mentioned in her book about the ceiling painting in Kertagosa.

Idanna's work, title *The World Odyssey of a Balinese Prince* telling us the stories of a Balinese prince in the past time of Bali. Those stories are based on the true experiences of Anak Agung Made Djelantik who has dedicated his life to improving the health of communities in the most primitive and isolated parts of the planet. Idanna's work consists of 191 pages that has been written by looking at the historical perspective of the Balinese history. The books consists also 29 chapters that is very rich on Balinese historical facts. According to Idanna, that she is very impressed in Anak Agung Made Djelantik as the simple ways of the Balinese gentleman with brilliant dark eyes and a smile open to the world. This her picture on Djelantik was an opposite in the general Balinese who were still "closed" to what happening in the modern world.

Therefore, it is not surprising if Idanna argues that Anak Agung Made Djelantik was the first Balinese studied in a broad. He married the European girl, who had very different cultural tradition in compared to the Djelantik in the context of the Balinese cultural tradition (See: Frederich, 1959). Djelantik fall in love with Astri Zwart, He fall in Holland in 1943 that was the period when Bali

was under the Japanese occupation. Astri married with a Balinese royal family. If we talk about the emergence of the Balinese multicultural society, I think that AA Made Djelantik was a good example in order to be able to understand better about the creation of the Balinese multicultural society. As Idanna notes as follows:

> *"She served as a nurse, an innocent Dutch girl, pretty, blonde with blue eyes and rosy cheeks. She was a force of nature in disguise. I still wonder how that small foreign woman managed to protect him so diligently from the relentless pressure of layers of family obligations, relationships, cultural clashes, and extensive religious duties an admirable and rare achievement for a Western woman married into a Balinese royale family! And she always kept her calm and sense of humor. Made and Astri complemented each other and together formed a formidable couple*" (Idanna, 2019: 12-13).

This is a good picture on how the creation of the early Balinese multicultural society between the Balinese and the Dutch woman as told by Idanna.

III. DJELANTIK: A MEDICAL DOCTOR AND THE ASPECTS OF BALINESE HUMANITIES

Anak Agung Made Djelantik continued his study at the *Hollandsch-Inlandsche School* (HIS) Denpasar, Bali. Later he continued to *Meeruitgebreid Lagere Orderwijs* (MULO) Malang, East Java and then to the *Algemene Middlebare School* (AMS) in Yogyakarta. After finishing his study at AMS in 1938, he left to Holland and was successful in *Gemente Universiteit* Amsterdam, in Holland in 1946.

However, by reading this book we can jump to the conclusion that on the one side, it was true that some of the princes worked together with the colonial regimes due to the diplomatic strategies or soft diplomacy and on the other side, this book shows that there were many contribution of the book particularly to show us that from the Balinese prince's experiences on how he struggled intensively not only in terms of political aspects that has been played by his father, but also particularly in terms of the early Balinese education that has been presented by a Balinese figure, Anak Agung Made Djelantik in a broad. Started from the primary school in Java, later in the Netherlands. He was the first Balinese who studies in a broad. At least, the foreigners who were artists, politicians knew well about what really happened in the Balinese communities.

Anak Agung Made Djelantik was a well-educated in terms of Western or European scientific method and he was very strong or conservative with the Balinese culture. He looked like a western in the ways of thinking but he is real or genuine Balinese. In addition to this, he was very consistent in strengthening the Balinese modern thoughts. He was successfully to adopt and adapt the western culture to be a modern Balinese culture. His daughter was familiar with other Balinese artists such as Raka Saba and others (Sulanjari, Ardhana and Eddy, 2019).

As a Balinese prince he was exiled to Buru Island in 1948 that was three years after the Indonesian Independence was proclaimed on 17 August 1945. The reason was that he was accused to collaborate with a Balinese national hero, I Gusti Ngurah Rai. During his exiled he was accompanied by his daughter, Bulantrisna Djelantik, who was a famous and outstanding Balinese dancer and also as a Balinese choreographer. In addition to this, Bulantrisna Djelantik accompanied his father when he was an expert on Malaria disease from World Health Organization in Somalia and Afghanistan (Wijaya). Later he was a lecturer at ISI Denpasar by delivering the subject on Aesthetic, he wrote a book on Balinese Painting. He was died when he was 88 years old. Wednesday September 5, 2007 at Wings Internasional, RSUP Sanglah, Denpasar.

IV. CONCLUSION

From the above explanation, it can be concluded as follows:

- Idanna's work is very significant for us not only for the experts who carry out research about the Balinese arts, but also for the historians who study about the political Balinese history and the political and cultural Indonesian history in the contemporary Indonesia time.
- Idanna's work has been successful in analysing the Djelantik's experiences in highlighting the complexities of the Balinese political history in the modern times.
- In addition to this, Idanna's work as an entry point to study about the Indonesian history, particularly in the revolution times in which from this book shows us that not all the non puputan Balinese palaces collaborated with the Dutch in the colonial times.
- If we talk about the Balinese local wisdom, I think that by understanding the Idanna's work on the World Odysseey of a Balinese prince by fosussing the role of a Balinese figure, Anak Agung Made Djelantik we will have a better understanding on the characteristics of the Balinese people. This picture will be useful to understand on how the Balinese are able to adopt and adapt the foreign or western culture in strengthening their local Balinese culture not only in the present time, but also for the future of the Balinese development.

Idanna Pucci, The World Odyssey Of A Balinese Prince

REFERENCES

1) Ardhana, I Ketut. 2011. "Local versus Western Views on Puputan Badung: The Expansion of Modern Dutch Imperialism in the Balinese Context", Paper presented at the Seminar on Puputan Badung at the Museum of the Balinese Struggle (Bajra Sandhi). Denpasar, November 3rd.
2) Eiseman, F. B. Jr. 2000. Bali: Skala and Niskala: Volume I: Essays on Religion, Ritual and Art. Bali: Periplus Editions (HK) Ltd.
3) Frederich, R. 1959. The Civilization and Culture in Bali. Calcutta: Susil Gupta Private Ltd.
4) Pucci, Idanna. 2019. The World Odyssey of a Balinese Prince. Rutland Verment: Tutle Publishing-Periplus Edition (HK) Ltd.
5) Sulanjari, I Ketut Ardhana and I Wayan Tagel Eddy. 2019. Biography of Balinese Artist: I Gusti Gde Raka Saba: Text and Context Analysis. Denpasar: Larasan Library.
6) Wijaya, I Nyoman. Bening Embun: A. A. Made Djelantik's Journey: A Biography, Son of the King, Doctor, Cultural.
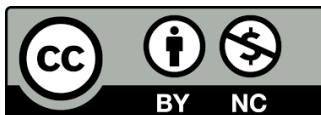
In Light of The American Departure From Afghanistan, Does Network-Centric Warfare Adequately Prepare The United States to Address Future Cyber Activities by The Taliban?

Donald L. Buresh, Ph.D., J.D., LL.M.
Morgan State University

ABSTRACT

The issue considered in this article is whether the United States is prepared adequately to address the cyber activities of the Taliban in the future in light of the recent American departure from Afghanistan. The first section defines and discusses cyber espionage, cyber sabotage, cyber terrorism, and cyber warfare. The following section outlines the notion of network-centric warfare and its relationship to the various cyber-attacks. The third section contains a brief history of the Taliban, cumulating in assessing the current political situation in Afghanistan. The paper's final section describes what adequate preparedness means for individuals, corporations, and the government. The paper concludes that the Taliban are not likely to be a cyber threat to the United States in the short term. However, as time progresses and the Taliban consolidates their political power, effectively defeating the Islamic State and insurgents in Panjshir, the United States will likely experience cyber attacks from the Taliban.

KEYWORDS: Afghanistan, Cyber Espionage, Cyber Sabotage, Cyber Terrorism, Cyberwar, Network-Centric Warfare, Taliban

The following abbreviations are used in this manuscript:

Abbreviation	Description
CIA	Central Intelligence Agency
FBI	Federal Bureau of Investigation
GID	Saudi Arabian General Intelligence Directorate
IoT	Internet of Things
ISI	Pakistani Inter-Service Intelligence Agency
NATO	North Atlantic Treaty Organization
NGO	Non-Government Organization
NSA	National Security Agency
UAE	United Arab Emirates
UN	United Nations
UNSC	United Nations Security Council

INTRODUCTION

On August 31, 2020, the United States departed Afghanistan. For the previous 20 years, the Taliban has been the focus of an intense military campaign by the United States, branding the entity as an insurgency organization.[1] There has been at least one attempt to have the Taliban classified as a terrorist group, but these efforts have failed so far.[2] Now that the United States has left Afghanistan and the Taliban are effectively in control of the government, the question begging to be answered is whether the Taliban poses a cyber threat to this country. If so, then is the United States adequately prepared to deal with yet another cyber threat? If not, at least in the short term, how long will it be before the Taliban become a cyber threat? And, more importantly, given the state of cyber preparedness in the United States, is America adequately prepared, or is additional preparation required?

---

[1] Lindsay Maizland, *The Taliban in Afghanistan*, THE COUNCIL OF FOREIGN RELATIONS (Sep. 15, 2021), available at https://www.cfr.org/backgrounder/taliban-afghanistan.

[2] Press Release, SEN. MARCO RUBIO, *Rubio Introduces Bill to Designate Taliban As a Foreign Terrorist Organization* (Sep. 15, 2021), https://www.rubio.senate.gov/public/index.cfm/2021/9/rubio-introduces-bill-to-designate-taliban-as-a-foreign-terrorist-organization.

In Light of The American Departure From Afghanistan, Does Network-Centric Warfare Adequately Prepare The United States to Address Future Cyber Activities by The Taliban?

These questions have no straightforward answers. Analyzing cyber espionage, sabotage, terrorism, and cyberwar is entirely appropriate. Furthermore, an appreciation of network-centric warfare with its myriad facets is in order. No analysis of the Taliban's threat would be complete without a brief organizational history. Finally, a discussion of adequate preparedness is essential to understand the threat presented by the Taliban. It is to these topics that this paper is addressed.

DEFINITIONS OF TERMS

This section contains a discussion of the definitions of cyber espionage, cyber sabotage, cyber terrorism, and cyberwar, respectively. The descriptions are general and not limited by the type of government, business, or organization subject to cyber activity. The final subsection explores the similarities and differences between the definitions.

DEFINITION OF CYBER ESPIONAGE

Cyber espionage involves employing computer networks to gain illegal access to secret or confidential information that is held by a government, a business, or some other organization.[3] Cyber espionage aims to steal classified data, sensitive data, or intellectual property to gain an economic or political advantage over a particular company or government.[4] Cyber espionage is the act of spying or employing spies to obtain information regarding the plans or activities of a corporation, government agency, or some other type of organization.[5]

In one sense, cyber espionage is much easier than traditional espionage.[6] Traditionally, it is difficult to recruit a spy, train the spy, and then put the spy in the target organization to copy or exfiltrate the desired information.[7] Also, with traditional espionage, there is always the possibility that the spy is gathering false information that has been purposefully planted or the spy has become a double agent.[8] The idea here is that the spy collects low-grade information that is of little value to the spying organization.[9] In contrast, the spy is usually not physically present in the target organization with cyber espionage. In most cases, the spy may be located hundreds, if not thousands, of miles away from the target organization while working from a remote computer, thereby making attribution challenging to achieve.[10]

Two critical issues when discussing espionage and cyber espionage are *jus ad bellum* and *jus in bello*.[11] Here, *jus ad bellum* is the right to wage war by a sovereign, while *jus in bello* is the international law that governs how warfare is conducted.[12] With a few exceptions, *jus ad bellum* and *jus in bello* do not govern gathering data via cyber operations, such as the disclosure of confidential documents by Edward Snowden, the cyber-attacks on Estonia, Georgia, and Ukraine, or the asymmetric measures discussed by Qiao and Wang.[13][14][15] Even the Tallinn Manual does not explicitly address cyber espionage and intellectual property theft because international law is not applicable.[16] In other words, cyber espionage has its roots in the law of espionage because, for most scholars, espionage and cyber espionage are legal, citing that the practice of espionage is ubiquitous among sovereigns and because it promotes stability.[17]

---

[3] MICHAEL N. SCHMITT (GEN. ED.), TALLINN MANUAL 2.0 ON THE INTERNATIONAL LAW APPLICABLE TO CYBER OPERATIONS (Cambridge University Press 2017).

[4] *Id.*

[5] *Id.*

[6] RICHARD A. CLARKE, & ROBERT K. KNAKE, CYBER WAR: THE NEXT THREAT TO NATIONAL SECURITY AND WHAT TO DO ABOUT IT (HarperCollins Publishers 2010).

[7] *Id.*

[8] *Id.*

[9] *Id.*

[10] Patrick Clark, *The Hotel Hackers Are Hiding in the Remote Control Curtains*, BLOOMBERG BUSINESSWEEK (Jun. 26, 2019), *available at* https://www.bloomberg.com/news/features/2019-06-26/the-hotel-hackers-are-hiding-in-the-remote-control-curtains.

[11] JENS DAVID OHLIN, KEVIN GOVERN, & CLAIRE FINKELSTEIN, CYBERWAR: LAW AND ETHICS FOR VIRTUAL CONFLICTS (Oxford University Press 2015).

[12] UNITED STATES DEPARTMENT OF DEFENSE, LAW OF ARMED CONFLICT DESKBOOK (CreateSpace Independent Publishing Platform 16th ed. Aug. 17, 2018).

[13] Jens David Ohlin, Kevin Govern, & Claire Finkelstein, *supra*, note 11.

[14] Donald L. Buresh, *Russian Cyber-Attacks on Estonia, Georgia, and Ukraine Including Tactics, Techniques, Procedures, and Effects*, 1 JOURNAL OF ADVANCED FORENSIC SCIENCES 2, 15-26 (Aug. 2021), *available at* DOI: 10.14302/issn.2692-5915.jafs-21-3930.

[15] LIANG QIAO, & XIANGSUI WANG, UN-RESTRICTED WARFARE (Echo Point Books & Media 1999).

[16] Jens David Ohlin, Kevin Govern, & Claire Finkelstein, *supra*, note 11.

[17] *Id.*

In Light of The American Departure From Afghanistan, Does Network-Centric Warfare Adequately Prepare The United States to Address Future Cyber Activities by The Taliban?

DEFINITION OF CYBER SABOTAGE

According to Rid, sabotage is a deliberate attempt by an individual or group to weaken or disable an economic or military system.[18] Seemingly by definition, all sabotage is technical in nature, where social engineering may be employed.[19] This includes cyber sabotage.[20] Sabotage is sometimes designed to disable machines or production processes temporarily while avoiding damaging anything using violence.[21] If sabotage is violently conducted, the primary targets are things rather than human beings, even when the sabotage aims to alter benefit-cost decisions made by decision-makers.[22] Sabotage is an indirect form of attack, where the target of any political violence is the mind of the opponent's decision-makers.[23] The reason is that the point of political violence is geared to change the minds of the decision-makers by snatching as much political visibility as possible.[24]

When cyber-attacks are involved, it is easy to distinguish between violent and non-violent attacks.[25] The reason is that cyber-attacks rarely can damage hardware and mechanical or industrial processes.[26] For example, in the Shamoon attack of Saudi Arabia's oil company Aramco, the payload was designed to destroy data by overwriting the boot sector of a hard disk and the hard disk's partition tables.[27] The effect of the attack was that Aramco experienced significant operational impacts, including losing intellectual property and disrupting critical systems.[28] Another example is the malware Wiper, where the software systematically attempted to delete gigabytes of data while operating stealthily and deleting itself at the end of an attack.[29] Here, Kaspersky Labs observed that the malware did leave traces of its activities despite its attempts to destroy data and specific files.[30] The one limitation of Shamoon and Wiper was that both malware programs targeted large energy companies with massive quantities of data.[31] Although the business network was the victim of both attacks, the industrial control networks were unaffected. The oil was still being pumped out of the ground and into oil pipelines and tankers.[32]

When examining cyber sabotage, the three places where cyber sabotage can occur are the human-machine interface, the supervisory computer system, and remote telemetry units that monitor machinery and need to be directed or controlled by a supervisory application.[33] As systems become increasingly standardized, the increase in efficiency, connectivity, and visibility comes at the price of increased vulnerability.[34] On the other hand, industrial control systems may be safer because of increased oversight and red teaming with increased visibility.[35] A red team is a group of individuals that attempts to expose an organization's cyber weaknesses.[36] Another reason industrial control systems may be becoming safer is increased vendor security.[37] And the third reason is, strangely enough, increased obscurity due to the highly complex nature of industrial control systems.[38] The most successful

---

[18] THOMAS RID, CYBER WAR WILL NOT TAKE PLACE (Oxford University Press 2013).

[19] *Id.*

[20] *Id.*

[21] Michael A. Warren, (Nov. 2010) (unpublished Master of Science thesis, Ohio University), *available at* https://etd.ohiolink.edu/apexprod/rws_etd/send_file/send?accession=ohiou1289446353&disposition=inline.

[22] Thomas Rid, *supra*, note 18.

[23] Parliamentary Office Staff, *Assessing the Risk of Terrorist Attacks on Nuclear Facilities*, PARLIAMENTARY OFFICE OF SCIENCE AND TECHNOLOGY (Jul. 2004), *available at* https://www.parliament.uk/globalassets/documents/post/postpr222.pdf.

[24] *Id.*

[25] Oona A. Hathaway, Rebecca Crootof, Philip Levitz, Haley Nix, Aileen Nowlan, William Perdue, & Julia Spiegel, *The Law of Cyber Attack*, 100 CALIFORNIA LAW REVIEW 4, 817-85 (Aug. 2012), *available at* https://www.jstor.org/stable/23249823.

[26] Thomas Rid, *supra*, note 18.

[27] *Id.*

[28] *Id.*

[29] Catalin Cimpanu, *New Iranian Data Wiper Malware Hits Bapco, Bahrain's National Oil Company*, ZDNET (Jan. 09, 2020), *available at* https://www.zdnet.com/article/new-iranian-data-wiper-malware-hits-bapco-bahrains-national-oil-company/.

[30] Thomas Rid, *supra*, note 16.

[31] *Id.*

[32] *Id.*

[33] *Id.*

[34] *Id.*

[35] *Id.*

[36] NIST Staff, *Red Team*, COMPUTER SECURITY RESOURCE CENTER (n.d.), *available at* https://csrc.nist.gov/glossary/term/red_team.

[37] Thomas Rid, *supra*, note 18.

[38] *Id.*

saboteur is an insider.[39] The reason is that insiders usually possess the most significant amount of knowledge regarding how a system works.[40] This is true when speaking about both traditional sabotage and cyber sabotage.[41]

DEFINITION OF CYBER TERRORISM

Cyber terrorism uses computers for politically motivated purposes to disrupt or instigate fear in society.[42] [43] Examples include worms, viruses, phishing, and other malware attacking personal computer hardware and software.[44] Cyber terrorism can also be defined as employing the Internet to direct or threaten violent kinetic acts whose consequences are losing life or serious bodily harm to attain political or ideological ends via intimidation.[45] Cyber terrorism can be narrowly defined as acts by terrorist organizations against information systems to create alarm, panic, or the physical disruption of known processes.[46] The definition of cyber terrorism can also include cybercrime, but then it may become difficult to distinguish between cyberterrorism from cybercrime.[47]

Skilled hackers can initiate significant damage to government computer systems, national security programs, hospital information systems, corporate information systems, and even any devices employed by individuals and connected to the Internet.[48] The result is that cyber terrorism can ensure that countries, corporations, and communities experience a seemingly perpetual fear of a future cyber attack, thereby furthering the political or ideological goals of a cyber-terrorist organization.[49] The Federal Bureau of Investigation (FBI), the Central Intelligence Agency (CIA), the National Security Agency (NSA), and a plethora of corporations and non-government organizations (NGOs) have dedicated time and financial resources to mitigate, if not eliminate, cyber-attacks and cyber-terrorism.[50] There have been some major and minor acts of cyberterrorism, including the April 2007 Russian attack on Estonia, a country that borders Russia and the Baltic Sea.[51] One of the outcomes of the Estonian attack is the international creation of the Tallinn Manual 1.0 and 2.0, defining and describing the nature of cyber terrorism.[52]

DEFINITION OF CYBERWAR

Cyberwar is the employment of computer technology to interrupt ominously the ongoing activities of a state or organization, public or private, by purposefully and knowingly attacking information systems for strategic or tactical military purposes.[53] Cyberwar is a form of asymmetric warfare where militarily weaker nations can informationally attack their militarily stronger military counterparts.[54] Cyberwarfare consists of any virtual attack on an enemy's computer and information systems that is politically motivated.[55] The offense is conducted on the Internet to disable information systems or steal or alter classified computer data.[56]

---

[39] *Id.*

[40] *Id.*

[41] *Id.*

[42] ROBERT W. TAYLOR, TORI J. CAETI, D. KALL LOPER, ERIC J. FRITSCH, & JOHN LIEDERBACH, DIGITAL CRIME AND DIGITAL TERRORISM (Pearson Education, Inc. 2006).

[43] Peter W. Singer, *The Cyber Terror Bogeyman*, BROOKINGS INSTITUTE (Nov. 01, 2012), *available at* https://www.brookings.edu/articles/the-cyber-terror-bogeyman/.

[44] *Id.*

[45] Marin Ivezic, *The World of Cyber-Physical Systems & Rising Cyber-Kinetic Risks*, MARIN IVEZIC (Mar. 31, 2015), *available at* https://cyberkinetic.com/cyber-kinetic-security/cyber-kinetic-risks/.

[46] HEDIEH NASHERI, ECONOMIC ESPIONAGE AND INDUSTRIAL SPYING (Cambridge University Press 2005).

[47] *Id.*

[48] Lee Rainie, Janna Anderson, & Jennifer Connolly, *Cyber Attacks Likely to Increase*, PEW RESEARCH CENTER (Oct. 29, 2014), *available at* https://www.pewresearch.org/internet/2014/10/29/cyber-attacks-likely-to-increase/.

[49] BRANDON VALERIANO, & RYAN C. MANESS, CYBER WAR VERSUS CYBER REALITIES: CYBER CONFLICT IN THE INTERNATIONAL SYSTEM (Oxford University Press 2015).

[50] *Foreign Cyber Threats to the United States*, HEARING BEFORE THE COMMITTEE ON ARMED SERVICES: UNITED STATES SENATE ONE HUNDRED FIFTEENTH CONGRESS FIRST SESSION (Jan. 05, 2017), *available at* https://www.govinfo.gov/content/pkg/CHRG-115shrg33940/html/CHRG-115shrg33940.htm.

[51] Donald L. Buresh, *A Critical Evaluation of the Estonian Cyber Incident*, 1 JOURNAL OF ADVANCED FORENSIC SCIENCES 2, 7-14 (Nov. 03, 2020), *available at* DOI 10.14302/issn.2692-5915.jafs-20-3601.

[52] Michael N. Schmitt, *supra*, note 3.

[53] RICHARD STIENNON, THERE WILL BE CYBERWAR: HOW TO MOVE TO NETWORK-CENTRIC WARFIGHTING SET THE STAGE FOR CYBERWAR (IT-Harvard Press 2015).

[54] *Id.*

[55] *Id.*

[56] Richard A. Clarke, & Robert K. Knake, *supra*, note 6.

Cyberwarfare can include cyber sabotage or cyber espionage.[57] Cyber sabotage can disrupt the normal operations of military and financial computer systems that deal with communication, fuel, power, and even transportation infrastructures.[58] On the other hand, computer espionage includes security breaches where illegal exploitation methods are employed to disable computer networks and computer hardware or software to attain classified or even confidential business records such as trade secrets for political or financial advantage.[59]

Although public perception envisions a computer hacker as a disenfranchised teenager who foolishly breaks into computer systems for pure pleasure, the reality is that computer hackers these days are typically well-funded individuals that can belong to organized crime syndicates or employees of government agencies.[60] [61] The government-employed hackers that created the Stuxnet virus are a case in point.[62]

ANALYSIS OF THE DEFINITIONS

There are several differences and similarities among the definitions above. First, cyber espionage is considered to be a precursor or even a part of cyber warfare.[63] Traditional espionage has existed since the dawn of history.[64] Cyber espionage puts a cyber twist on a long-established pursuit of states to gain economic, financial, or political advantage against competing countries.[65] Second, like conventional terrorism, cyber terrorism is a tactic to generate fear, panic, or interference with the workings of standard processes.[66] [67]

Cyber terrorism is a relatively new activity only because of the recent emergence and dominance of the Internet.[68] The terrorism issue is that fear and panic can be debilitating condition that prevents a government or another organization from behaving to optimize its benefits.[69] The goal of cyber terrorism is not necessarily to prevent a government or an organization from functioning.[70] Instead, the more common aim of cyber terrorism is to limit the choices of a government or organization in a manner whereby the government or organization is acting according to the wishes of the terrorist group instead of the way that the government or organization desires to perform.[71]

Cyberwar or cyber-warfare seems to be a catch-all term that encompasses cyber espionage, cyber sabotage, cyber terrorism, and other types of cyber operations.[72] Although cyberwar typically deals with countries and military enemies, the term can take on additional meaning when employed in criminal, corporate, and even individual settings.[73] The fundamental notion is that the asymmetry of a relationship can warrant the employment of cyberwar when both government and non-government actors are opposed to each other.[74] This evolution of meaning can lead to the description of novel situations, where, for example, the term "cyberwar" could be accurately applied when the antagonists are not nation-states but rather major corporations that are vying for

---

[57] Thomas Rid, *supra*, note 18.

[58] *Id.*

[59] *Id.*

[60] Matthew Weaver, *Teenage Hackers Motivated by Morality Not Money, Study Finds*, THE GUARDIAN (Apr. 21, 2017), *available at* https://www.theguardian.com/society/2017/apr/21/teenage-hackers-motivated-moral-crusade-money-cybercrime.

[61] SUSAN W. BRENNER, CYBERCRIME: CRIMINAL THREATS FROM CYBERSPACE (Praeger 2010).

[62] Jens David Ohlin, Kevin Govern, & Claire Finkelstein, *supra*, note 11.

[63] Darien Pun, *Rethinking Espionage in the Modern Era*, 18 CHICAGO JOURNAL OF INTERNATIONAL LAW. 1, 353-91 (Jul. 2017), *available at* https://chicagounbound.uchicago.edu/cjil/vol18/iss1/10/.

[64] Thomas Rid, *supra*, note 18.

[65] *Id.*

[66] Alex Schmid, *Terrorism - The Definitional Problem*, 36 CASE WESTERN RESERVE JOURNAL OF INTERNATIONAL LAW 2, 375-419 (2004), *available at* https://scholarlycommons.law.case.edu/cgi/viewcontent.cgi?article=1400&context=jil.

[67] Matthew J. Littleton, INFORMATION AGE TERRORISM: TOWARD CYBERTERROR, (Dec. 1995) (unpublished Master of Science thesis, Naval Postgraduate School), *available at* https://fas.org/irp/threat/cyber/docs/npgs/terror.htm#TOC.

[68] FRED KAPLAN, DARK TERRITORY: THE SECRET HISTORY OF CYBER WAR (Simon & Schuster 2016).

[69] Thomas Rid, *supra*, note 18.

[70] Shamsuddin Abdul Jalil, *Countering Cyber Terrorism Effectively: Are We Ready To Rumble?*, SANS INSTITUTE (Jun. 2003), *available at* https://www.giac.org/paper/gsec/3108/countering-cyber terrorism-effectively-ready-rumble/105154#:~:text=The%20most%20common%20objective%20of,on%20particular%20targets%20%5B2%5D.

[71] *Id.*

[72] Jordan Robertson, *Is There Really a Cyberwar? Term Might Be Misused*, PHYS.ORG (May 05, 2010), *available at* https://phys.org/news/2010-05-cyberwar-term-misused.html.

[73] Chris Colvin, Daniel B. Garrie, & Siddartha Rao, *Cyber Warfare and the Corporate Environment*, 2 JOURNAL OF LAW & CYBER WARFARE 1, 1-24 (Spring 2013), *available at* https://www.jstor.org/stable/26441239.

[74] Paul Strassman, *Asymmetric Cyberwarfare Demands a New Information Assurance Approach*, ARMED FORCES COMMUNICATIONS AND ELECTRONICS ASSOCIATION (Jul. 01, 2013), *available at* https://www.afcea.org/content/asymmetric-cyberwarfare-demands-new-information-assurance-approach.

economic and financial advantage.[75] All is fair in economic warfare, commonly known as competitive behavior, a fact one should never forget.[76]

NETWORK-CENTRIC WARFARE
In this section, network-centric warfare is discussed in some detail. The history of network-centric warfare will be outlined, followed by a discussion of the principles and objectives of network-centric operations. Third, the paper assesses how vulnerable network-centric warfare is to a cyber-attack. Finally, several recommendations are specified, highlighting how network-centric warfare can be improved when appropriate.

HISTORY of Network-Centric Warfare
In 1996, Admiral William Owens premiered the notion of a "system of systems."[77] The work discussed a system of intelligent sensors, precision weapons, and command and control systems that assured a rapid target assessment using smart sensors, thereby promoting distributed weapons.[78] In 1997, the Navy described its vision of connecting everyone to a standard technology to flatten the hierarchy of command, enhance precision, and increase the speed of command.[79] Network-centric warfare as a standalone concept appeared in an article by Cebrowski and Garstka but was fleshed out with Alberts and Stein in *Network Centric Warfare: Developing and Leveraging Information Superiority*.[80] [81] The text expounded a new theory of using a case study analysis approach to help expand situation awareness, control inventory accurately, etc.[82]

In 2001, Alberts, Garstka, and Signori authored, *Understanding Information Age Warfare,* a seminal work on network-centric warfare.[83] In 2003, Alberts, Garstka, and Hayes speculated that the current military environment is far too complicated to understand by any individual or organization.[84] However, in a battlespace, technology permits the sharing of information so that those performing military missions can pull data from various sources to ensure the success of a mission.[85]

PRINCIPLES AND OBJECTIVES OF NETWORK-CENTRIC OPERATIONS
According to Alberts, the basic tenets of network-centric warfare include:[86]
- Tenet 1: A robustly networked force improves information sharing.
- Tenet 2: Information sharing and collaboration enhance the quality of information and shared situational awareness.
- Tenet 3: Shared situational awareness enables self-synchronization.
- Tenet 4: These, in turn, dramatically increase mission effectiveness.

These tenets remarkably increase the effectiveness of missions because it ensures that network-centric operations are consistent with Mission Control doctrine.[87] The idea is to help military personnel do what needs to be accomplished without traditional orders by

---

[75] Chris Colvin, Daniel B. Garrie, & Siddartha Rao, *supra*, note 73.

[76] FREDERICK A. HAYEK, LAW, LEGISLATION AND LIBERTY: A NEW STATEMENT OF THE LIBERAL PRINCIPLES OF JUSTICE AND POLITICAL ECONOMY (Routledge Classics 2012).

[77] William Owens, *The Emerging U.S. System of Systems*, INSTITUTE FOR NATIONAL STRATEGIC STUDIES, 63 (Feb. 1996), *available at* http://www.dtic.mil/get-tr-doc/pdf?AD=ADA394313.

[78] *Id.*

[79] Corporate Initiatives Group, *C4ISR Forward . . . A Vision of the Future*. SAN DIEGO, CALIFORNIA: NAVAL COMMAND (Jul. 1997), *available a*t https://www.dtic.mil/dtic/tr/fulltext/u2/a434155.pdf.

[80] Arthur K. Cebrowski, & John H. Garstka, *Network-Centric Warfare - Its Origin and Future*, UNITED STATES NAVAL INSTITUTE (Jan. 1998), *available at* https://www.usni.org/magazines/proceedings/1998/january/network-centric-warfare-its-origin-and-future.

[81] DAVID ALBERTS, JOHN GARSTKA, & FREDERICK STEIN, NETWORK CENTRIC WARFARE: DEVELOPING AND LEVERAGING INFORMATION SUPERIORITY (Department of Defense: Command and Control Research Program 2nd. ed. 2003), *available at* http://www.dodccrp.org/files/Alberts_NCW.pdf.

[82] *Id.*

[83] DAVID ALBERTS, JOHN GARSTKA, RICHARD HAYES, R., & DAVID A. SIGNORI, UNDERSTANDING INFORMATION AGE WARFARE *(*Department of Defense: Command and Control Research Program 2001), *available at* https://www.voltairenet.org/IMG/pdf/Understanding_Information_Age_Warfare-2.pdf.

[84] DAVID ALBERTS, JOHN GARSTKA, RICHARD HAYES, R., & DAVID A. SIGNORI, UNDERSTANDING INFORMATION AGE WARFARE *(*Department of Defense: Command and Control Research Program 2001), *available at* https://www.voltairenet.org/IMG/pdf/Understanding_Information_Age_Warfare-2.pdf.

[85] *Id.*

[86] DAVID S. ALBERTS, INFORMATION AGE TRANSFORMATION: GETTING TO A 21ST CENTURY MILITARY (Department of Defense: Command and Control Research Program 2002), *available at* http://dodccrp.org/files/Alberts_IAT.pdf.

[87] *Id.*

---

providing individuals with an increased understanding of the command's intent, thereby ensuring considerable freedom of action by combat troops.[88] [89] By exploiting the collective knowledge of a battlefield, the fog and friction of war can be dramatically reduced.[90]

VULNERABILITY OF NETWORK-CENTRIC WARFARE TO A CYBER-ATTACK

A chain is only as strong as its weakest link. The weakest link in network-centric operations and warfare is the communication between those on the edge of the battlespace and the supporting personnel and systems.[91] Communications can be hacked. A soldier's information request on the front can be rerouted using the *man-in-the-middle* hack.[92] Here, a request for information from a soldier can be siphoned off and then altered in clever and devious ways so that the recipient behind the field of battle receives false information that the hacker has changed.[93] In another "man-in-the-middle" scenario, the data from individuals on the edge is correctly sent, but the "man-in-the-middle" hack occurs when the information requested is sent back to the field soldier.[94] In this case, the hacker alters the information requested. In the previous point, the request itself was altered.[95] A third possibility is that the hacker changes both the request and the information requested without knowing the field solder or the supporting personnel.[96] In this case, the data is hacked coming and going.

One way to circumvent this problem is to employ asymmetric encryption when sending and receiving data.[97] With asymmetric encryption, there is a public key and a private key.[98] However, suppose a machine that uses asymmetric encryption is captured, and in battle, there is a high likelihood that this will occur. In that case, the adversary could gain access to both the public and private keys.[99] Like the enigma machine that Germans used in World War II, there has to be a mechanism that changes the keys periodically[100]. For asymmetric keys, the public key and the private key are related to each other, meaning that if the user needs to change a private key, then the associated public key must also change.[101]

One vulnerability in network-centric warfare occurs when the amount of information being transmitted and received exceeds the bandwidth of the communication channel.[102] This can happen due to a denial-of-service attack, where the bandwidth is insufficiently robust.[103] The result is that typically no requests are transmitted from the individuals on the edge to the supporting personnel behind the lines of conflict.[104] According to Wilson, command could disconnect from some individuals, leaving them to

---

[88] *Id.*

[89] MARIUS VASSILIOU, DAVID S. ALBERTS, & JONATHAN R. AGRE, C2 RE-ENVISIONED: THE FUTURE OF THE ENTERPRISE (Chemical Rubber Company Press 2015).

[90] Clay Wilson, *Network Centric Operations: Background and Oversight Issues for Congress*, CONGRESSIONAL RESEARCH SERVICE (Mar. 15, 2007), *available at* https://www.researchgate.net/publication/235121618_Network_Centric_Operations_Background_and_Oversight_Issues_for_Congress.

[91] MICHAEL E. WHITMAN, & HERBERT J. MATTORD, PRINCIPLES OF INFORMATION SECURITY (Cengage Learning 2016).

[92] *Id.*

[93] *Id.*

[94] *Id.*

[95] *Id.*

[96] *Id.*

[97] Gustavus J. Simmons, *Symmetric and Asymmetric Encryption*, 11 ACM COMPUTING SURVEYS 4, 305-30 (Dec. 1979), *available at* https://doi.org/10.1145/356789.356793.

[98] *Id.*

[99] RYAN RUSSELL, TIMOTHY MULLEN, & JOHNNY LONG, STEALING THE NETWORK: THE COMPLETE SERIES COLLECTOR'S EDITION (Elsevier Publishing 2009), *available at* https://books.google.com/books?id=4csyeZaEP4cC&pg=PA651&lpg=PA651&dq=stealing+a+computer+that+uses+asymmetric+encryption&source=bl&ots=tJLyiwwBiI&sig=ACfU3U1y2COvwBkp5fsPZwhdcuYDacPSww&hl=en&sa=X&ved=2ahUKEwjbzs2kwrbyAhWKbs0KHXU3Ck4Q6AF6BAg5EAM#v=onepage&q=stealing%20a%20computer%20that%20uses%20asymmetric%20encryption&f=false.

[100] DAVID MOWRY, GERMAN CIPHER MACHINES OF WORLD WAR II (National Security Agency: Center for Cryptologic History rev. ed. 20014), available at https://www.nsa.gov/Portals/70/documents/about/cryptologic-heritage/historical-figures-publications/publications/wwii/german_cipher.pdf.

[101] Gustavus J. Simmons, *supra*, note 97.

[102] Henry Kamradt, & Douglas MacDonald, *The Implications of Network-Centric Warfare for United States and Multinational Military Operations*, UNITED STATES NAVAL WAR COLLEGE (Dec. 31, 1998), *available at* https://apps.dtic.mil/sti/pdfs/ADA430553.pdf.

[103] *Id.*

[104] *Id.*

---

fend for themselves to maintain the more essential connections.[105] This may be unreasonable because the attacker could always increase the intensity of the attack once it is discovered that the transmission volume has decreased.[106] The other problem with this situation is that the disconnected individuals may be poorly trained to handle the issue independently.[107] It is well known that people become accustomed to support, just like an inmate who becomes dependent on being institutionalized.[108] Without support from command, the individuals in the field will likely surrender just because they are having difficulty thinking for themselves.[109]

A third vulnerability can occur when the enemy uses the terrain to disguise their presence on the battlefield, so network-centric operations cannot detect them.[110] This can sometimes be achieved by an adversary that employs low-tech responses to high-tech weapons, tactics, and strategy.[111] Many times, low-tech weapons, tactics, and strategy are something to be reckoned with. The problem with high-tech solutions is that individuals can become altogether too dependent on their devices.[112] For example, when the author has traveled to downtown Chicago, using the L-train, almost all of the people waiting on the platform for the train to arrive, or in the train itself, were glued to their cell phones. The open question is, what would these people do without their cell phones? Could they cope in the world without cell phones? Probably not.

The final vulnerability of network-centric warfare under discussion herein can occur when military or civilian leadership simply circumvents or overrides the freedom of choice available to combat troops under network-centric warfare tenets.[113] [114] [115] Suppose combat troops are specifically ordered not to employ their initiative and not exploit network-centric principles in an operational setting. In that case, the advantages promoted by network-centric warfare may fail.[116] [117] [118] For example, in August 2020, President Biden withdrew military personnel from Afghanistan before evacuating the American civilian population and the Afghan personnel who worked with Americans during the 20 years that the United States was in Afghanistan.[119] [120] The result was complete chaos.[121] It is unclear how many Americans were living in Afghanistan at the time.[122] It could have been as low as 10,000 individuals or as high as 40,000 people.[123] The number of Afghans who worked with America or were part of the Afghan Army \was tens of thousands of people.[124]

---

[105] Clay Wilson, *supra*, note 90.

[106] *Id.*

[107] *Id.*

[108] KIMBERLY S. YOUNG, & CRISTIANO NABUCO, DE ABREU (EDS.), INTERNET ADDICTION: A HANDBOOK AND GUIDE TO EVALUATION AND TREATMENT (John Wiley & Sons, Inc. 2011), *available at* http://www.ssu.ac.ir/cms/fileadmin/user_upload/Moavenatha/MBehdashti/ravan/pdf/faaliyatha/pptfiles/INTERNET_ADDICTION.pdf#page=39

[109] *Id.*

[110] Henry Kamradt, & Douglas MacDonald, *supra*, note 102.

[111] *Id.*

[112] *Id.*

[113] Joseph H. Scherrer, *Risks and Vulnerabilities of Network-Centric Forces: Insights from the Science of Complexity*, NAVAL WAR COLLEGE (Feb. 03, 2003), *available at* https://apps.dtic.mil/sti/citations/ADA415474.

[114] Clay Wilson, *supra*, note 90.

[115] David L. Peeler, Jr., & Michael P. Dahlstrom, *Network Centric Warfare: Advantages and Disadvantages*, STRATEGIC IMPACT NO. 3 (2003), *available at* https://www.proquest.com/openview/364a2a648a2241267b93979755e55788/1?pq-origsite=gscholar&cbl=1876337.

[116] Joseph H. Scherrer, *supra*, note 113.

[117] Clay Wilson, *supra*, note 90.

[118] David L. Peeler, Jr., & Michael P. Dahlstrom, *supra*, note 115.

[119] Terri Moon Cronk, *Biden Announces Full U.S. Troop Withdrawal from Afghanistan by Sept. 11*, UNITED STATES DEPARTMENT OF DEFENSE (Apr. 14, 2021), *available at* https://www.defense.gov/Explore/News/Article/Article/2573268/biden-announces-full-us-troop-withdrawal-from-afghanistan-by-sept-11/.

[120] Madeleine Ngo, *Biden Defends Decision to Pull Out of Afghanistan*, THE NEW YORK TIMES (Aug. 18, 2021), *available at* https://www.nytimes.com/live/2021/08/16/us/politics-news.

[121] Paul D. Shrinkman, *Chaos, Violence at Kabul Airport as U.S. Tries to Complete Afghanistan Evacuation*, U.S. NEWS & WORLD REPORT (Aug. 16, 2021), *available at* https://www.usnews.com/news/world-report/articles/2021-08-16/chaos-violence-at-kabul-airport-as-us-tries-to-complete-afghanistan-evacuation.

[122] Juliegrace Brufke, *Biden team vague on evacuating Americans, allies from Afghanistan after Aug. 31*, THE NEW YORK POST (Aug. 17, 2021), *available at* https://nypost.com/2021/08/17/biden-team-vague-on-evacuating-americans-allies-from-afghanistan/.

[123] Mark Moore, *David Petraeus calls Afghanistan a 'Dunkirk Moment'*, THE NEW YORK POST (Aug. 17, 2021), *available at* https://nypost.com/2021/08/17/david-petraeus-calls-afghanistan-a-dunkirk-moment/.

[124] Miriam Jordan, *Thousands Who Helped the U.S. in Afghanistan Are Trapped. What Happens Next?*, THE NEW YORK TIMES (Aug. 16, 2021), *available at* https://www.nytimes.com/2021/08/16/us/afghanistan-visa-refugees-us.html.

In Light of The American Departure From Afghanistan, Does Network-Centric Warfare Adequately Prepare The United States to Address Future Cyber Activities by The Taliban?

In contrast, the British sent 900 paratroopers into Kabul to extract approximately 4,000 British subjects from Afghanistan.[125] For the British soldiers to successfully remove British subjects from Afghanistan, these soldiers practiced significant freedom of action to achieve an objective under the chaotic conditions that were present in Kabul as espoused in Tenet 4 of network-centric warfare.[126] French soldiers were also actively locating and evacuating French citizens from Kabul,[127] while although initially stumbling, Germany sent helicopters to rescue Afghan support staff.[128] Finally, the Canadian government considered using special forces to retrieve Afghan interpreters and support staff from Kabul.[129] Thus, it is apparent that when the tenets of network-centric warfare are followed, as exemplified by NATO members other than the United States, and are not circumvented for political reasons by senior military and civilian leaders, network-centric principles and operations are remarkably successful because individual soldiers possess sufficient autonomy to make independently effective decisions.[130] [131]

Based on the discussion above, it is apparent that the United States military should not become too dependent on technology with the understanding that it is easier said than done. Also, when network-centric tenets are adhered to, the results are remarkably positive. The reason is that network-centric warfare is perceived as a mechanism to reduce the fog and friction of war with the omnipresent agenda of reducing cost.[132] In terms of economics, the issue is essentially a capital-labor decision.[133] Network-centric warfare substitutes the capital of technology for the labor of traditional soldiering with the hope that a capital-intensive solution will reduce battlefield costs.[134] In essence, by focusing on network-centric warfare, the United States military attempts to obtain the biggest bang per dollar spent, no pun intended.[135]

According to Keynesian economics, although the reduction in costs will probably occur over the long run, it is the most critical short-run cost.[136] The implication is that the long-run will take care of itself, and only the short-run that matters.[137] It is suggested that the United States military spend a fraction of money ensuring that soldiers can perform efficiently and effectively with and without technology. The reason is that it is vital to take advantage of technology while at the same time ensuring that a mission is not compromised when the technology is lacking.

A BRIEF HISTORY OF THE TALIBAN

In this section, a brief history of the Taliban `will be discussed. The topics include the origin of the Taliban, the Soviet intervention in Afghanistan, the Afghan civil war, the First Islamic Emirate of Afghanistan, the attack on September 11, 2001, and the days following, the American invasion in 2001, the American occupation from 2001 to 2021, the American departure from Afghanistan, and the Second Islamic Emirate of Afghanistan. Each topic will be discussed in turn.

---

[125] Robert Clark, *As NATO Allies Flounder, British Troops Are Leading by Example at Kabul Airport*, THE TELEGRAPH (Aug. 18, 2021), *available at* https://www.telegraph.co.uk/news/2021/08/19/nato-allies-flounder-british-troops-leading-example-kabul-airport/.

[126] *Id.*

[127] James R. Webb, *As US Military Sticks to Airport, British and French Forces Are Rescuing their Citizens in Kabul: Reports*, MILITARY TIMES (Aug. 19, 2021), *available at* https://www.militarytimes.com/flashpoints/afghanistan/2021/08/19/as-us-military-sticks-to-airport-british-and-french-forces-are-rescuing-their-citizens-in-kabul-reports/.

[128] Loveday Morris, *Amid Sharp Criticism, Germany Stumbles in Late Efforts to Rescue Afghan Support Staff*, THE WASHINGTON POST (Aug. 22, 2021), *available at* https://www.washingtonpost.com/world/germany-afghans-evacuation/2021/08/21/d33941ce-0202-11ec-ba7e-2cf966e88e93_story.html.

[129] Robert Fife, *Canadian special forces may be used to rescue Afghan interpreters, support staff from Kabul: Sajjan*, THE GLOBE AND MAIL (Aug. 22, 2021), *available at* https://www.theglobeandmail.com/politics/article-canadian-special-forces-may-be-used-to-rescue-afghan-interpreters/.

[130] Victor Davis Hanson, *Victor Davis Hanson: If Biden were a Republican, Dems in Congress would have impeached him. They should,* FOX NEWS (Aug. 22, 2021), *available at* https://www.foxnews.com/opinion/biden-republican-democrats-congress-impeached-victor-davis-hanson.

[131] Ryan Morgan, *US Has No Plans to Rescue Americans, Afghans Stranded behind Taliban Lines Outside Kabul A, Airport*, AMERICAN MILITARY NEWS (Aug. 18, 2021), *available at* https://americanmilitarynews.com/2021/08/us-has-no-plans-to-rescue-americans-afghans-stranded-behind-taliban-lines-outside-kabul-airport/.

[132] CHRISTOPHER R SMITH, NETWORK CENTRIC WARFARE, COMMAND, AND THE NATURE OF WAR (Land Warfare Studies Centre (Australia) 2010), *available at* https://researchcentre.army.gov.au/sites/default/files/sp318ncwcommandandnatureofwarchristopher_smith.pdf.

[133] PAUL KRUGMAN, & ROBIN WELLS, ECONOMICS (Worth Publishers 5th ed. 2017).

[134] Paul Murdock, *Principles of War on the Network-Centric Battlefield: Mass and Economy of Force*, 32 THE US ARMY WAR COLLEGE QUARTERLY: PARAMETERS 1 (Spring 2002), *available at* https://press.armywarcollege.edu/cgi/viewcontent.cgi?article=2082&context=parameters.

[135] Paul Krugman, & Robin Wells, *supra*, note 133.

[136] JOHN MAYNARD KEYNES, THE GENERAL THEORY OF EMPLOYMENT, INTEREST, AND MONEY (Palgrave Macmillan 1936).

[137] *Id.*

In Light of The American Departure From Afghanistan, Does Network-Centric Warfare Adequately Prepare The United States to Address Future Cyber Activities by The Taliban?

ORIGIN OF THE TALIBAN (THE 1970S)

According to Jain, although the Taliban emerged as a political force in Afghanistan in the 1990s, to understand the group's history, one must go back to the Saur Revolution of 1978.[138] By the 1970s, Afghanistan had been becoming a modern state for years.[139] Both the United States and the Soviet Union were keenly involved in modernizing Afghanistan's infrastructure and extending their power over Central and South Asia. These actions resulted in a flood of foreign aid, where the primary employer in Afghanistan became the Afghan government, thereby leading to systemic corruption and an eventual revolution.[140]

In the late 1970s, different ideologies struggled for dominance. Marxists consisted of young activists, journalists, professors, and military commanders on one side.[141] On the other side were the Muslims that desired a Muslim Brotherhood-like Islamic state.[142] Daud Khan was then the president of Afghanistan, and he initially aligned himself with the young military commanders. However, given the real threat of a revolutionary coup, Khan began quashing opposing groups. In April 1978, Khan was deposed by a coup, resulting in a Marxist-Leninist People's Republic of Afghanistan.[143] After purging the Communist party, the new Afghan government began suppressing Islamists and other groups opposed to the government. When the inevitable resistance occurred, the United States channeled money to Pakistan's intelligence services allied with the Afghan Islamists.[144]

The United States joined with the mujahedeen, a loose coalition of resistance groups. There were also leftist groups that the Afghan communists purged. All of these groups were opposed to the authoritarian communist government.[145] When Afghan leader Nur Mohammad Taraki was assassinated in 1979 by his second-in-command, Hafizullah Amin, the Soviets were afraid that the United States would exploit the increased instability in Afghanistan. The Soviets decided to invade Afghanistan and thus ensured that the United States would channel even more money to the mujahedeen.[146]

SOVIET INTERVENTION IN AFGHANISTAN (1978 – 1992)

On December 24, 1979, the Soviet Union invaded Afghanistan to sustain the Soviet-Afghan Friendship Treaty of 1978.[147] On December 27, Babrak Karmal, the exiled leader of the Parcham faction of the Marxist People's Democratic Party of Afghanistan (PDPA), was installed by the Soviets as Afghanistan's new head of government.[148] After the Soviet invasion and occupation of Afghanistan in 1979, the mujahideen engaged in a fierce war with the Soviet military.[149] In the meantime, Pakistan's President Muhammad Zia-ul-Haq was afraid that the Soviets would also invade Balochistan, Pakistan. Ziz-ul-Haq sent Akhtar Abdur Rahman to Saudi Arabia to gather Islamic support for the Afghan resistance against the Soviet forces. The United States Central Intelligence Agency (CIA) and Saudi Arabian General Intelligence Directorate (GID) gave equipment through the Pakistani Inter-Service Intelligence Agency (ISI) to the Afghan mujahideen.[150]

When the Soviets ventured out of their bases into the countryside to combat the mujahideen, they faced fierce resistance by fighters who would attack and then fade into the Afghan mountains.[151] The mujahideen viewed the Soviets as Christians or atheists defiling Islam and their culture, thereby engaging in a jihad or holy war against the Soviets. In 1987, the United States gave the mujahideen shoulder-held Stinger missiles, which the Afghan resistance used to shoot down Soviet aircraft.[152] With victory being unfeasible, the new Soviet leader and General Secretary of the Russian Communist Party, Mikhail Gorbachev, decided to get out of Afghanistan. The last Soviet soldier left the country on February 15, 1989.[153]

---

[138] Kalpana Jain, *The History of the Taliban Is Crucial in Understanding Their Success Now – And Also What Might Happen Next*, THE CONVERSATION (Aug. 26, 2021), *available at* https://theconversation.com/the-history-of-the-taliban-is-crucial-in-understanding-their-success-now-and-also-what-might-happen-next-166630.
[139] *Id.*
[140] *Id.*
[141] *Id.*
[142] *Id.*
[143] *Id.*
[144] *Id.*
[145] *Id.*
[146] *Id.*
[147] History.com Editors, *Soviet Union InvadesAfghanistan*, HISTORY.COM (Nov. 24, 2009), *available at* https://www.history.com/this-day-in-history/soviet-tanks-roll-into-afghanistan.
[148] *Id.*
[149] Kalpana Jain, *supra*, note 138.
[150] Colin Price, Pakistan: *A Plethora of Problems*, 3 GLOBAL SECURITY STUDIES 1, 53-62 (Winter 2012), *available at* https://www.semanticscholar.org/paper/Pakistan%3A-A-Plethora-of-Problems-Price/b7c99634746e77be1bfb50346198b5d4779214f5.
[151] History.com Editors, *supra*, note 147.
[152] *Id.*
[153] *Id.*

In Light of The American Departure From Afghanistan, Does Network-Centric Warfare Adequately Prepare The United States to Address Future Cyber Activities by The Taliban?

AFGHAN CIVIL WAR (1992 – 1996)

After the departure of the Soviets and the fall of the Soviet-backed government, in April 1992, the Afghan political parties backed the Peshawar Accord that created the Islamic State of Afghanistan and appointed an interim government.[154] However, because rival political factions were vying for total power over Afghanistan, the government was crippled from its inception because several Afghan political parties refused to participate in the interim government. In particular, Hekmatyar's Hezb-e Islami Gulbuddin party would not recognize the interim government. However, in April 1992, Hekmatyar infiltrated Kabul and took control of the government.[155] Hekmatyar obtained operational, financial, and military support from Pakistan's Inter-Services Intelligence (ISI),[156] while Iran assisted Hezbe Wahdat, and Saudi Arabia sustained the Ittihad-i Islami faction.[157] The struggle between these political factions resulted in the Afghan civil war.

Because of how quickly the civil war started, many government agencies for the Islamic State of Afghanistan were not formed. Although individuals committed atrocities within each faction, ceasefires negotiated by the interim government fell apart within days.[158] In contrast, there was little to no fighting in the northern areas in Afghanistan that Ahmad Shah Massoud controlled. Southern Afghanistan was controlled by local leaders such as Gul Agha Sherazi and their militias.

FIRST ISLAMIC EMIRATE OF AFGHANISTAN (1996 – 2001)

In 1995, the Taliban expanded from their base of operations in Kandahar, expanding over a sizeable territorial area. In early 1995, the Taliban moved towards Kabul but were repelled by government forces. After several setbacks, the Taliban successfully took control of Herat on September 5, 1995. On September 26, 1995, the Taliban prepared for a major offensive and entered Kabul on September 27, 1996, establishing the First Islamic Emirate of Afghanistan.[159]

The goal of the Taliban was to create an Islamic state through adherence to Sharia law, where the Hanafi school of Islamic jurisprudence dominated the whole country of Afghanistan. By 1998, approximately 90 percent of Afghanistan was controlled by the Emirate.[160] However, because seemingly continuous warfare raged through the country for 20 years, Afghanistan's infrastructure and economy were in shambles. The was no running water, very little electricity, an insufficient number of telephones, or functioning roads. Energy supplies were scarce. The clan and family structure also withered, where 25 percent of children died before their fifth birthday.[161] The Taliban leaders mistrusted Western NGOs that desired to help the civilian population, so aid was spotty. When the heads of three United Nations (UN) agencies protested that a female attorney from the UN High Commissioner for Refugees was required to speak behind a curtain so that Taliban leaders would not see her face, they were expelled.[162] When the UN added female Muslim staffers, the Taliban required a *mahram* or a blood relative to accompany them.[163] In July 1998, the Taliban closed all NGO offices in Kabul by force after the NGOs refused to move to the bombed-out Polytechnic College as they were ordered. The building had neither electricity nor running water.[164] As the price of food increased and conditions generally deteriorated, Planning Minister Qari Din Mohammed stated that "God the Almighty will feed everyone one way or another" and that the NGOs were leaving Afghanistan of their own choice.[165]

---

[154] John Sifton, *Blood-Stained Hands: Past Atrocities in Kabul and Afghanistan's Legacy of Impunity*, HUMAN RIGHTS WATCH (Jul. 6, 2005), *available at* https://www.hrw.org/report/2005/07/06/blood-stained-hands/past-atrocities-kabul-and-afghanistans-legacy-impunity#.

[155] *Id.*

[156] NEAMATOLLAH NOJUMI. THE RISE OF THE TALIBAN IN AFGHANISTAN: MASS MOBILIZATION, CIVIL WAR, AND THE FUTURE OF THE REGION (Palgrave 1st ed. 2002 1st ed.).

[157] AMIN SAIKAL, MODERN AFGHANISTAN: A HISTORY OF STRUGGLE AND SURVIVAL (I.B. Tauris & Co.1st ed. 2006).

[158] John Sifton, *Blood-Stained Hands: Past Atrocities in Kabul and Afghanistan's Legacy of Impunity*, HUMAN RIGHTS WATCH (Jul. 6, 2005), *available at* https://www.hrw.org/report/2005/07/06/blood-stained-hands/past-atrocities-kabul-and-afghanistans-legacy-impunity.

[159] AMIN SAIKAL, MODERN AFGHANISTAN: A HISTORY OF STRUGGLE AND SURVIVAL (I. B. Tauris & Co. 2006).

[160] Lindsay Maizland, *The Taliban in Afghanistan*, COUNCIL ON FOREIGN RELATIONS (Sep. 15, 2021), *available at* https://www.cfr.org/backgrounder/taliban-afghanistan.

[161] Robert Nichols, *Afghan Historiography: Classical Study, Conventional Narrative, National Polemic*, 3 HISTORY COMPASS 1 (Dec 21, 2005), *available at* https://doi.org/10.1111/j.1478-0542.2005.00141.x.

[162] AHMED RASHID, AHMED (2000), TALIBAN: MILITANT ISLAM, OIL AND FUNDAMENTALISM IN CENTRAL ASIA 65 (Yale University Press 2000).

[163] *Id.* at 71.

[164] ReliefWeb Staff, *MSF and Other Aid Organizations Evicted from Kabul*, RELIEFWEB (Jul. 21, 2998), *available at* https://reliefweb.int/report/afghanistan/msf-and-other-aid-organizations-evicted-kabul.

[165] Katherine Haddon, *Afghanistan Marks 10 Years Since War Started*, YAHOO! NEWS (Oct. 6, 2011), *available at* https://web.archive.org/web/20111010055026/http://news.yahoo.com/afghanistan-marks-10-years-since-war-started-211711851.html.

In Light of The American Departure From Afghanistan, Does Network-Centric Warfare Adequately Prepare The United States to Address Future Cyber Activities by The Taliban?

Overall, starting in 1994, the Taliban was financially supported by the Pakistani ISI.[166] According to Rashid, from 1994 to 1999, about 80,000 to 100,000 Pakistani trained and fought for the Taliban.[167] In 2000, the United Nations Security Council (UNSC) established an arms embargo against military support to the Taliban.[168] In 2001, about 30,000 Pakistani nationals fought for the Taliban.[169]

In 1996, in response to the Taliban, Ahmad Shah Massoud and Abdul Rashid Dostum, two former enemies, created the United Front, or the Northern Alliance. In 1998, after the battle for the northern city of Mazar-i-Sharif, Dostum was defeated and went into exile. Under Massoud, democratic institutions were created where women and girls were not forced to wear burqas and were permitted to work and attend school. The Taliban repeatedly offered Massoud to join them by enticing him to become the prime minister of Afghanistan. However, Massoud refused the offer, stating that he was fundamentally against the Afghan Emirate system.[170] In early 2001, Massoud and several Afghan leaders addressed the European Parliament, stating without the support from the Pakistani government and Osama Bin Laden, the Taliban were fundamentally a weak military and political force. On September 9, 2001, two days before the 9/11 attack on the World Trade Center in New York City, Massoud died in a helicopter, taking him to a hospital. Hundreds of thousands of his people attended his funeral.[171]

ATTACK ON SEPTEMBER 11, 2001, AND THE DAYS FOLLOWING

On September 11, 2001, the World Trade Center in New York City and the Pentagon in Washington, DC were attacked. There was also a highjacked airplane that crashed in Pennsylvania.[172] On September 20, 2001, President George W. Bush spoke in a joint session of Congress, blaming Al-Qaeda for the attack and that the Taliban supported the Al-Qaeda leadership. In the speech, Bush demanded that the Taliban (1) deliver all Al-Qaeda leaders to the United States, (2) release all unjustly imprisoned foreign nationals, (3) protect foreign journalists, diplomats, and aid workers, (4) close terrorist training camps, (5) hand over terrorists, and (6) allow the United States to inspect terrorist training camps.[173] The United States asked the international community to support a military effort to overthrow the Taliban. The UNSC was unwilling to authorize a military venture into Afghanistan, but the North Atlantic Treaty Organization (NATO) approved the campaign against Afghanistan as a self-defense response.[174] The Taliban ambassador to Pakistan responded by asking the United States for evidence that Osama Bin Laden was responsible for the attack and that Bin Laden be tried in an Afghan court.[175] There was no apparent compromise possible.

AMERICAN INVASION OF AFGHANISTAN (2001)

On October 7, 2001, the United States, with the help of the United Kingdom, Canada, and other countries, some of which were NATO members, began military action against the Taliban and Al-Qaeda.[176] The intent behind the campaign was to overthrow the Taliban and ensure that Afghanistan was not used as a base for terrorism.[177] On October 14, 2001, the Taliban proposed that discussions be held where bin Laden would be handed over to a neutral country in exchange for halting the bombing, presuming

---

[166] JEANNE K. GIRALDO, & HAROLD A. TRINKUNAS, TERRORISM FINANCING AND STATE RESPONSES : A COMPARATIVE PERSPECTIVE 96 (Stanford University Press 2007).

[167] Ahmed Rashid, *supra*, note 162.

[168] DANIEL BYMAN, DEADLY CONNECTIONS: STATES THAT SPONSOR TERRORISM 195 (Cambridge University Press 2005).

[169] EDWARD GIRARDET. KILLING THE CRANES: A REPORTER'S JOURNEY THROUGH THREE DECADES OF WAR IN AFGHANISTAN 416 (Chelsea Green Publishing. 2011).

[170] Piotr Balcerowicz, *The Last Interview with Ahmad Shah Masood*, HOJA BAHAUDDIN (early August 2001), *available at* https://web.archive.org/web/20060925043421/http://www.orient.uw.edu.pl/balcerowicz/texts/Ahmad_Shah_Masood_en.htm.

[171] John F. Burns, *Threats And Responses: Assassination; Afghans, Too, Mark a Day of Disaster: A Hero Was Lost*, THE NEW YORK TIMES (Sep. 9, 2002), *available at* https://www.nytimes.com/2002/09/09/world/threats-responses-assassination-afghans-too-mark-day-disaster-hero-was-lost.html.

[172] Peter L. Bergen, *September 11 Attacks*, ENCYCLOPEDIA BRITANNICA (n.d.), *available at* https://www.britannica.com/event/September-11-attacks.

[173] George W. Bush, *Text: President Bush Addresses the Nation*, THE WASHINGTON POST (Sep.20, 2001) *available at* https://www.washingtonpost.com/wp-srv/nation/specials/attacked/transcripts/bushaddress_092001.html.

[174] Press Release, NORTH ATLANTIC TREATY ORGANIZATION, *Statement by the North Atlantic Council* (Sep. 12, 2001), https://www.nato.int/docu/pr/2001/p01-124e.htm.

[175] John F. Burns, *A Nation Challenged: Last Chance; Taliban Refuse Quick Decision Over bin Laden*, THE NEW YORK TIMES (Sep. 18, 2001), *available at* https://www.nytimes.com/2001/09/18/world/a-nation-challenged-last-chance-taliban-refuse-quick-decision-over-bin-laden.html.

[176] CNN Staff, *Afghanistan Wakes After Night of Intense Bombings*, CABLE NEWS NETWORK (CNN) (Oct. 7, 2001), *available at* http://edition.cnn.com/2001/US/10/07/gen.america.under.attack/.

[177] George W. Bush, *Presidential Statement: Bush Announces Military Action Against Terrorist Infrastructure in Afghanistan*, CQ ALMANAC (Oct. 7, 2001), *available at* https://library.cqpress.com/cqalmanac/document.php?id=cqal01-106-6369-328096.

that the United States would provide evidence to the Taliban that bin Laden was involved with the attack of the United States.[178] The United States rejected this offer.

On November 9, 2001, Mazar-i-Sharif fell to the NATO coalition and the Northern Alliance with little resistance. In November 2001, and before the capture of Kunduz, the Pakistanis airlifted ISI military agents, military personnel, and other Taliban sympathizers out of Kunduz by the Pakistan Army to Pakistani airbases.[179] On the night of November 12, 2001, the Taliban abandoned Kabul, the capital of Afghanistan. On November 13, 2001, the Taliban also retreated from Jalalabad, and on November 15, 2001, the Taliban released eight Western aid workers. In December 2001, the Taliban relinquished Kandahar, their remaining stronghold, dispersing into the countryside.[180]

AMERICAN OCCUPATION OF AFGHANISTAN (2001 – 2021)

The United States military occupied Afghanistan for approximately 20 years. At first, Pashtun tribal chief, Hamid Karzai, was elected as the country's interim leader.[181] In December 2001, the Taliban were not invited to the Bonn Agreement because the United States did not want the Taliban to participate in the proceedings due to the Taliban's continued resurgence.[182] In 2003, the Taliban showed signs of a comeback and a restoration of an insurgence, proclaiming that they were prepared to conduct a guerrilla war against the United States.[183] On May 29, 2006, an American military truck in a convey lost control, killing one and injuring six people, resulting in a riot, where 20 people died, and 160 were injured.[184] The riot may have been caused by growing discontent with foreigners occupying Afghanistan.

In September 2007, then-President Karzai offered to conduct peace talks with the Taliban, but the United States resisted this effort, and the Taliban rejected the offer, citing the presence of foreign troops in the country.[185] By 2009, the Taliban had created a strong insurgency movement, known as Operation Al Faath, or *victory* from the Koran in the form of guerilla warfare. In December 2009, the Taliban offered to give the United States legal guarantees that Afghanistan would not be used to attack other countries. The United States did not respond.[186] In July 2016, it was reported that between 20 percent to 26 percent of Afghanistan was under the control of the Taliban.[187] [188] In August 2017, after the Taliban had killed 50 people in Kabul and President Trump stated that he wanted to win but also withdraw, the Taliban proclaimed that they would continue fighting to remove the foreign presence in their country.[189] On February 27, 2018, Afghan President Ashraf Ghani proposed unconditional peace talks with the Taliban, suggesting that they be recognized as a legal, political party and that Taliban prisoners be released.[190] The offer was quite favorable to the Taliban, and the Afghan population supported it because it involved a negotiated settlement.[191] On February 29, 2020, the United

[178] Guardian Staff, *Bush Rejects Taliban Offer to Hand Bin Laden Over*, THE GUARDIAN (Oct. 14, 2001), *available at* https://www.theguardian.com/world/2001/oct/14/afghanistan.terrorism5.

[179] Michael Moran, *The 'Airlift of Evil'*, NBC NEWS (Dec. 10, 2003), *available at* https://www.nbcnews.com/id/wbna3340165/.

[180] AHMED RASHID, DESCENT INTO CHAOS: THE UNITED STATES AND THE FAILURE OF NATION BUILDING IN PAKISTAN, AFGHANISTAN, AND CENTRAL ASIA. UNITED STATES, (Viking Press 2008).

[181] Editors of Encyclopedia Britannica, *Hamid Karzai: President of Afghanistan*, ENCYCLOPEDIA BRITANNICA (Dec. 20, 2021), *available at* https://www.britannica.com/biography/Hamid-Karzai.

[182] Julian Borger, *Bonn Conference Could Mark Formal Start of Afghan Peace Process*, THE GUARDIAN (Jun. 20, 2011), *available at* https://www.theguardian.com/world/julian-borger-global-security-blog/2011/jun/20/afghanistan-taliban-talks-bonn.

[183] Scott Baldauf, & Owais Tohid, *Taliban Appears to Be Regrouped and Well Funded*, THE CHRISTIAN SCIENCE MONITOR (May 8, 2003), *available at* http://www.csmonitor.com/2003/0508/p01s02-wosc.html.

[184] Pamela Constable, *U.S. Troops Fired at Mob After Kabul Accident*, THE SPOKESMAN-REVIEW (Jun. 6, 2006), *available at* https://www.spokesman.com/stories/2006/jun/01/us-troops-fired-at-mob-after-kabul-accident/.

[185] Saeed Ali Achakzai, *Taliban Reject Afghan President's Peace Talk Offer*, REUTERS (Sep. 30, 2007), *available at* https://www.reuters.com/article/us-afghan-talks-idUSISL26606720070930.

[186] Gareth Porter, *US Silent on Taliban's al-Qaeda Offer*, SOUTH ASIA (Dec. 17, 2009), *available at* https://web.archive.org/web/20091219213931/http://www.atimes.com/atimes/South_Asia/KL17Df02.html.

[187] Olivier Laurent, *When War Is Just Another Day in Afghanistan*, TIME (Jul. 8, 2016), *available at* https://time.com/4402071/afghanistan-war-everyday/.

[188] Ryan Browne, *Carter visits Afghanistan as Obama Plans Handoff of 15-Year War*, CABLE NEWS NETWORK (CNN) (Dec. 9, 2016), *available at* https://edition.cnn.com/2016/12/09/politics/ash-carter-afghanistan-visit/index.html.

[189] James Griffiths, *Trump Calls Out Pakistan, India as He Pledges to 'Fight to Win' in Afghanistan*, CABLE NEWS NETWORK (CNN) (Aug. 24, 2017), *available at* https://edition.cnn.com/2017/08/21/politics/trump-afghanistan-pakistan-india/index.html.

[190] James Rothwell, Mohammad Zubair Khan, & Bilal Sarwary, *Taliban Holds 'Informal' Talks with Afghanistan*, THE TELEGRAPH (Oct. 18, 2016), *available at* https://www.telegraph.co.uk/news/2016/10/18/taliban-holds-informal-peace-talks-with-afghanistan/.

[191] *Id.*

In Light of The American Departure From Afghanistan, Does Network-Centric Warfare Adequately Prepare The United States to Address Future Cyber Activities by The Taliban?

States and the Taliban signed a peace agreement entitled the *Agreement for Bringing Peace to Afghanistan* in Doha, Qatar, where all American and NATO troops leave Afghanistan and the Taliban would not permit Al Qaeda to operate within the country.[192]

AMERICAN DEPARTURE FROM AFGHANISTAN (2021)

The American and NATO departure from Afghanistan was anything but orderly. Between March 1, 2020, and April 15, 2020, the Taliban conducted more than 4,500 attacks in the 45 days after signing the agreement.[193] As of July 23, 2021, the Taliban controlled more than half of Afghanistan's districts.[194] By mid-August 2021, the Taliban controlled all major cities in Afghanistan, including Kabul and the Presidential Palace. President Ashraf Ghani fled to the United Arab Emirates (UAE), where he was given asylum, as confirmed by the UAE Ministry of Foreign Affairs and International Cooperation on August 18, 2021.[195] The remaining Afghan forces under Amrullas Saleh, Amhad Massoud, and Bismillah Khan Mohammadi retreated to the northern province of Panjshir to continue to fight against the Taliban.[196]

The American withdrawal from Afghanistan was chaotic. In mid-April 2020, President Biden proclaimed mission accomplished in Afghanistan and that all American troops would leave the country by September 11, 2020, nineteen years to the day that a terrorist attack destroyed the World Trade Center.[197] President Biden later moved up the departure date to August 31, 2020.[198] President Biden also said that after approximately 20 years of war, the United States military could not transform Afghanistan into a stable democracy.[199]

At night on July 1, 2020, the United States military left the Bagram Air Base in Afghanistan without alerting the base's new Afghan commander.[200] The new commander discovered the American departure more than two hours later.[201] The other airport in Kabul was the Hamid Karzai International Airport which was not defensible from attack, in contrast to the Bagram Air Base, which was abandoned. There was a public outcry from Democrats and Republicans alike regarding how President Biden had withdrawn the troops.[202] The result was that there was no mass evacuation of Afghanistan of the Afghan people who had helped the United States.[203] According to Brufke, between 10,000 and 40,000 Americans were living in Afghanistan at the time.[204] During the six weeks leading up to the American withdrawal from Afghanistan on August 31, 2020, approximately 124,000 Americans and others were evacuated from Afghanistan.[205]

[192] Shereena Qazi, *Afghanistan's Taliban, US Sign Agreement Aimed at Ending War*, AL JAZEERA (Feb. 29, 2020), available at https://www.aljazeera.com/news/2020/2/29/afghanistans-taliban-us-sign-agreement-aimed-at-ending-war.

[193] Hamid Shalizi, Abdul Qadir Sediqi, Rupam Jain, *Taliban Step Up Attacks on Afghan Forces Since Signing U.S. Deal: Data*, REUTERS (May 1, 2020), *available at* https://www.reuters.com/article/us-health-coronavirus-afghanistan-taliba/taliban-step-up-attacks-on-afghan-forces-since-signing-u-s-deal-data-idUSKBN22D5S7.

[194] Bill Roggio, *Taliban Squeezes Afghan Government by Seizing Key Border Towns*, FDD'S LONG WAR JOURNAL (Jul. 9, 2021), *available at* https://www.longwarjournal.org/archives/2021/07/taliban-squeezes-afghan-government-by-seizing-key-border-towns.php.

[195] Ava Batrway, *Afghan President Latest Leader on the Run to Turn Up in UAE*, ASSOCIATED PRESS NEWS (Aug. 19, 2021), available at https://apnews.com/article/europe-middle-east-39610b0102a926c1a573da3d6feb0eea.

[196] Emma Graham-Harrison, *'Panjshir Stands Strong': Afghanistan's Last Holdout Against the Taliban*, THE GUARDIAN (Aug. 18, 2021), *available at* https://www.theguardian.com/world/2021/aug/18/panjshir-stands-strong-afghanistans-last-holdout-against-the-taliban.

[197] David Zucchino, *The U.S. War in Afghanistan: How It Started, and How It Ended*, THE NEW YORK TIMES (Oct. 7, 2021), *available at* https://www.nytimes.com/article/afghanistan-war-us.html.

[198] *Id.*

[199] *Id.*

[200] John McCormack, *Why Did the United States Abandon Bagram Airfield?*, NATIONAL REVIEW (Aug. 18, 2021), *available at* https://www.nationalreview.com/2021/08/why-did-the-united-states-abandon-bagram-airfield/.

[201] *Id.*

[202] Barbara Sprunt, *There's A Bipartisan Backlash To How Biden Handled The Withdrawal From Afghanistan*, NATIONAL PUBLIC RADIO (Aug. 17, 2021), *available at* https://www.npr.org/2021/08/16/1028081817/congressional-reaction-to-bidens-afghanistan-withdrawal-has-been-scathing.

[203] Zolan Kanno-Youngs, & Annie Karni, *Series of U.S. Actions Left Afghan Allies Frantic, Stranded and Eager to Get Out*, THE NEW YORK TIMES (Aug. 29, 2021), *available at* https://www.nytimes.com/2021/08/18/us/politics/afghanistan-refugees.html.

[204] Juliegrace Brufke, *supra*, note 122.

[205] Associated Press, *EXPLAINER: What Happened to the Afghanistan Evacuation?*, U.S. NEWS AND WORLD REPORT (Nov. 26, 2021), *available at* https://www.usnews.com/news/politics/articles/2021-11-26/explainer-what-happened-to-the-afghanistan-evacuation.

In Light of The American Departure From Afghanistan, Does Network-Centric Warfare Adequately Prepare The United States to Address Future Cyber Activities by The Taliban?

After August 31, 2020, there has only been a trickle of people leaving Afghanistan.[206] One result of the American departure is that critics of the withdrawal proclaimed that the United States left approximately $83 billion was spent in Afghanistan.[207] Kessler observed that only $75 billion of the $83 billion had been dispersed from 2002 to June 30, 2021.[208] Not all of the money that was dispersed was spent on military equipment.[209] President Biden justified the withdrawal when he said that he did not see a way to leave Afghanistan without some amount of chaos resulting from the withdrawal.[210] Even so, some of President Biden's critics in Congress and the media disagreed with the assessment.[211]

SECOND ISLAMIC EMIRATE OF AFGHANISTAN (2021 AND BEYOND)

As of the writing of this article, the second Islamic Emirate of Afghanistan is a reality. In an interview, Lucas and Rafi aptly observed that the Taliban is not a homogeneous organization.[212] Some parts of the Taliban want the organization to rule Afghanistan in the light of modern realities, whereas other parts of the Taliban want to return to the Taliban policies of the 1990s.[213] How this conflict will play out in the future is an open question. One thing is for sure. With the exodus of tens of thousands of Afghans, it is unlikely that the Taliban will have the expertise to create an effective government, at least in the short term.

In the Taliban's efforts to remove the Islamic State from the country, their efforts have become increasingly brutal.[214] According to Clarke and Schroden, suspected members of the Islamic State have been hung in public or beheaded.[215] These tactics are ruthless, but the question is whether these practices are working.[216] The Taliban's current issue is forming an effective government, ensuring stability, and addressing a collapsing economy and ever-decreasing social services.[217] The problem facing the Taliban is transforming itself from an insurgency organization into a governing body.

The longer it takes the Taliban to defeat the insurgent Islamic State, the greater the threat to its newfound position as rulers of Afghanistan.[218] The Islamic State may posture itself as a jihadist movement and a government. The other issue confronting the Taliban is that the more time and resources they expend on the Islamic State, the fewer time and resources the Taliban have to create a government. According to Clarke and Schroden, the Taliban may be forced by circumstances to modify their approach to the Islamic State to avoid an economic collapse.[219] The Taliban will have to decide what to do and the means for achieving what they want to happen.

IS THE UNITED STATES OF AMERICA ADEQUATELY PREPARED?

This section of the paper is divided by the different types of organizations and their preparedness for a cyber attack. However, before addressing the various categories of institutions from a cyber perspective, it is essential to understand what it means to be prepared adequately from a network-centric point of view.

---

[206] *Id.*

[207] Glenn Kessler, *No, the Taliban Did Not Seize $85 Billion of U.S. Weapons*, THE WASHINGTON POST (Aug. 31, 2021), *available at* https://www.washingtonpost.com/politics/2021/08/31/no-taliban-did-not-seize-83-billion-us-weapons/.

[208] SIGAR Staff, *Section 2 Reconstruction Update*, SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION 29 (Jul. 30, 2021), available at https://www.sigar.mil/pdf/quarterlyreports/2021-07-30qr-section2-funding.pdf#Page=9.

[209] Glenn Kessler, *supra*, note 207.

[210] Zolan Kanno-Youngs, & Annie Karni, *supra*, note 203.

[211] *Id.*

[212] Converstation Staff, *What's Next for Afghanistan? Two Experts Make Predictions*, THE CONVERSATION (Nov. 30, 2021), *available at* https://theconversation.com/whats-next-for-afghanistan-two-experts-make-predictions-170684.

[213] *Id.*

[214] Colin Clarke, & Jonathan Schroden, *Brutally Ineffective: How the Taliban Are Failing in Their New Role as Counter-Insurgents,* WAR ON THE ROCKS (Nov. 19, 2021), *available at* https://warontherocks.com/2021/11/brutally-ineffective-how-the-taliban-are-failing-in-their-new-role-as-counter-insurgents/.

[215] *Id.*

[216] *Id.*

[217] *Id.*

[218] *Id.*

[219] *Id.*

In Light of The American Departure From Afghanistan, Does Network-Centric Warfare Adequately Prepare The United States to Address Future Cyber Activities by The Taliban?

MEANING OF ADEQUATE PREPARATION

The Boy Scout motto is: "Be Prepared!"[220] Adequate preparation means that one is in a state of readiness to perform a particular act.[221] Adequate preparedness is being as suitable as necessary for a specific requirement or purpose.[222] The term can also be interpreted to mean barely sufficient, appropriate, or acceptable.[223] In the law, adequate preparedness is equivalent to being reasonably able to begin legal action.[224] Regarding cyber operations, proper preparation implies that a country, corporation, or individual can effectively ward off a cyberattack while at the same time suffering a fraction of cyber damages.[225]

ADEQUATE PREPARATION FOR INDIVIDUALS

Individuals are natural persons that typically lack the financial resources to purchase extensive protection of their computers and cyber assets. Individuals usually buy off-the-shelf Internet security packages such as Norton Anti-Virus, McAfee Total Protection, or Kaspersky Total Security. These security packages cost less than $200.00 and are within the budgets of most individual users. Of course, some cybersecurity packages are better than others because an application can detect unwarranted intrusions and then nullify the adverse effects of the malware.

Individuals are at the mercy of the software security systems they buy for their computers regarding cyber espionage, cyber terrorism, and cyber warfare. A genuine issue for individuals is that with the advent of the Internet of Things, many products today that connect to the Internet are sorely lacking in cybersecurity. For example, computer systems whose purpose is to monitor babies when left alone in their rooms have been known to be hijacked by malicious hackers who intend to disrupt the lives of the child's parents. Another example is the burgeoning use of intelligent assistants such as Amazon's Echo or Google's Home companions. These Internet-connected devices are becoming prevalent in people's homes and with little or no programmed cybersecurity applications. Cybercriminals or even cyber joyriders can potentially hack these machines.

A third example is smartphones. Edward Snowden was recently interviewed, wherewith the use of an international mobile subscriber identity-catcher (IMSI-catcher), he was able to turn on the front and rear cameras, as well as the microphone of a cell phone that was in possession of a Vice reporter, located 6,000 miles away from Russia where Snowden was residing.[226] The reporter's cell phone was physically turned off at the time.[227] The interview demonstrated quite vividly that a user could never really turn off many cell phones unless the individual physically removes the battery from the device.[228] In other words, if there is no power, there is no signal and hence no transmission or reception of data.[229]

ADEQUATE PREPARATION FOR COMPANIES AND CORPORATIONS

Cybersecurity is anathema to companies. Although corporations have no desire to have their records hacked or stolen by foreign governments or other corporations as part of a corporate espionage effort, American companies have expressed their unwillingness to share their cyber detection and intrusion information with federal, state, and local governments. The reason is that once it is acknowledged that a company has been hacked and its records have been stolen, an organization typically suffers a temporary and sometimes permanent decline in its stock price. In the United States, since *Dodge v. Ford Motor Company* was decided nearly a century ago, the purpose of a corporation is to maximize shareholder value.[230] In simple terms, it means to ensure that a company's stock price does not drop dramatically for any reason. Of course, stocks can decline for business reasons, but a cyber attack is not a business reason in any sense of the word.

---

[220] *Boy Scout Oath, Law, Motto and Slogan and the Outdoor Code*, US SCOUTING SERVICE PROJECT (n.d.), *available at* http://usscouts.org/advance/ScoutsBSA/oathlaw.asp. The Boy Scout web site contains the changes made to the principles of Scouting after January 01, 2019.

[221] *See generally*, *Adequate Preparedness*, MERRIAM-WEBSTER DICTIONARY (n.d.), *available at* https://www.merriam-webster.com/dictionary/preparedness.

[222] *Id.*

[223] *See generally*, *Adequate Preparedness*, THE LAW DICTIONARY FEATURING BLACK'S LAW DICTIONARY (n.d.), *available at* https://thelawdictionary.org/adequate-preparation/.

[224] *Id.*

[225] The Cadmus Group LLC, *Cybersecurity Prepardedness Evaluation Tool*, NATIONAL ASSOCIATION OF REGULATORY UNITITY COMMISSIONERS (Jun. 2019), *available at* https://pubs.naruc.org/pub/3B93F1D2-BF62-E6BB-5107-E1A030CF09A0.

[226] *'State of Surveillance' with Edward Snowden and Shane Smith (VICE on HBO: Season 4, Episode 13)*, YOUTUBE.COM (January 08, 2016), *available at* https://www.youtube.com/watch?v=ucRWyGKBVzo.

[227] *Id.*

[228] *Id.*

[229] *Id.*

[230] *Dodge v. Ford Motor Company*, 204 Mich. 459 (1919).

In Light of The American Departure From Afghanistan, Does Network-Centric Warfare Adequately Prepare The United States to Address Future Cyber Activities by The Taliban?

The practical effect of such shortsightedness is that many companies have suffered cyber attacks of mammoth proportions. Firms such as Marriot Hotels, Target, Home Depot, Equifax, Delta Airlines, Best Buy, FedEx, K-Mart, Sears & Roebuck, Macy's, just to name a few, have all been victims of cyber attacks in the recent past. Based on various analyses of these attacks, it is readily apparent that American companies are woefully unprepared to deal effectively with adverse cyber operations. The primary reason why these companies are the target of cyberattacks is apparent. These firms are bastions of economic and financial data of customer information. It is like robbing a bank. The reason to rob a bank is that a bank is where the money is. Similarly, confidential personal information of customers has monetary value, and hence from a hacker's perspective, it makes good economic sense to attack major American corporations.

Why does a corporation not vigorously act to protect its data? The reasons are deeply rooted in *Dodge v. Ford*.[231] The purpose of a company is to maximize shareholder value, or in economic terms, to maximize profits. Some senior executives do not necessarily appreciate that profit maximization is logically equivalent to cost minimization. Because companies do not readily perceive increased earnings from investing in cybersecurity, the activity usually plays second fiddle to more profit-making behaviors such as introducing, marketing and selling new or existing products.

This lack of forethought can be freely observed when examining products' security features, commonly known as the Internet of Things (IoT). The security software is typically stamped into the device where the individual owner does not have the technical expertise to change default passwords or implement additional safeguards, or the machine is merely devoid of a mechanism to make the appropriate security changes. The result is that Internet-connected devices are fast becoming like walking zombies, ready, willing, and able to do the bidding of their hacking masters.

ADEQUATE PREPARATION FOR GOVERNMENTS

The problem with determining whether governments are adequately prepared to cope with cyber operations is that once a government discloses to the public that it can repel a cyberattack, its ability to fend off a future attack is severely compromised. An opponent, albeit a private organization or a nation-state, can glean valuable information from the fact that a country has successfully mitigated a cyber attack. The truth is that only government officials with the need to know have the requisite knowledge to categorically state whether their country is adequately prepared to address an adverse cyber operation. Citizens of nations are rarely if ever, privy to state secrets. Governments must impose the utmost secrecy regarding their cyber operational capability regarding cyberattacks. This author cannot answer whether the United States government is adequately prepared because he lacks the necessary security clearance. Even if this author had the security clearance to answer the question affirmatively, it would be a felony to do so, resulting in years of imprisonment in a federal correctional facility. With that said, it is a sincere hope that the United States has prepared much more than adequate to combat any future cyber-attack, given that it spends over $700 billion annually on military expenditures.

CONCLUSION

The issue under consideration was whether network-centric warfare has adequately prepared the United States to deal with the cyber activities of the Taliban. Currently, the Taliban is consolidating their political power in Afghanistan, where their apparent major rival is the Islamic State. Another rival to the Taliban is the forces under Amrullas Saleh, Amhad Massoud, and Bismillah Khan Mohammadi in the northern province of Panjshir. Likely, the Taliban does not pose a cyber threat to the United States in the short term. On the other hand, as the Taliban consolidate their power within Afghanistan, there is a probability that technically savvy members of the organization will engage in cyber activities against the United States. This situation implies that individuals, corporations, and the state and federal governments have breathing room to improve their preparedness. Whether they take this time to solidify their preparedness is an open question. It can be safely presumed that some organizations will prepare thoroughly, some entities will prepare adequately, some groups will prepare minimally, and some persons (natural or otherwise) will not prepare at all.

Will the Taliban attack the United States employing cyber tools? In this world of the Internet, the one sure thing is that a cyber-attack can come from anywhere. Thus, constant vigilance is the order of the day. Nothing short of this will suffice.

REFERENCES:
1) Lindsay Maizland, The Taliban in Afghanistan, THE COUNCIL OF FOREIGN RELATIONS (Sep. 15, 2021), available at https://www.cfr.org/backgrounder/taliban-afghanistan.
2) Press Release, SEN. MARCO RUBIO, Rubio Introduces Bill to Designate Taliban As a Foreign Terrorist Organization (Sep. 15, 2021), https://www.rubio.senate.gov/public/index.cfm/2021/9/rubio-introduces-bill-to-designate-taliban-as-a-foreign-terrorist-organization.

---

[231] *Id.*

In Light of The American Departure From Afghanistan, Does Network-Centric Warfare Adequately Prepare The United States to Address Future Cyber Activities by The Taliban?

3) MICHAEL N. SCHMITT (GEN. ED.), TALLINN MANUAL 2.0 ON THE INTERNATIONAL LAW APPLICABLE TO CYBER OPERATIONS (Cambridge University Press 2017).

4) RICHARD A. CLARKE, & ROBERT K. KNAKE, CYBER WAR: THE NEXT THREAT TO NATIONAL SECURITY AND WHAT TO DO ABOUT IT (HarperCollins Publishers 2010).

5) Patrick Clark, The Hotel Hackers Are Hiding in the Remote Control Curtains, BLOOMBERG BUSINESSWEEK (Jun. 26, 2019), available at https://www.bloomberg.com/news/features/2019-06-26/the-hotel-hackers-are-hiding-in-the-remote-control-curtains.

6) JENS DAVID OHLIN, KEVIN GOVERN, & CLAIRE FINKELSTEIN, CYBERWAR: LAW AND ETHICS FOR VIRTUAL CONFLICTS (Oxford University Press 2015).

7) UNITED STATES DEPARTMENT OF DEFENSE, LAW OF ARMED CONFLICT DESKBOOK (CreateSpace Independent Publishing Platform 16th ed. Aug. 17, 2018).

8) Jens David Ohlin, Kevin Govern, & Claire Finkelstein, supra, note 11.

9) Donald L. Buresh, Russian Cyber-Attacks on Estonia, Georgia, and Ukraine Including Tactics, Techniques, Procedures, and Effects, 1 JOURNAL OF ADVANCED FORENSIC SCIENCES 2, 15-26 (Aug. 2021), available at DOI: 10.14302/issn.2692-5915.jafs-21-3930.

10) LIANG QIAO, & XIANGSUI WANG, UN-RESTRICTED WARFARE (Echo Point Books & Media 1999).

11) Jens David Ohlin, Kevin Govern, & Claire Finkelstein, supra, note 11.

12) THOMAS RID, CYBER WAR WILL NOT TAKE PLACE (Oxford University Press 2013).

13) Michael A. Warren,   (Nov. 2010) (unpublished Master of Science thesis, Ohio University), available at https://etd.ohiolink.edu/apexprod/rws_etd/send_file/send?accession=ohiou1289446353&disposition=inline.

14) Thomas Rid, supra, note 18.

15) Parliamentary Office Staff, Assessing the Risk of Terrorist Attacks on Nuclear Facilities, PARLIAMENTARY OFFICE OF SCIENCE AND TECHNOLOGY (Jul. 2004), available at
https://www.parliament.uk/globalassets/documents/post/postpr222.pdf.

16) Oona A. Hathaway, Rebecca Crootof, Philip Levitz, Haley Nix, Aileen Nowlan, William Perdue, & Julia Spiegel, The Law of Cyber Attack, 100 CALIFORNIA LAW REVIEW 4, 817-85 (Aug. 2012), available at https://www.jstor.org/stable/23249823.

17) Thomas Rid, supra, note 18.

18) Catalin Cimpanu, New Iranian Data Wiper Malware Hits Bapco, Bahrain's National Oil Company, ZDNET (Jan. 09, 2020), available at https://www.zdnet.com/article/new-iranian-data-wiper-malware-hits-bapco-bahrains-national-oil-company/.

19) Thomas Rid, supra, note 16.

20) NIST Staff, Red Team, COMPUTER SECURITY RESOURCE CENTER (n.d.), available at https://csrc.nist.gov/glossary/term/red_team.

21) Thomas Rid, supra, note 18.

22) Id.

23) ROBERT W. TAYLOR, TORI J. CAETI, D. KALL LOPER, ERIC J. FRITSCH, & JOHN LIEDERBACH, DIGITAL CRIME AND DIGITAL TERRORISM (Pearson Education, Inc. 2006).

24) Peter W. Singer, The Cyber Terror Bogeyman, BROOKINGS INSTITUTE (Nov. 01, 2012), available at https://www.brookings.edu/articles/the-cyber-terror-bogeyman/.

25) Marin Ivezic, The World of Cyber-Physical Systems & Rising Cyber-Kinetic Risks, MARIN IVEZIC (Mar. 31, 2015), available at https://cyberkinetic.com/cyber-kinetic-security/cyber-kinetic-risks/.

26) HEDIEH NASHERI, ECONOMIC ESPIONAGE AND INDUSTRIAL SPYING (Cambridge University Press 2005).

27) Lee Rainie, Janna Anderson, & Jennifer Connolly, Cyber Attacks Likely to Increase, PEW RESEARCH CENTER (Oct. 29, 2014), available at https://www.pewresearch.org/internet/2014/10/29/cyber-attacks-likely-to-increase/.

28) BRANDON VALERIANO, & RYAN C. MANESS, CYBER WAR VERSUS CYBER REALITIES: CYBER CONFLICT IN THE INTERNATIONAL SYSTEM (Oxford University Press 2015).

29) Foreign Cyber Threats to the United States, HEARING BEFORE THE COMMITTEE ON ARMED SERVICES: UNITED STATES SENATE ONE HUNDRED FIFTEENTH CONGRESS FIRST SESSION (Jan. 05, 2017), available at https://www.govinfo.gov/content/pkg/CHRG-115shrg33940/html/CHRG-115shrg33940.htm.

30) Donald L. Buresh, A Critical Evaluation of the Estonian Cyber Incident, 1 JOURNAL OF ADVANCED FORENSIC SCIENCES 2, 7-14 (Nov. 03, 2020), available at DOI 10.14302/issn.2692-5915.jafs-20-3601.

31) Michael N. Schmitt, supra, note 3.

32) RICHARD STIENNON, THERE WILL BE CYBERWAR: HOW TO MOVE TO NETWORK-CENTRIC WARFIGHTING SET THE STAGE FOR CYBERWAR (IT-Harvard Press 2015).

33) Richard A. Clarke, & Robert K. Knake, supra, note 6.

34) Thomas Rid, supra, note 18.

35) Matthew Weaver, Teenage Hackers Motivated by Morality Not Money, Study Finds, THE GUARDIAN (Apr. 21, 2017), available at https://www.theguardian.com/society/2017/apr/21/teenage-hackers-motivated-moral-crusade-money-cybercrime.

36) SUSAN W. BRENNER, CYBERCRIME: CRIMINAL THREATS FROM CYBERSPACE (Praeger 2010).

37) Jens David Ohlin, Kevin Govern, & Claire Finkelstein, supra, note 11.

38) Darien Pun, Rethinking Espionage in the Modern Era, 18 CHICAGO JOURNAL OF INTERNATIONAL LAW. 1, 353-91 (Jul. 2017), available at https://chicagounbound.uchicago.edu/cjil/vol18/iss1/10/.

39) Thomas Rid, supra, note 18.

40) Alex Schmid, Terrorism - The Definitional Problem, 36 CASE WESTERN RESERVE JOURNAL OF INTERNATIONAL LAW 2, 375-419 (2004), available at
https://scholarlycommons.law.case.edu/cgi/viewcontent.cgi?article=1400&context=jil.

41) Matthew J. Littleton, INFORMATION AGE TERRORISM: TOWARD CYBERTERROR, (Dec. 1995) (unpublished Master of Science thesis, Naval Postgraduate School), available at
https://fas.org/irp/threat/cyber/docs/npgs/terror.htm#TOC.

42) FRED KAPLAN, DARK TERRITORY: THE SECRET HISTORY OF CYBER WAR (Simon & Schuster 2016).

43) Thomas Rid, supra, note 18.

44) Shamsuddin Abdul Jalil, Countering Cyber Terrorism Effectively: Are We Ready To Rumble?, SANS INSTITUTE (Jun. 2003), available at https://www.giac.org/paper/gsec/3108/countering-cyber terrorism-effectively-ready-rumble/105154#:~:text=The%20most%20common%20objective%20of,on%20particular%20targets%20%5B2%5D.

45) Jordan Robertson, Is There Really a Cyberwar? Term Might Be Misused, PHYS.ORG (May 05, 2010), available at https://phys.org/news/2010-05-cyberwar-term-misused.html.

46) Chris Colvin, Daniel B. Garrie, & Siddartha Rao, Cyber Warfare and the Corporate Environment, 2 JOURNAL OF LAW & CYBER WARFARE 1, 1-24 (Spring 2013), available at https://www.jstor.org/stable/26441239.

47) Paul Strassman, Asymmetric Cyberwarfare Demands a New Information Assurance Approach, ARMED FORCES COMMUNICATIONS AND ELECTRONICS ASSOCIATION (Jul. 01, 2013), available at https://www.afcea.org/content/asymmetric-cyberwarfare-demands-new-information-assurance-approach.

48) Chris Colvin, Daniel B. Garrie, & Siddartha Rao, supra, note 73.

49) FREDERICK A. HAYEK, LAW, LEGISLATION AND LIBERTY: A NEW STATEMENT OF THE LIBERAL PRINCIPLES OF JUSTICE AND POLITICAL ECONOMY (Routledge Classics 2012).

50) William Owens, The Emerging U.S. System of Systems, INSTITUTE FOR NATIONAL STRATEGIC STUDIES, 63 (Feb. 1996), available at http://www.dtic.mil/get-tr-doc/pdf?AD=ADA394313.

51) Corporate Initiatives Group, C4ISR Forward . . . A Vision of the Future. SAN DIEGO, CALIFORNIA: NAVAL COMMAND (Jul. 1997), available at https://www.dtic.mil/dtic/tr/fulltext/u2/a434155.pdf.

52) Arthur K. Cebrowski, & John H. Garstka, Network-Centric Warfare - Its Origin and Future, UNITED STATES NAVAL INSTITUTE (Jan. 1998), available at https://www.usni.org/magazines/proceedings/1998/january/network-centric-warfare-its-origin-and-future.

53) DAVID ALBERTS, JOHN GARSTKA, & FREDERICK STEIN, NETWORK CENTRIC WARFARE: DEVELOPING AND LEVERAGING INFORMATION SUPERIORITY (Department of Defense: Command and Control Research Program 2nd. ed. 2003), available at http://www.dodccrp.org/files/Alberts_NCW.pdf.

54) DAVID ALBERTS, JOHN GARSTKA, RICHARD HAYES, R., & DAVID A. SIGNORI, UNDERSTANDING INFORMATION AGE WARFARE (Department of Defense: Command and Control Research Program 2001), available at https://www.voltairenet.org/IMG/pdf/Understanding_Information_Age_Warfare-2.pdf.

55) DAVID ALBERTS, JOHN GARSTKA, RICHARD HAYES, R., & DAVID A. SIGNORI, UNDERSTANDING INFORMATION AGE WARFARE (Department of Defense: Command and Control Research Program 2001), available at https://www.voltairenet.org/IMG/pdf/Understanding_Information_Age_Warfare-2.pdf.

56) DAVID S. ALBERTS, INFORMATION AGE TRANSFORMATION: GETTING TO A 21ST CENTURY MILITARY (Department of Defense: Command and Control Research Program 2002), available at http://dodccrp.org/files/Alberts_IAT.pdf

57) MARIUS VASSILIOU, DAVID S. ALBERTS, & JONATHAN R. AGRE, C2 RE-ENVISIONED: THE FUTURE OF THE ENTERPRISE (Chemical Rubber Company Press 2015).

58) Clay Wilson, Network Centric Operations: Background and Oversight Issues for Congress, CONGRESSIONAL RESEARCH SERVICE (Mar. 15, 2007), available at
https://www.researchgate.net/publication/235121618_Network_Centric_Operations_Background_and_Oversight_Issues_for_Congress.

59) MICHAEL E. WHITMAN, & HERBERT J. MATTORD, PRINCIPLES OF INFORMATION SECURITY (Cengage Learning 2016).

60) Gustavus J. Simmons, Symmetric and Asymmetric Encryption, 11 ACM COMPUTING SURVEYS 4, 305-30 (Dec. 1979), available at https://doi.org/10.1145/356789.356793.

61) Id.

62) RYAN RUSSELL, TIMOTHY MULLEN, & JOHNNY LONG, STEALING THE NETWORK: THE COMPLETE SERIES COLLECTOR'S EDITION (Elsevier Publishing 2009), available at
https://books.google.com/books?id=4csyeZaEP4cC&pg=PA651&lpg=PA651&dq=stealing+a+computer+that+uses+asymmetric+encryption&source=bl&ots=tJLyiwwBiI&sig=ACfU3U1y2COvwBkp5fsPZwhdcuYDacPSww&hl=en&sa=X&ved=2ahUKEwjbzs2kwrbyAhWKbs0KHXU3Ck4Q6AF6BAg5EAM#v=onepage&q=stealing%20a%20computer%20that%20uses%20asymmetric%20encryption&f=false.

63) DAVID MOWRY, GERMAN CIPHER MACHINES OF WORLD WAR II (National Security Agency: Center for Cryptologic History rev. ed. 20014), available at https://www.nsa.gov/Portals/70/documents/about/cryptologic-heritage/historical-figures-publications/publications/wwii/german_cipher.pdf.

64) Gustavus J. Simmons, supra, note 97.

65) Henry Kamradt, & Douglas MacDonald, The Implications of Network-Centric Warfare for United States and Multinational Military Operations, UNITED STATES NAVAL WAR COLLEGE (Dec. 31, 1998), available at https://apps.dtic.mil/sti/pdfs/ADA430553.pdf.

66) Clay Wilson, supra, note 90.

67) KIMBERLY S. YOUNG, & CRISTIANO NABUCO, DE ABREU (EDS.), INTERNET ADDICTION: A HANDBOOK AND GUIDE TO EVALUATION AND TREATMENT (John Wiley & Sons, Inc. 2011), available at http://www.ssu.ac.ir/cms/fileadmin/user_upload/Moavenatha/MBehdashti/ravan/pdf/faaliyatha/pptfiles/INTERNET_ADDICTION.pdf#page=39

68) Henry Kamradt, & Douglas MacDonald, supra, note 102.

69) Joseph H. Scherrer, Risks and Vulnerabilities of Network-Centric Forces: Insights from the Science of Complexity, NAVAL WAR COLLEGE (Feb. 03, 2003), available at https://apps.dtic.mil/sti/citations/ADA415474.

70) Clay Wilson, supra, note 90.

71) David L. Peeler, Jr., & Michael P. Dahlstrom, Network Centric Warfare: Advantages and Disadvantages, STRATEGIC IMPACT NO. 3 (2003), available at https://www.proquest.com/openview/364a2a648a2241267b93979755e55788/1?pq-origsite=gscholar&cbl=1876337.

72) Joseph H. Scherrer, supra, note 113.

73) Clay Wilson, supra, note 90.

74) David L. Peeler, Jr., & Michael P. Dahlstrom, supra, note 115.

75) Terri Moon Cronk, Biden Announces Full U.S. Troop Withdrawal from Afghanistan by Sept. 11, UNITED STATES DEPARTMENT OF DEFENSE (Apr. 14, 2021), available at
https://www.defense.gov/Explore/News/Article/Article/2573268/biden-announces-full-us-troop-withdrawal-from-afghanistan-by-sept-11/.

76) Madeleine Ngo, Biden Defends Decision to Pull Out of Afghanistan, THE NEW YORK TIMES (Aug. 18, 2021), available at https://www.nytimes.com/live/2021/08/16/us/politics-news.

77) Paul D. Shrinkman, Chaos, Violence at Kabul Airport as U.S. Tries to Complete Afghanistan Evacuation, U.S. NEWS & WORLD REPORT (Aug. 16, 2021), available at https://www.usnews.com/news/world-report/articles/2021-08-16/chaos-violence-at-kabul-airport-as-us-tries-to-complete-afghanistan-evacuation.

78) Juliegrace Brufke, Biden team vague on evacuating Americans, allies from Afghanistan after Aug. 31, THE NEW YORK POST (Aug. 17, 2021), available at https://nypost.com/2021/08/17/biden-team-vague-on-evacuating-americans-allies-from-afghanistan/.

79) Mark Moore, David Petraeus calls Afghanistan a 'Dunkirk Moment', THE NEW YORK POST (Aug. 17, 2021), available at https://nypost.com/2021/08/17/david-petraeus-calls-afghanistan-a-dunkirk-moment/.

80) Miriam Jordan, Thousands Who Helped the U.S. in Afghanistan Are Trapped. What Happens Next?, THE NEW YORK TIMES (Aug. 16, 2021), available at https://www.nytimes.com/2021/08/16/us/afghanistan-visa-refugees-us.html.

81) Robert Clark, As NATO Allies Flounder, British Troops Are Leading by Example at Kabul Airport, THE TELEGRAPH (Aug. 18, 2021), available at https://www.telegraph.co.uk/news/2021/08/19/nato-allies-flounder-british-troops-leading-example-kabul-airport/.

82) James R. Webb, As US Military Sticks to Airport, British and French Forces Are Rescuing their Citizens in Kabul: Reports, MILITARY TIMES (Aug. 19, 2021), available at https://www.militarytimes.com/flashpoints/afghanistan/2021/08/19/as-us-military-sticks-to-airport-british-and-french-forces-are-rescuing-their-citizens-in-kabul-reports/.

83) Loveday Morris, Amid Sharp Criticism, Germany Stumbles in Late Efforts to Rescue Afghan Support Staff, THE WASHINGTON POST (Aug. 22, 2021), available at https://www.washingtonpost.com/world/germany-afghans-evacuation/2021/08/21/d33941ce-0202-11ec-ba7e-2cf966e88e93_story.html.

84) Robert Fife, Canadian special forces may be used to rescue Afghan interpreters, support staff from Kabul: Sajjan, THE GLOBE AND MAIL (Aug. 22, 2021), available at https://www.theglobeandmail.com/politics/article-canadian-special-forces-may-be-used-to-rescue-afghan-interpreters/.

85) Victor Davis Hanson, Victor Davis Hanson: If Biden were a Republican, Dems in Congress would have impeached him. They should, FOX NEWS (Aug. 22, 2021), available at https://www.foxnews.com/opinion/biden-republican-democrats-congress-impeached-victor-davis-hanson.

86) Ryan Morgan, US Has No Plans to Rescue Americans, Afghans Stranded behind Taliban Lines Outside Kabul A, Airport, AMERICAN MILITARY NEWS (Aug. 18, 2021), available at https://americanmilitarynews.com/2021/08/us-has-no-plans-to-rescue-americans-afghans-stranded-behind-taliban-lines-outside-kabul-airport/.

87) CHRISTOPHER R SMITH, NETWORK CENTRIC WARFARE, COMMAND, AND THE NATURE OF WAR (Land Warfare Studies Centre (Australia) 2010), available at https://researchcentre.army.gov.au/sites/default/files/sp318ncwcommandandnatureofwarchristopher_smith.pdf.

88) PAUL KRUGMAN, & ROBIN WELLS, ECONOMICS (Worth Publishers 5th ed. 2017).

89) Paul Murdock, Principles of War on the Network-Centric Battlefield: Mass and Economy of Force, 32 THE US ARMY WAR COLLEGE QUARTERLY: PARAMETERS 1 (Spring 2002), available at https://press.armywarcollege.edu/cgi/viewcontent.cgi?article=2082&context=parameters.

90) Paul Krugman, & Robin Wells, supra, note 133.

91) JOHN MAYNARD KEYNES, THE GENERAL THEORY OF EMPLOYMENT, INTEREST, AND MONEY (Palgrave Macmillan 1936).

92) Kalpana Jain, The History of the Taliban Is Crucial in Understanding Their Success Now – And Also What Might Happen Next, THE CONVERSATION (Aug. 26, 2021), available at https://theconversation.com/the-history-of-the-taliban-is-crucial-in-understanding-their-success-now-and-also-what-might-happen-next-166630.

93) History.com Editors, Soviet Union InvadesAfghanistan, HISTORY.COM (Nov. 24, 2009), available at https://www.history.com/this-day-in-history/soviet-tanks-roll-into-afghanistan.

94) Kalpana Jain, supra, note 138.

95) Colin Price, Pakistan: A Plethora of Problems, 3 GLOBAL SECURITY STUDIES 1, 53-62 (Winter 2012), available at https://www.semanticscholar.org/paper/Pakistan%3A-A-Plethora-of-Problems-Price/b7c99634746e77be1bfb50346198b5d4779214f5.

96) History.com Editors, supra, note 147.

97) John Sifton, Blood-Stained Hands: Past Atrocities in Kabul and Afghanistan's Legacy of Impunity, HUMAN RIGHTS WATCH (Jul. 6, 2005), available at https://www.hrw.org/report/2005/07/06/blood-stained-hands/past-atrocities-kabul-and-afghanistans-legacy-impunity#.

98) NEAMATOLLAH NOJUMI. THE RISE OF THE TALIBAN IN AFGHANISTAN: MASS MOBILIZATION, CIVIL WAR, AND THE FUTURE OF THE REGION (Palgrave 1st ed. 2002 1st ed.).

99) AMIN SAIKAL, MODERN AFGHANISTAN: A HISTORY OF STRUGGLE AND SURVIVAL (I.B. Tauris & Co.1st ed. 2006).

100) John Sifton, Blood-Stained Hands: Past Atrocities in Kabul and Afghanistan's Legacy of Impunity, HUMAN RIGHTS WATCH (Jul. 6, 2005), available at https://www.hrw.org/report/2005/07/06/blood-stained-hands/past-atrocities-kabul-and-afghanistans-legacy-impunity.

101) AMIN SAIKAL, MODERN AFGHANISTAN: A HISTORY OF STRUGGLE AND SURVIVAL (I. B. Tauris & Co. 2006).

102) Lindsay Maizland, The Taliban in Afghanistan, COUNCIL ON FOREIGN RELATIONS (Sep. 15, 2021), available at https://www.cfr.org/backgrounder/taliban-afghanistan.

103) Robert Nichols, Afghan Historiography: Classical Study, Conventional Narrative, National Polemic, 3 HISTORY COMPASS 1 (Dec 21, 2005), available at https://doi.org/10.1111/j.1478-0542.2005.00141.x.

104) AHMED RASHID, AHMED (2000), TALIBAN: MILITANT ISLAM, OIL AND FUNDAMENTALISM IN CENTRAL ASIA 65 (Yale University Press 2000).

105) Id. at 71.

106) ReliefWeb Staff, MSF and Other Aid Organizations Evicted from Kabul, RELIEFWEB (Jul. 21, 2998), available at https://reliefweb.int/report/afghanistan/msf-and-other-aid-organizations-evicted-kabul.

107) Katherine Haddon, Afghanistan Marks 10 Years Since War Started, YAHOO! NEWS (Oct. 6, 2011), available at https://web.archive.org/web/20111010055026/http://news.yahoo.com/afghanistan-marks-10-years-since-war-started-211711851.html.

108) JEANNE K. GIRALDO, & HAROLD A. TRINKUNAS, TERRORISM FINANCING AND STATE RESPONSES : A COMPARATIVE PERSPECTIVE 96 (Stanford University Press 2007).

109) Ahmed Rashid, supra, note 162.

110) DANIEL BYMAN, DEADLY CONNECTIONS: STATES THAT SPONSOR TERRORISM 195 (Cambridge University Press 2005).

111) EDWARD GIRARDET. KILLING THE CRANES: A REPORTER'S JOURNEY THROUGH THREE DECADES OF WAR IN AFGHANISTAN 416 (Chelsea Green Publishing. 2011).

112) Piotr Balcerowicz, The Last Interview with Ahmad Shah Masood, HOJA BAHAUDDIN (early August 2001), available at https://web.archive.org/web/20060925043421/http://www.orient.uw.edu.pl/balcerowicz/texts/Ahmad_Shah_Masood_en.htm.

113) John F. Burns, Threats And Responses: Assassination; Afghans, Too, Mark a Day of Disaster: A Hero Was Lost, THE NEW YORK TIMES (Sep. 9, 2002), available at https://www.nytimes.com/2002/09/09/world/threats-responses-assassination-afghans-too-mark-day-disaster-hero-was-lost.html.

114) Peter L. Bergen, September 11 Attacks, ENCYCLOPEDIA BRITANNICA (n.d.), available at https://www.britannica.com/event/September-11-attacks.

115) George W. Bush, Text: President Bush Addresses the Nation, THE WASHINGTON POST (Sep.20, 2001) available at https://www.washingtonpost.com/wp-srv/nation/specials/attacked/transcripts/bushaddress_092001.html.

116) Press Release, NORTH ATLANTIC TREATY ORGANIZATION, Statement by the North Atlantic Council (Sep. 12, 2001), https://www.nato.int/docu/pr/2001/p01-124e.htm.

117) John F. Burns, A Nation Challenged: Last Chance; Taliban Refuse Quick Decision Over bin Laden, THE NEW YORK TIMES (Sep. 18, 2001), available at https://www.nytimes.com/2001/09/18/world/a-nation-challenged-last-chance-taliban-refuse-quick-decision-over-bin-laden.html.

118) CNN Staff, Afghanistan Wakes After Night of Intense Bombings, CABLE NEWS NETWORK (CNN) (Oct. 7, 2001), available at http://edition.cnn.com/2001/US/10/07/gen.america.under.attack/.

119) George W. Bush, Presidential Statement: Bush Announces Military Action Against Terrorist Infrastructure in Afghanistan, CQ ALMANAC (Oct. 7, 2001), available at https://library.cqpress.com/cqalmanac/document.php?id=cqal01-106-6369-328096.

120) https://www.theguardian.com/world/2001/oct/14/afghanistan.terrorism5.

121) Michael Moran, The 'Airlift of Evil', NBC NEWS (Dec. 10, 2003), available at https://www.nbcnews.com/id/wbna3340165/.

122) AHMED RASHID, DESCENT INTO CHAOS: THE UNITED STATES AND THE FAILURE OF NATION BUILDING IN PAKISTAN, AFGHANISTAN, AND CENTRAL ASIA. UNITED STATES, (Viking Press 2008).

123) Editors of Encyclopedia Britannica, Hamid Karzai: President of Afghanistan, ENCYCLOPEDIA BRITANNICA (Dec. 20, 2021), available at https://www.britannica.com/biography/Hamid-Karzai.

124) Julian Borger, Bonn Conference Could Mark Formal Start of Afghan Peace Process, THE GUARDIAN (Jun. 20, 2011), available at https://www.theguardian.com/world/julian-borger-global-security-blog/2011/jun/20/afghanistan-taliban-talks-bonn.

125) Scott Baldauf, & Owais Tohid, Taliban Appears to Be Regrouped and Well Funded, THE CHRISTIAN SCIENCE MONITOR (May 8, 2003), available at http://www.csmonitor.com/2003/0508/p01s02-wosc.html.

126) Pamela Constable, U.S. Troops Fired at Mob After Kabul Accident, THE SPOKESMAN-REVIEW (Jun. 6, 2006), available at https://www.spokesman.com/stories/2006/jun/01/us-troops-fired-at-mob-after-kabul-accident/.

127) Saeed Ali Achakzai, Taliban Reject Afghan President's Peace Talk Offer, REUTERS (Sep. 30, 2007), available at https://www.reuters.com/article/us-afghan-talks-idUSISL26606720070930.

128) Gareth Porter, US Silent on Taliban's al-Qaeda Offer, SOUTH ASIA (Dec. 17, 2009), available at https://web.archive.org/web/20091219213931/http://www.atimes.com/atimes/South_Asia/KL17Df02.html.

129)   Olivier Laurent, When War Is Just Another Day in Afghanistan, TIME (Jul. 8, 2016), available at https://time.com/4402071/afghanistan-war-everyday/.

130)   Ryan Browne, Carter visits Afghanistan as Obama Plans Handoff of 15-Year War, CABLE NEWS NETWORK (CNN) (Dec. 9, 2016), available at https://edition.cnn.com/2016/12/09/politics/ash-carter-afghanistan-visit/index.html.

131)   James Griffiths, Trump Calls Out Pakistan, India as He Pledges to 'Fight to Win' in Afghanistan, CABLE NEWS NETWORK (CNN) (Aug. 24, 2017), available at https://edition.cnn.com/2017/08/21/politics/trump-afghanistan-pakistan-india/index.html.

132)   James Rothwell, Mohammad Zubair Khan, & Bilal Sarwary, Taliban Holds 'Informal' Talks with Afghanistan, THE TELEGRAPH (Oct. 18, 2016), available at https://www.telegraph.co.uk/news/2016/10/18/taliban-holds-informal-peace-talks-with-afghanistan/.

133)   Shereena Qazi, Afghanistan's Taliban, US Sign Agreement Aimed at Ending War, AL JAZEERA (Feb. 29, 2020), available at https://www.aljazeera.com/news/2020/2/29/afghanistans-taliban-us-sign-agreement-aimed-at-ending-war.

134)   Hamid Shalizi, Abdul Qadir Sediqi, Rupam Jain, Taliban Step Up Attacks on Afghan Forces Since Signing U.S. Deal: Data, REUTERS (May 1, 2020), available at https://www.reuters.com/article/us-health-coronavirus-afghanistan-taliba/taliban-step-up-attacks-on-afghan-forces-since-signing-u-s-deal-data-idUSKBN22D5S7.

135)   Bill Roggio, Taliban Squeezes Afghan Government by Seizing Key Border Towns, FDD'S LONG WAR JOURNAL (Jul. 9, 2021), available at https://www.longwarjournal.org/archives/2021/07/taliban-squeezes-afghan-government-by-seizing-key-border-towns.php.

136)   Ava Batrway, Afghan President Latest Leader on the Run to Turn Up in UAE, ASSOCIATED PRESS NEWS (Aug. 19, 2021), available at https://apnews.com/article/europe-middle-east-39610b0102a926c1a573da3d6feb0eea.

137)   Emma Graham-Harrison, 'Panjshir Stands Strong': Afghanistan's Last Holdout Against the Taliban, THE GUARDIAN (Aug. 18, 2021), available at https://www.theguardian.com/world/2021/aug/18/panjshir-stands-strong-afghanistans-last-holdout-against-the-taliban.

138)   David Zucchino, The U.S. War in Afghanistan: How It Started, and How It Ended, THE NEW YORK TIMES (Oct. 7, 2021), available at https://www.nytimes.com/article/afghanistan-war-us.html.

139)   John McCormack, Why Did the United States Abandon Bagram Airfield?, NATIONAL REVIEW (Aug. 18, 2021), available at https://www.nationalreview.com/2021/08/why-did-the-united-states-abandon-bagram-airfield/.

140)   Barbara Sprunt, There's A Bipartisan Backlash To How Biden Handled The Withdrawal From Afghanistan, NATIONAL PUBLIC RADIO (Aug. 17, 2021), available at https://www.npr.org/2021/08/16/1028081817/congressional-reaction-to-bidens-afghanistan-withdrawal-has-been-scathing.

141)   Zolan Kanno-Youngs, & Annie Karni, Series of U.S. Actions Left Afghan Allies Frantic, Stranded and Eager to Get Out, THE NEW YORK TIMES (Aug. 29, 2021), available at https://www.nytimes.com/2021/08/18/us/politics/afghanistan-refugees.html.

142)   Juliegrace Brufke, supra, note 122.

143)   Associated Press, EXPLAINER: What Happened to the Afghanistan Evacuation?, U.S. NEWS AND WORLD REPORT (Nov. 26, 2021), available at https://www.usnews.com/news/politics/articles/2021-11-26/explainer-what-happened-to-the-afghanistan-evacuation.

144)   Glenn Kessler, No, the Taliban Did Not Seize $85 Billion of U.S. Weapons, THE WASHINGTON POST (Aug. 31, 2021), available at https://www.washingtonpost.com/politics/2021/08/31/no-taliban-did-not-seize-83-billion-us-weapons/.

145)   SIGAR Staff, Section 2 Reconstruction Update, SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION 29 (Jul. 30, 2021), available at https://www.sigar.mil/pdf/quarterlyreports/2021-07-30qr-section2-funding.pdf#Page=9.

146)   Glenn Kessler, supra, note 207.

147)   Zolan Kanno-Youngs, & Annie Karni, supra, note 203.

148)   Converstation Staff, What's Next for Afghanistan? Two Experts Make Predictions, THE CONVERSATION (Nov. 30, 2021), available at https://theconversation.com/whats-next-for-afghanistan-two-experts-make-predictions-170684.

149)   Colin Clarke, & Jonathan Schroden, Brutally Ineffective: How the Taliban Are Failing in Their New Role as Counter-Insurgents, WAR ON THE ROCKS (Nov. 19, 2021), available at https://warontherocks.com/2021/11/brutally-ineffective-how-the-taliban-are-failing-in-their-new-role-as-counter-insurgents/.

150)   Boy Scout Oath, Law, Motto and Slogan and the Outdoor Code, US SCOUTING SERVICE PROJECT (n.d.), available at http://usscouts.org/advance/ScoutsBSA/oathlaw.asp. The Boy Scout web site contains the changes made to the principles of Scouting after January 01, 2019.

151)   See generally, Adequate Prepardedness, MERRIAM-WEBSTER DICTIONARY (n.d.), available at https://www.merriam-webster.com/dictionary/preparedness.

152)   See generally, Adequate Prepardedness, THE LAW DICTIONARY FEATURING BLACK'S LAW DICTIONARY (n.d.), available at https://thelawdictionary.org/adequate-preparation/.

153)   The Cadmus Group LLC, Cybersecurity Preparedness Evaluation Tool, NATIONAL ASSOCIATION OF REGULATORY UNITITY COMMISSIONERS (Jun. 2019), available at https://pubs.naruc.org/pub/3B93F1D2-BF62-E6BB-5107-E1A030CF09A0.

154)   'State of Surveillance' with Edward Snowden and Shane Smith (VICE on HBO: Season 4, Episode 13), YOUTUBE.COM (January 08, 2016), available at https://www.youtube.com/watch?v=ucRWyGKBVzo. Dodge v. Ford Motor Company, 204 Mich. 459 (1919).
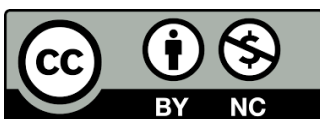
Optimization of the Universal People's Defense and Security System through Economic Resilience

Yollanda Lakshinta Harningrum[1], Guntur Eko Saputro[2]

[1,2]Defense Economic Study Program, Defense University

ABSTRACT – The Universal People's Defense and Security System is a defense and security system with components consisting of all potential national powers in order to realize national defense and security. The Universal People's Defense and Security System is very important to be optimized to support stronger national resilience. This study aims to examine how to optimize the defense and security system of the universal people through economic resilience. The type of research that will be used by the author in this study is a normative juridical research using a statutory approach. The results of this study are viewed from 3 views, namely Law Number 3 of 2002 which shows the importance of optimizing the main, reserve and supporting components. Law Number 34 of 2004 discusses the importance of optimizing the Army and its inhibiting factors, and Law Number 2 of 2002 discusses the role of Polri in defense and security.

KEYWORDS: Economy, Indonesia, Defense, Security, SISHANKAMRATA.

INTRODUCTION

The Universal People's Defense and Security System is a state defense system that involves all citizens, territories, and national resources (Presidential Regulation of the Republic of Indonesia, 2021). Universal people's defense and security system is a defense and security system with components consisting of all potential national powers in order to realize national defense and security. Article 30 Paragraph 2 of the 1945 Constitution as a result of the second amendment states that national defense and security efforts are carried out through the Universal People's Defense and Security System by army and the Indonesian National Police as the main force and the people as a supporting force.

The main component has a function as the main force of national defense. Backup components have a function to increase the strength and capabilities of the main components. Meanwhile, the supporting components work to increase the strength and capability of the main components and reserve components (Law Number 3 of 2002 concerning National Defense).

The universal people's defense and security system is carried out because 1. The diversity of Indonesia as well as the position of the State of Indonesia which is located in a cross-world position is very vulnerable to threats, challenges, obstacles and disturbances from other countries. 2. Upheavals between ethnic groups, religions, races and between groups and regional sentiments have the potential to trigger horizontal and vertical conflicts. 3. As a manifestation of State Defense Efforts as regulated in the 1945 Constitution of the Republic of Indonesia Article 27 paragraph (3) and 4. There are military and non-military threats that threaten the integrity and sovereignty of the Unitary State of the Republic of Indonesia. Indonesia (Suwito, Anton 2017).

Global economic conditions are likely to experience a slowdown, the fate of the trade war is not yet clear. With the situation, it is difficult to increase acceptance. As a result, the state budget deficit and debt could increase

Universal people's defense and security system is a strategy in dealing with military and non-military threats. Universal people's defense and security system is also one of the efforts to maintain national defense and security. By optimizing the role of universal people's defense and security system, it will certainly make National Resilience stronger and more independent in accordance with the nature of Indonesia's national resilience, namely independent, dynamic, united, and authoritative (Suwito, Anton 2017).

National resilience is a dynamic condition of a country that has covered all aspects of national life that are integrated and have the resilience to develop national strength in dealing with and overcoming all problems, both coming from internal parties and external parties (Marlinah, Lili 2017). Improving national resilience is synonymous with national development through a welfare and security approach. The success of national development will increase national capacity and encourage national development to

be more successful. The concept of national resilience is to utilize and integrate all the potential of national life which consists of eight gatra, which are used in the regulation and implementation, both for the interests, welfare and security in a broad, Comprehensive and integrated, comprehensive and integral sense based on Pancasila, the 1945 Constitution, and the elaboration of the Insights (Husin, Farida 2020).

Economic resilience affects various aspects, one of which is the economy. The form of economic resilience is reflected in the economic condition of the nation which is able to maintain healthy and dynamic economic stability, is independent, highly competitive, and realizes the prosperity of the people in a just and equitable manner. Defense budget planning and the right allocation of defense spending every year can support Indonesia's defense forces, so that they are able to create and increase Indonesia's economic growth (Saputro, Rivai, et al., 2021)

In terms of communication, it can be seen that the efforts made by the government have not been maximized and it seems that they are not serious about handling the COVID-19 pandemic (Saputro, 2021)

Economic resilience is a dynamic condition of the nation's economic life that contains tenacity and resilience containing the ability to develop national strength in facing and overcoming all threats, obstacles, disturbances, obstacles and challenges originating from abroad and from within the country directly or indirectly to ensure the survival of the economy of the nation and state of the Republic of Indonesia based on Pancasila and the 1945 Constitution (Marlinah, Lili 2017).

National security system has been built with an approach participation of citizens and society or the security sector reform agreement, the most important thing is how it affects Defense-Security Expenditure Structure againstn security stability in Indonesia (Saputro et al., 2020)

National economic progress is impossible to achieve if defense is fragile, national defense affects national security and national economic stability, while economic quality will result in prosperity. Defense economics as a multidisciplinary study discusses resource allocation, income distribution, economic growth, and political stability which is applied to topics related to defense (Saputro et al., 2021). When a country wants strong economic resilience, of course the country must optimize various aspects that influence it. One such aspect is universal people's defense and security system. Optimization of universal people's defense and security system will certainly strengthen economic resilience and is expected to realize strong national resilience as well. National Defense is one form of the Indonesian nation's efforts in achieving national goals (Law Number 34 of 2004 concerning the Indonesian National Army). Research on optimizing the defense and security system of the universal people through economic resilience is very important as an effort to realize a sovereign Indonesian State.

The integration of security stability development together with increasing strategic industrial growth and macroeconomic stability synergistically has the ability to increase economic growth (SAPUTRO, 2021).

Taken from this background, the researchers are interested in examining how to optimize the defense and security system of the people of the universe through economic resilience.

RESEARCH METHODS

The type of research that will be used by the author in this study is a normative juridical research using a statutory approach. Normative Juridical Research is a research method carried out by examining library materials or mere secondary materials (Muchtar, Henni 2015). This research also uses optimization theory. Optimization is the result achieved as desired (Paparang, Boyke Richard, 2017). This optimization is an effort to maximize activities, so that the expected wishes can be achieved.

The statutory approach is intended to understand and comprehensively analyze the hierarchy of laws and regulations and the principles in laws and regulations. The statutory approach is carried out by reviewing all laws and regulations related to the legal issues being handled.

To analyze the legal materials that have been collected, this study uses qualitative data analysis methods, namely normative juridical presented descriptively. The type of data used in this research is secondary data. Secondary data includes primary legal materials, secondary legal materials, and tertiary legal materials obtained from the literature related to the problems studied, namely universal people's defense and security system, and Economic Resilience.

Primary legal materials, namely research materials originating from legislation relating to titles and formulated problems such as:
1. The 1945 Constitution of the Republic of Indonesia.
2. Law Number 3 of 2002 concerning National Defense.
3. Law Number 34 of 2004 concerning the Indonesian National Army.
4. Law Number 2 of 2002 concerning the Indonesian National Police.

Secondary legal materials used by researchers are literature from books, opinions from experts, and sources from the internet related to the problems studied in the article. Furthermore, the tertiary legal materials that the author uses in this research are the legal dictionary, the Indonesian dictionary, and the English dictionary.

RESULTS AND DISCUSSION

Optimizing the Defense and Security System of the Universal People through Economic Resilience Based on Law Number 3 of 2002

Law Number 3 of 2002 discusses National Defense. National defense is based on the philosophy and way of life of the Indonesian people to ensure the integrity and establishment of the Unitary State of the Republic of Indonesia based on Pancasila and the 1945 Constitution. Based on Law Number 3 of 2002, the main component is the Indonesian National Army which is ready to be used for carry out defense tasks. Reserve components are national resources that have been prepared to be deployed through mobilization to enlarge and strengthen the strengths and capabilities of the main components. Supporting components are national resources that can be used to increase the strength and capability of the main components and reserve components. These main components, reserves, and support become an integrated and interrelated national defense system. The goal is to jointly realize the defense and security of the people of the universe. These three components must be optimized as much as possible for the sake of strong economic resilience and will have an impact on National Defense.

The main component can optimize its role by complying with the applicable professional code of ethics and carrying out the tasks that have been given to the maximum extent possible. Furthermore, supporting components can be optimized by building and fostering human resources to become a defense force. Maximizing the potential of a large population or citizen scattered throughout Indonesia by implementing existing regulations. Then carry out coaching so that citizens have awareness of defending the country in order to grow the spirit of nationalism and patriotism. Reserve components can be optimized by maintaining and utilizing existing natural resources, artificial resources, and national infrastructure as well as possible.

Optimizing the Defense and Security System of the Universal People through Economic Resilience Based on Law Number 34 of 2004

Law Number 34 of 2004 discusses the Indonesian National Army. Soldiers are citizens who are prepared and armed for national defense tasks to deal with military and armed threats (Law Number 34 of 2004). The Indonesian National Army has a role as a defense tool for the Unitary State of the Republic of Indonesia. Army is tasked with carrying out state defense policies to uphold state sovereignty, maintain territorial integrity and protect the safety of the nation, carry out military operations for war and military operations other than war, and participate actively in regional and international peacekeeping tasks. The military spending structure which consists of the contribution of Routine Expenditures, Goods Expenditures, and Capital Expenditures has a simultaneous effect on Security Stability (Saputro, Guntur Eko 2020).

In accordance with Law Number 3 of 2002, army is mandated as the Main Component of universal people's defense and security system. Optimizing universal people's defense and security system, including the army, is very important in the effort to carry out state duties. However, in reality, universal people's defense and security system as the main concept in maintaining the integrity of the Republic of Indonesia is still not implemented optimally, this is due to several factors (Setiyawan, Wahyu Beny Mukti 2020) such as:

1. **Low Quality of Human Resources**

Human Resources have a very important role in the field of development. Human Resources are the key in determining the development of the country. The Education Sector plays an important role in realizing superior Human Resources. However, there are still many challenges in making it happen. The PISA (Program for International Student Assessment) score or the International Student Assessment Program in Indonesia proves the inadequate learning outcomes of primary and secondary education (Arbar, Thea Fathanah 2021). With this, more breakthroughs are needed to create superior Human Resources for the sake of strong national defense. Several strategies to improve the quality of Human Resources are infrastructure and technology development, strengthening policy procedures and funding, strengthening community and cultural leadership, and strengthening curriculum for students.

2. **Weak Indonesian Economic Resilience**

Indonesia cannot carry out its role perfectly if its economic system does not work well. This decline in economic resilience can be caused by various factors, such as the COVID-19 pandemic which has made many people lose their jobs. One of the efforts in optimizing this economic resilience is by moving the wheels of the economy through the creative economy. So that ideas and ideas can be developed to improve the economy and national security.

3. **Lack of Harmonious Relations between the Army and Police**

Army and Police have a close relationship in defending and defending the country. The Army and Police do have a separation of duties and authorities. The army is in charge of defense and the police is in charge of security. Both need to build good relations to jointly defend the state, defense and security of the state, territorial integrity, and the safety of the Indonesian nation from various threats and challenges.

4. **Low Political Stability in Indonesia**

This political stability is one part of the formulation of a strategy for the life of the state and society in Indonesia. Politics has a very important role in the life of the nation and state. Thus, political stability must be maintained for the sake of state resilience and has an impact on economic interests.

5. The Fading Sense of Nationalism in Indonesia's Young Generation

Nationalism is very important in the life of the nation and the state because it is a state identity. The sense of nationalism in the younger generation must continue to be nurtured to increase the nation's dignity in front of the world.

Optimizing the Defense and Security System of the Universal People through Economic Resilience Based on Law Number 2 of 2002

Law Number 2 of 2002 discusses the National Police of the Republic of Indonesia. The function of the police is one of the functions of the state government in the field of maintaining security and public order, law enforcement, protection, shelter, and service to the community.

With the high crime rate and the large number of police officers who are involved in legal problems, this shows that the performance of the police in carrying out their duties is still not optimal. Some of these cases have made people feel less confident in the performance of the police in carrying out their duties.

There are several efforts to optimize the performance of the police, namely by monitoring the performance of the police in carrying out law enforcement, developing quality police human resources, and increasing the welfare of police members (Handoko, Ilman Firaus, 2018). Furthermore, the provisions regarding the development of the Police profession are regulated in Article 4 of Law Number 2 of 2002, which are as follows:

1. Police officers' attitudes and behavior are bound by the Police Professional Code of Ethics.
2. The Police Professional Code of Ethics can be a guideline for carrying out other police functions in carrying out their duties in accordance with the laws and regulations in force in their environment.
3. Provisions on the Police Professional Code of Ethics are further regulated by a Decree of the Chief of Police.

CONCLUSIONS, RECOMMENDATIONS AND LIMITATIONS

CONCLUSIONS

1. The Universal People's Defense and Security System is a defense and security system that aims to strengthen economic resilience. This strong economic resilience is expected to strengthen national resilience as well. The existence of Universal People's Defense and Security System must be optimized as much as possible in order to create strong economic resilience so that it can face various threats and challenges that may occur.
2. Law Number 3 of 2002 discusses National Defense. It contains the main, backup, and supporting components. In optimizing the main components, it is necessary to comply with the professional code of ethics and carry out tasks as well as possible. Then to optimize the supporting components, it is necessary to develop human resources. Reserve components can be optimized by maintaining and utilizing existing natural resources, artificial resources, and national infrastructure as well as possible.
3. Law Number 34 of 2004 discusses the Indonesian National Army. Optimizing The Universal People's Defense and Security System, including the army, is very important in the effort to carry out state duties. However, in reality, The Universal People's Defense and Security System as the main concept in maintaining the integrity of the Unitary State of the Republic of Indonesia is still not implemented optimally, this is due to several factors such as the low quality of human resources, the weakness of Indonesia's economic resilience, the lack of harmony between army and Police relations, the low political stability in Indonesia, and the fading of political stability. Sense of Nationalism in Indonesia's Young Generation.
4. Based on Law Number 2 of 2002. Law Number 2 of 2002 discusses the National Police of the Republic of Indonesia. The police have the function of maintaining security and public order, so that they have a contribution to the defense and security system. There are several efforts to optimize the performance of the Police, namely by monitoring the performance of the Police in implementing law enforcement, developing quality Police Human Resources, and increasing the welfare of Police members.

RECOMMENDATIONS

1. The government needs to act faster in terms of optimizing The Universal People's Defense and Security System, so that The Universal People's Defense and Security System movement is more effective and efficient, and to anticipate military and non-military threats that may come at any time.
2. The government must prepare special strategies such as preparing five pillars of total defense consisting of military defense, civil defense, economic defense, social defense, and psychological defense in an effort to optimize The Universal People's Defense and Security System.
3. All citizens are expected to have a high awareness to jointly strengthen the defense and security of the universal people through economic resilience.
4. Future research is expected to be able to review more deeply on the optimization The Universal People's Defense and Security System and its solutions in order to further strengthen Indonesia's economic resilience.

BIBLIOGRAPHY

1) Arbar, Thea Fatanah. (2021). Nadiem Blak-blakan soal kuaitas SDM RI, apa katanya? Diakses dari

https://www.cnbcindonesia.com/news/20210203204206-4-220886/nadiem-blak-blakan-soal-kualitas-sdm-ri-apa-katanya pada tanggal 16 Februari 2022.

2) Handoku, Ilman Firdaus dan Chepi Ali Firman Zakaria. (2018). Optimalisasi Profesionalisme Polri Guna Mewujudkan Tugas Pokok Polri dihubungkan dengan Undang-Undang Nomor 2 Tahun 2002 Tentang Kepolisian Republik Indonesia. Prosiding Ilmu Hukum. Universitas Islam Bandung.

3) Husin, Farida dan Zaliah. (2020). Peran Perekonomian dalam Pembangunan Nasional Bagi Ketahanan Bangsa. Eksistansi-ISSN:2085-2401. Volume 9 Nomor. 1.

4) Kementerian Keuangan Republik Indoneisa. (2021). Perkuat Ketahanan Ekonomi Untuk Jaga Momentum Pemulihan Ekonomi Nasional. Diakses dari https://www.kemenkeu.go.id/publikasi/siaran-pers/siaran-pers-perkuat-ketahanan-ekonomi-untuk-jaga-momentum-pemulihan-ekonomi-nasional/.

5) Marlinah, Lili. (2017). Meningkatkan Ketahanan Ekonomi Nasional Melalui Pengembangan Ekonomi Kreatif. Jurnal Cakrawala. Volume XVII, Nomor 2.

6) Muchtar, Henni. (2015). Analis Yuridis Normatif Sinkronisasi Peraturan Daerah dengan Hak Asasi Manusia. Jurnal Humanus. Volume XIV Nomor 1.

7) Peraturan Presiden Nomor 8 Tahun 2021Tentang Kebijakan Umum Pertahanan Negara Tahun 2020 2024.

8) Paparang, Boyke Richard, Ronny Gosal, dan Alfon Kimbal. (2017). Optimalisasi Peran Pemerintah Daerah dalam Pemberdayaan Masyarakat Pesisir di Kawasan Perbatasan (Suatu Studi di Kecamatan Marore Kabupaten Kepulauan Sangihe). Jurnal Eksekutif. Volume 1. Nomor 1.

9) Putri, Vanya Karunia Mulia. (2021). Fungsi Rakyat dalam Sistem Pertahanan Keamanan Rakyat Semesta. Diakses dari

10) https://www.kompas.com/skola/ead/2021/10/29/170000169/fungsirakyat-dalam-sistem-pertahanankeamanan-rakyat-semesta padatanggal 15 November 2021.

11) Setiyawan, Wahyu Beny Mukti, Bagus Hanindyo Mantri, dan Amir Junaidi. (2020). Optimalisasi Sishankamrata Melalui Penerapan Lima Pilar Total Defence Sebagai Upaya Mewujudkan Negara Indonesia yang Berdaulat. Borneo Law Review Vol. 4 Nomor 2.

12) Suwito, Anton. (2017). SISHANKAMRATA sebagai Upaya Peningkatan Ketahanan Nasional Indonesia. Seminar Nasional Keindonesiaan II. Universitas PGRI Semarang.

13) Saputro, Guntur Eko, Herlina Tarigan, dan Deni Dadang Ahmad Rajab. (2021). The Role of Defense Economic in Economic Growth. Jurnal Pertahanan Voleme 7 Nomor 2.

14) Saputro, Guntur Eko. (2020). The Impact of The Military Expenditure and Security Expenditure Structure on The Security Stability. Jurnal Pertahanan Volume 6 No 3.

15) Undang-Undang Nomor 34 Tahun 2004 Tentang Tentara Nasional Indonesia. (n.d.). Undang-Undang Dasar Negara Republik Indonesia Tahun 1945.

16) Undang-Undang Nomor 3 Tahun 2002 Tahun 2002 tentang Pertahanan Negara.

17) Undang-Undang Nomor 2 Tahun 2002 tentang Kepolisian Negara Republik Indonesia.

18) Saputro, G. E., Mahroza, J., & Tarigan, H. (2020). THE IMPACT OF THE MILITARY EXPENDITURE AND SECURITY EXPENDITURE STRUCTURE ON THE SECURITY STABILITY. Jurnal Pertahanan: Media Informasi Ttg Kajian & Strategi Pertahanan Yang Mengedepankan Identity, Nasionalism & Integrity, 6(3), 328. https://doi.org/10.33172/jp.v6i3.930

19) Saputro, G. E., Tarigan, H., & Rajab, D. D. A. (2021). the Role of Defense Economic in Economic Growth. Jurnal Pertahanan: Media Informasi Ttg Kajian & Strategi Pertahanan Yang Mengedepankan Identity, Nasionalism & Integrity, 7(2), 330. https://doi.org/10.33172/jp.v7i2.1239

20) Saputro, G. E., Rivai, A. M., & Meirinaldi. (2021). Pengaruh Anggaran Pertahanan, Impor Alutsista, Ekspor Alutsista, Dan Inflasi Terhadap Pertumbuhan Ekonomi Di Indonesia Tahun 1980-2019. Jurnal Ekonomi, 23(2), 103. https://ejournal.borobudur.ac.id/index.php/1/article/view/801

21) Saputro, G. E. (2021). Implementation of Economic Policy Facing the China American Trade War in the Framework of Nirmilitary Defense. International Journal of Social Science And Human Research.

22) SAPUTRO, G. E. (2021). Pengaruh Stabilitas Makro Ekonomi, Stabilitas Keamanan Dan Pertumbuhan Industri Strategis Terhadap Pertumbuhan Ekonomi Oleh :. Jurnal Ekonomi, Volume 23 Nomor 1, UNIVERSITAS BOROBUDUR.

23) Saputro, G. E. (2021). Implementation of Economic Policies Facing Covid 19 in Supporting Nonmilitary Defense. International Journal of Social Science and Human Research, 04(04), 634–642. https://doi.org/10.47191/ijsshr/v4-i4-11
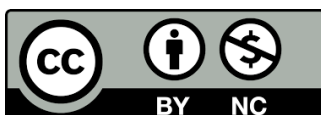
The Ideal Position of Judicial Power in the Criminal Justice System

Muhammad Zaenudin Mustofa[1], Eko Soponyono, Pujiyono[2]

[1,2] Faculty of Law, Universitas Diponegoro

ABSTRACT: The independence of the judicial power is one of the main pillars of the rule of law, and if this component does not exist, then we can no longer talk about the rule of law. This study aimed to examine the judicial power in the Indonesian criminal justice system as an independent judiciary to enforce law and justice based on Pancasila. This research used doctrinal law research. The sources of legal information were from primary legal materials (relevant regulations and documents) for further qualitative analysis. The approach used was legislation, conceptual, and analysis in helping to solve the problem formulation. The results of the study indicated that judicial power must be free and impartial, this can only be realized if it is subject to the applicable legal rules. If the judicial power does not obey the law, then it will lose its legitimacy and its presence in a country becomes meaningless.

KEYWORDS: Position; Independence; Judicial Powers; Criminal Justice System.

A.   PRELIMINARY

The criminal justice institution (which in Catur Wangsa theory consists of components of the police as an investigative institution; the Prosecutor's Office as the institution authorized to carry out prosecutions; the Court which is tasked with examining and also adjudicating cases; and the Penitentiary Institution) as the organizer of judicial power is seen in the context of a democratic rule of law is an institution that is free and independent from the interference of other state powers.[1] This principle should provide solid support for the judiciary to administer a clean, honest and fair trial.

The practice of the legal and judicial mafia that has emerged today is contrary to the judicial power's principle of independence. Every legal issue that is resolved through the courts seems to be a traded commodity, which can be negotiated at market prices. Justice, which should be the superior product of the judiciary, instead comes out with a win-win decision that is determined by accessibility and finances.

The emergence of judicial mafia practices is related to many causal factors, but there are at least 3 (three) main factors,[2] the first concerns the recruitment system for judicial officers which still shows the practice of Collusion, Corruption, and Nepotism (KKN) which in the end gives birth to incompetent officers, both in terms of hard skills and soft skills; Second, it concerns the transparency of public services and the administration of justice. This issue is important for people seeking justice or justice, such as regarding the clarity of how long a case must take to process, how much it will cost, and what the mechanism is, and so on.

Various public complaints illustrate the face of a bureaucratic judiciary compared to services and legal certainty. For example, in the investigation stage of a criminal case, a suspect does not receive adequate service, when the case is processed and at trial, how long will he be detained. The dimensions of power or judicial bureaucracy are so strong, cases of arrest and detention of someone who did not commit a crime, but were forced by the apparatus as a suspect, and as a result, the court decided that innocent people were convicted. The two problems that have been stated above are further exacerbated by the third factor, namely the weakness of the monitoring and enforcement system.

The characteristics of such a fragile judiciary, if linked back to the independence of judicial power in an absolute sense, will trigger the misuse of the principle of independence for the benefit of the elements and the mafia. In this regard, to restore a fair and trusted criminal justice system to the public, it is deemed urgent to interpret or reinterpret the concept of judicial independence as referred to in the 1945 Constitution (hereinafter referred to as the 1945 Constitution) and the Law on Judicial Powers.

---

[1] Pujiyono, "Rekonstruksi Sistem Peradilan Pidana Indonesia Dalam Perspektif Kemandirian Kekuasaan Kehakiman" *Jurnal Masalah-Masalah Hukum*, Vol. 41, No. 1, 2012, hlm. 119.

[2] Sirajuddin, et.al., 2007, *Komisi Pengawas Penegak Hukum, Mampukah Membawa Perubahan*, Malang, Malang Corruption Watch (MCW)- YAPPIKA, hlm. 43.

The Ideal Position of Judicial Power in the Criminal Justice System

According to the 9th United Nations Congress in 1995 in Cairo[3] that the Criminal Justice System contains the principle of Accountability, in the sense that: 1. The performance or administration of criminal justice is responsible for the efficient and humane implementation of criminal justice; 2. the management of criminal justice is part of the public administration that is responsible to the wider community; and 3. the administration of criminal justice is a part of a sustainable resource development policy.

Based on the results of the UN Congress, it is very clear that the judiciary as the organizer of judicial power which is independent has implications for public accountability. Thus the existence of the judiciary as one of the pillars of a democratic rule of law has consequences for the administration of judicial power which is not only independent but also has accountability so that it can carry out a clean judicial function, is trusted by the community and also makes it an authoritative judicial power.

Based on the direction and framework of developing judicial institutions as mandated by the United Nations (hereinafter referred to as UN), this paper attempts to reflect on the position of judicial power in Indonesia, and also to realize independent judicial power in the criminal justice system in Indonesia.

B. DISCUSSION

1. The Standing of Judicial Power in the Republic of Indonesia

Judicial power in the context of the Indonesian state is the power of an independent state to administer justice to emphasize law and justice based on Pancasila for the sake of the implementation of the Republic of Indonesia. One of the important agendas that need to be faced in the future of law enforcement in Indonesia, and the main thing in law enforcement is the issue of an independent judiciary. At the end of 2009, to be exact on September 29, 2009, the House of Representatives of the Republic of Indonesia ratified the Law on Judicial Powers, Law No. 48 of 2009 concerning Judicial Power (hereinafter referred to as the Law on Judicial Power).

At the same time, Law No. 49 of 2009 concerning the second amendment to Law No. 2 of 1986 concerning General Courts was passed, Law No. 50 of 2009 concerning the second amendment to Law no. 7 of 1989 concerning the Religious Courts, and Law No. 51 of 2009 concerning the second amendment to Law No. 5 of 1986 concerning the State Administrative Court The Law on Judicial Power needs to be critically studied and understood by the public regarding the future of an independent judiciary in 2010 and the future. This is because the community wants the perpetrators of judicial power to be free and independent so that justice and truth can be consistently enforced. The rich and the poor should be treated equally before the law.

Amendments to the 1945 Constitution brought changes in constitutional life, especially in the exercise of judicial power. Among other things, these changes confirm that:

a. Judicial power is exercised by a Court and the Judicial Body under it in the General Court environment, the Religious Courts environment, the Military Court environment, the State Administrative Court environment, and by a Constitutional Court.

b. The Supreme Court has the authority to adjudicate at the level of cassation, examine statutory regulations under the law against the law, and has other powers granted by the law;

c. The Constitutional Court has the authority to examine laws against the 1945 Constitution of the Republic of Indonesia and decide on disputes over the authority of state institutions whose powers are granted by the 1945 Constitution;

d. The Judicial Commission has the authority to propose the appointment of Supreme Court justices and has other powers to maintain and uphold the honor, dignity, and behavior of judges. Basically, Law Number 4 of 2004 concerning Judicial Power is following the amendments to the 1945 Constitution of the Republic of Indonesia above, but the substance of the law has not comprehensively regulated the implementation of judicial power, which is an independent power exercised by a Supreme Court and judicial bodies under it in the general court environment, religious court environment, military court environment, state administrative court environment, and by the constitutional court, to administer justice to uphold law and justice.[4]

In this regard, as an effort to strengthen the administration of judicial power and create an integrated judicial system, the government needs to ratify the Law on Judicial Power as a replacement for Law No. 4 of 2004 concerning Judicial Power.

In the context of this judicial power, several terms are commonly used, namely court, judiciary, and adjudicating. According to R. Subekti and R. Tjitrosoedibio,[5]

"The court (rechtbank) is a body that conducts justice, namely examining and deciding legal disputes and violations of law/laws. Judiciary (rechtspraak) is everything related to the duty of the state to enforce law and justice."

---

[3] Anwar, Yesmil, et.al., 2011, *Sistem Peradilan Pidana, Konsep, Komponen dan Pelaksanaannya dalam Penegakan Hukum di Indonesia*, Bandung, Widya Padjadjaran, hlm. 65.

[4] M. Syahrul, "Independensi Kekuasaan Kehakiman Dari Pengaruh Kekuasaan Di Indonesia" *Jurnal Ilmu Hukum*, Vol. 1 No. 1, 2016, hlm. 88.

[5] R. Subekti dan R. Tjitcosoedibio, 1971, *Kamus Hukum*, Jakarta, Pradnya Paramita, hlm. 82-83.

The Ideal Position of Judicial Power in the Criminal Justice System

Thus, it means that the court refers to the meaning of its organs, while the judiciary is its function. However, according to Soedikno Mertokusumo, the judiciary is always related to the court, and the court itself is not merely a body but is also related to an abstract understanding, namely providing justice.[6]

Another is Rochmat Soemitro who argues that courts and judiciary are also different from judicial bodies. The emphasis of the word judiciary is on the process, the court focuses on the method, while the judiciary is focused on the body, council, judge, or government agency.[7] However, according to the results of the research on the use of the words court and judiciary in practice, it turns out that the word court does refer to the body, while the word judiciary is the process. On that basis, Sjachran Basan thinks that the use of the term court is intended for the agency or institution that provides justice, while the judiciary refers to the process of providing justice in the context of enforcing the law or *het rechtspreken*. Courts are always related to the judiciary, although the courts are not the only body administering justice.[8]

The judiciary itself as a process must consist of certain elements. In the opinion of Rochmat Soemitro, after examining the various opinions of Paul Scholten, Bellefroid, George Jellineck, and Kranenburg, the judicial elements consist of four elements, namely:

a. The existence of an abstract legal rule that binds the general public that can be applied to a problem
b. There is a concrete legal dispute
c. There are at least two parties
d. There is a judicial apparatus with the authority to decide disputes

Descriptions that use bullets or Arabic numerals must follow the sentence. Not allowed to be made in the form of points down. For example: so far, there are two systems for updating voter data, namely: a. updating of active voter data; and b. passive data updating.

However, according to Sjachran Basan, the more complete elements of the judiciary include the existence of formal law in the context of applying the law (*rechtstoepassing*) and finding the law (*rechtsvinding*) "*in conreto*" to ensure compliance with the material law referred to the element (a) mentioned above. on. On that basis, Sjachran Basan said that "The judiciary is everything related to the task of deciding cases by applying the law, finding the law in concreto in maintaining and guaranteeing the observance of material law by using the procedural methods established by formal law."

The judicial process without material law will be paralyzed, but on the other hand, without formal law, it will be wild and act arbitrarily, and can lead to what people usually fear as "judicial tyranny". Judicial power is the main feature of the rule of law (*Rechtstaat*) and the principle of the rule of law. Democracy prioritizes the will of the people, the rule of law prioritizes the rule of law. Many scholars have discussed the two concepts, namely democracy and the rule of law in an inseparable continuum. But both need to be distinguished and reflected in institutions that are separate from each other.[9]

In Indonesia, judicial power, from the very beginning of independence, was also intended as a branch of power separate from political institutions such as the MPR/DPR and the President. In the Elucidation of Articles 24 and 25 of the 1945 Constitution before the amendment, it is determined:

"*Judicial power is an independent power, meaning that it is independent of the influence of government power. In this regard, there must be a guarantee in the law regarding the position of judges.*"

The meaning of "government" in the explanation can be understood in a broad sense, which includes the notion of the legislative and executive branches of power at the same time, considering that the 1945 Constitution before the amendment did not adhere to the notion of separation of powers, especially between the executive and legislative functions. However, although they do not adhere to the doctrine of separation of powers, the branch of judicial power is still declared free and independent from the influence of government power. Because of this, the judicial branch of power from the beginning was treated specifically as a separate and apart branch of power. This is one of the important characteristics of the principle of a rule of law to be built based on the 1945 Constitution of the Republic of Indonesia.

To further emphasize the principle of the rule of law, after the reform, the provisions regarding the rule of law were reaffirmed in the Third Amendment of the 1945 Constitution in 2001. In Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, it was emphasized that Indonesia is a state of law. In line with these provisions, one of the important principles of the rule of law is the guarantee of an independent judiciary, free from the influence of other powers to administer justice to uphold law and justice. To strengthen the principle of an independent judiciary, following the demands for reform in the field of law, amendments have been made to Law Number 14 of 1970 concerning Basic Provisions of Judicial Power with Law Number 35 of 1999 concerning Amendments to Law Number 14 of 1970 concerning Basic Provisions of Judicial Power.

---

[6] Sudikno Mertokosumo, 1971, *Sejarah Peradilan dan Perundang-undangannya di Indonesia Sejak 1942 dan Apakah Kemanfaatan Bagi Kita Bangsa Indonesia*, Bandung, Kilat Maju, hlm. 2.
[7] Sjachran Basah, 1997, *Eksistensi dan Tolok Ukur Badan Peradilan Administrasi di Indonesia*, Bandung, Alumni, hlm. 23.
[8] *Ibid*., hlm. 2.
[9] Jose Maria Maravall and Adam Przeworski (eds.), *Democracy and the Rule of Law*, Cambridge University Press, 2003; baca misalnya tulisan John Ferejohn and Pasquale Pasquino, Rule of Democracy and Rule of Law dalam Ibid. hlm. 242-260

The Ideal Position of Judicial Power in the Criminal Justice System

Through the amendment to Law Number 14 of 1970, a policy has been put in place that all matters concerning the judiciary, both those relating to judicial technicalities as well as organizational, administrative, and financial matters are under one roof under the authority of the Supreme Court. This policy is popularly known as the "one roof policy". This policy is determined to have been implemented no later than five years from the promulgation of Law Number 35 of 1999 concerning Amendments to Law Number 14 of 1970 concerning Basic Provisions of Judicial Power. With the enactment of this Law, the development of the general judiciary, the religious judiciary, the military judiciary, and the state administrative judiciary are under the authority of the Supreme Court. Because of the specific history of the development of religious courts in the national judicial system, the development of religious judicial bodies is carried out by taking into account the suggestions and opinions of the Minister of Religion and the Indonesian Ulema Council.

After Law Number 35 of 1999 was amended again by Law Number 4 of 2004, 15 transitional processes were reaffirmed in the Transitional Provisions of Article 42 of this Law that the transfer of organization, administration, and finance within the general courts and administrative courts State efforts are completed no later than March 31, 2004. The transfer of organization, administration, and finance within the religious courts is completed no later than June 30, 2004. The transfers of organization, administration, and finance within the military courts are completed no later than June 30, 2004 The organizational, administrative, and financial transfers as referred to above are stipulated by a Presidential Decree. The Presidential Decree is stipulated no later than (a) 30 days before the end of the period as referred to in paragraph (1); and (b) 60 days before the expiry of that period.

Furthermore, it is also stipulated in Articles 43 and 44 that since the transfer of the organization, administration, and finance, then: (a) all employees of the Directorate General of the General Courts and State Administrative Courts of the Ministry of Justice and Human Rights, district courts, high courts, courts State Administration, and the high court of State Administration, are employees of the Supreme Court; (b) all employees who occupy structural positions at the Directorate General of General Courts and State Administrative Courts of the Ministry of Justice and Human Rights, District Courts, High Courts, State Administrative Courts, and State Administrative High Courts, remain in their positions and remain in receive office allowances at the Supreme Court; (c) all assets belonging to/inventory within the District Court and High Court, as well as the State Administrative Court and the State Administrative High Court, shall be transferred to the Supreme Court.

Since the transfer of the organization, administration, and finances: (a) all employees of the Directorate of Religious Courts of the Ministry of Religion have become employees of the Directorate General of Religious Courts at the Supreme Court, and employees of the religious courts and high religious courts have become employees of the Supreme Court; (b) all employees occupying structural positions at the Directorate of Religious Courts of the Ministry of Religion hold positions at the Directorate General of Religious Courts at the Supreme Court, under statutory regulations; and (c) all assets belonging to/inventory items at the religious courts and high religious courts are turned into assets belonging to/inventory items for the Supreme Court. Also since the transfer of the organization, administration, and finances: (a) the development of military personnel within the military judiciary is carried out under the laws and regulations governing military personnel; (b) all Civil Servants in the military judiciary are turned into Civil Servants at the Supreme Court.

The changes made above were in line with the spirit of national reform which culminated in the amendment of the 1945 Constitution as the highest law in the administration of the Republic of Indonesia. The amendments to the 1945 Constitution of the Republic of Indonesia inevitably have brought changes in the life of the state administration, especially in the exercise of judicial power. Based on these changes, it was emphasized that judicial power is exercised by a Supreme Court and judicial bodies under it in the general court environment, the religious court environment, the military court environment, the State Administrative court environment, and by a Constitutional Court.[10]

The provisions of Article 24C paragraph (1) of the 1945 Constitution of the Republic of Indonesia stipulate that the Constitutional Court has the authority to adjudicate at the first and final levels whose decisions are final to examine the law against the 1945 Constitution disputes over the authority of state institutions whose authority, granted by the 1945 Constitution of the Republic of Indonesia, decides on the dissolution of political parties, and decides on disputes regarding the results of general elections. In addition, the Constitutional Court has the obligation to give a decision on the opinion of the House of Representatives regarding alleged violations by the President and/or Vice President according to the 1945 Constitution of the Republic of Indonesia.

In addition to the changes related to the institutional administration of judicial power as stated above, the 1945 Constitution of the Republic of Indonesia has also introduced a new institution related to the exercise of judicial power, namely the Judicial Commission. The Judicial Commission is independent which has the authority to propose the appointment of Supreme Court justices and has other powers in the context of maintaining and upholding the honor, dignity, and behavior of judges. Thus, in the system and mechanism for administering the judicial power of the Republic of Indonesia, the Supreme Court as the highest judicial institution can be accompanied by the Judicial Commission as an auxiliary state commission that functions as a recruiter of supreme judges and supervisors of the code of ethics of judges.

---

[10] Nawa Angkasa, "Analisis Kedudukan dan Fungsi Yudikatif Sebagai Pemegang Kekuasaan Kehakiman dalam Sistem Negara Hukum di Indonesia" *Jurnal Nizham*, Vol. 01 No. 01, 2013, hlm. 85

The Ideal Position of Judicial Power in the Criminal Justice System

Given the fundamental changes made in the formulation of the material for the 1945 Constitution of the Republic of Indonesia, especially concerning the administration of judicial power, then Law No. 14/1970 concerning the Basic Provisions of Judicial Power as amended by Law No. 35/1999 is necessarily need comprehensive changes. This law regulates the bodies administering judicial power, the principles of administering judicial power, guaranteeing equal status and treatment for everyone in law, and in seeking justice. In addition, this Law also regulates provisions that confirm the position of judges as officials exercising judicial power as well as clerks, substitute clerks, and bailiffs as judicial officials, implementation of court decisions, legal assistance, and other bodies whose functions are related to judiciary power. To provide certainty in the process of transferring the organization, administration, and finances of the judiciary under the Supreme Court, this Law also regulates transitional provisions.

In the law, judicial power itself is defined as the power of an independent state to administer justice to enforce law and justice based on Pancasila, for the sake of the implementation of the constitutional state of the Republic of Indonesia. The independent judicial power implies that the judicial power is free from any interference from the extra-judicial powers, except in matters as stated in the 1945 Constitution of the Republic of Indonesia. Freedom in exercising judicial authority is not absolute because the task of judges is to enforce law and justice based on Pancasila so that the decisions reflect the sense of justice of the Indonesian people.

The implementation of judicial power is carried out by a Supreme Court and judicial bodies under it in the general court environment, the religious court environment, the military court environment, the State Administrative court environment, and by a Constitutional Court. Thus, the apex of the judicial system in Indonesia now consists of a Supreme Court and a Constitutional Court. All courts throughout the territory of the Republic of Indonesia are state courts and are stipulated by law. This provision does not rule out the possibility of resolving cases outside the state court through reconciliation or arbitration. The state court applies and enforces law and justice based on Pancasila.[11]

2. Independence of Judicial Power in the Criminal Justice System

To form an independent and integrated system of judicial power, the idea/soul/spirit of "free and independent judicial power" must be realized integrally in the overall legislative policy that regulates the entire process/system of law enforcement power (judicial power system/criminal justice system). Thus, as part of independent judicial power, the four subsystems in the criminal justice system must also be free and independent powers.[12]

One thing that needs to be emphasized is that the Indonesian state based on the 1945 Constitution does not adhere to the *trias politica* understanding. However, the institutionalization of various state powers clearly shows that the formulators of the 1945 Constitution were strongly influenced by the *trias politica* understanding. The principle of *trias politica* espoused in the 1945 Constitution is the existence of an independent and impartial judicial power as a feature and condition for the establishment of a rule of law. Adherence to this principle is contained in the provisions of Article 24 (1) along with an explanation of Articles 24 and 25 of the 1945 Constitution.[13]

The formulation of the 1945 Constitution concerning the adherence to the principle of independence of judicial power does not include the organization or organizational relationship between the judicial power organization and the executive power organization. What is mentioned is only the principle that judicial power must be free and independent and that can be interpreted only to apply to its judicial function.[14] The situation changed when the government issued Law no. 19 of 1964 concerning the main provisions of the Judicial Power and Law no. 13 of 1965 concerning Courts within the General Courts. Article 19 explains:

"*In the interests of the revolution, the honor of the state and nation or the urgent interests of the people, the president may step down or intervene in court matters.*"

Furthermore, Law Number 13 of 1965 concerning Courts in General Courts states that judges in carrying out their functions must comply with the political vision of the government. Article 6 paragraph (1) states that the politics that judges must follow and practice are government politics based on Pancasila, Manipol/Usdek, and guidelines for their implementation.[15]

The rule of the New Order with the motto of implementing Pancasila and the 1945 Constitution purely and consistently has taken several important steps to realize an independent judicial power under Articles 24 and 25 of the 1945 Constitution. One of the legal products that were born during the New Order era was Law No. 14 of 1970 on the Principles of Judicial Power. Article 1 of Law No. 14 of 1970 concerning the Principles of Judicial Power states:

"*Judicial power is the power of an independent state to administer justice to uphold law and justice based on Pancasila for the sake of the implementation of the State of Law of the Republic of Indonesia.*"

---

[11] Ahmad Basuki, "Pengawasan Terhadap Penyelenggaraan Kekuasaan Kehakiman Sebagai Upaya Dalam Mewujudkan Akuntabilitas Peradilan Pidana", *Jurnal Perspektif* Vol. XVIII No. 1, 2013, hlm 76.
[12] Barda Nawawi Arief, 2008, *Masalah Penegakan Hukum dan Kebijakan Hukum Pidana dalam Penanggulangan Kejahatan,* Jakarta, kencana, hlm. 37.
[13] Moh. Mahfud MD, 1999, *Pergulatan Politik dan Hukum Di Indonesia*, Jakarta, Gama Media, hlm. 275.
[14] Ibid, hlm.276
[15] Benny K.Harman, 1997, *Konfigurasi Politik dan Kekuasaan Kehakiman di Indonesia*, Jakarta, ELSAM, hlm. 13.

The Ideal Position of Judicial Power in the Criminal Justice System

However, the vision and political interests of the new order remained a reference for judicial power when carrying out its judicial functions. This is evidenced by:

a. UU no. 14 of 1970 still confirms the dualism of judicial power of the guided democratic political regime.
b. As employees of the department, the position or status of the judges as civil servants is of course subject to the regulations concerning Civil Servants.
c. The emergence of an institution that was initially only a forum for dialogue between the Supreme Court, the Ministry of Health, the Attorney General's Office, and the Police.
d. There is an affirmation in the law that the president is the head of state.
e. It seems that the control of the judicial power by the government power.

One of the articles in Law no. 14 of 1970 concerning the Principles of Judicial Power which can interfere with the independence of judicial bodies, namely Article 11 which determines organizationally, administratively, and financially judicial bodies are under the relevant department (executive), while on the other hand Article 10 states that the highest judiciary is the Supreme Court, who supervises as well as cassation and review of the decisions of the judiciary.

This situation is commonly referred to as the existence of a two-roof system within the judiciary, which will soon end with the implementation of Law No. 35 of 1999. This Law is the implementation of the MPR Decree No. X of 1998 deals with a clear separation between the Judicial and Executive functions. Based on the provisions of Law No. 35 of 1999, the transfer of the Department's (executive) authority over the judicial bodies so that they become under one roof at the Supreme Court is carried out in stages within 5 years from the promulgation of the Law, which means between 1999 and 2004. Thus, there will no longer be a dualism in the development of judicial bodies but will become one form of guidance under the authority of the Supreme Court, covering both technical and administrative, organizational, and financial development.

Based on the historical analysis of the constitution in Indonesia, the guarantee and certainty of the nature of the freedom and independence of the judiciary are highly dependent on the implementation and implementation of the political system. Although the current constitution explicitly states the freedom of judicial power, there are still so many deviations, both in the context of the substantive and procedural dimensions that do not allow the freedom and independence of the judicial power to occur. Various laws and regulations that regulate judicial power, still do not provide a conducive space and atmosphere for the independence of judicial power. Many regulations are not in tune, not in harmony, and inconsistent with the constitution and with one another. Some of them contain various weaknesses because they contain multiple interpretations and cannot be enforced. Meanwhile, the mechanism of various laws and regulations distort the provisions in the constitution.

The intervention or influence of interference from government power is still very clearly visible and felt. The judiciary is subordinated to the executive power and co-opted by those who control economic and political resources. In this regime, the judiciary is part of the interests of the executive, because it must run the directives and safeguard the preferences of the interests of the ruler and power. So that its genuine function cannot be carried out optimally, instead it functions to implement, maintain and secure development programs and government interests, namely as an instrument of political stability and a driver of economic growth.

The judiciary does not have the freedom and independence to regulate matters relating to internal institutional and substantive issues. In personal matters, priority is also still a problem, where ethics, morality as well as the integrity and capability of judges in judicial power are not yet fully independent and free from the influence and interests of power. They should not be able to influence and/or be influenced by various decisions and legal consequences that they make themselves, both politically and economically. The various issues surrounding the judicial power as described above have become one of the important reform agendas so that in the Amendment to the 1945 Constitution, the articles governing judicial power underwent significant changes. The independence of judicial power is really at stake in the judicial process that touches the interests of power. In addition to the intervention of the executive power on the judicial power which has become an "actor" forcing judges to betray their profession, the judicial power in carrying out its judicial duties is still plagued by "acute disease" namely rampant judicial corruption.

Therefore, Judicial Power, which is said to be free or independent, is essentially bound and limited by certain signs, so at the International Commission of Jurists conference, it was said that: "Independence does not mean that the judge is entitled to act arbitrarily. "Although in principle judges are independent and free, the freedom of judges as described above is not absolute because in carrying out their duties judges are micro-limited by Pancasila, the 1945 Constitution, statutory regulations, the will of the parties, public order, and morality. judicial power is highly recommended to avoid matters related to political interests. Judicial power that is free and impartial will only be realized if it is subject to applicable legal regulations. So, limitations or signs that must be remembered and considered in the implementation of that freedom is primarily the rule of law is sen self. Legal provisions, both in terms of procedural and substantial/material, are themselves a limitation for the "Judicial Powers so that in exercising their independence they do not violate the law and act arbitrarily. Judges are "subordinated" to the Law and cannot act "*contra legem*".[16]

---

[16] *Ibid.*, hlm. 55

The Ideal Position of Judicial Power in the Criminal Justice System

Likewise, with the power of the Supreme Court which is the perpetrator of judicial power, it must also be independent and separate from other state powers. That independence includes personal independence (personal judicial independence), substantial independence (substantive judicial independence), and internal independence and institutional independence (institutional judicial independence).

a. Substantive independence is independence in examining and deciding a case solely to uphold truth and justice following legal principles.

b. Institutional independence is the independence of the judiciary from the intervention of various other state and government institutions in deciding a case.

c. Internal independence is the independence possessed by the judiciary to regulate the interests of the judicial personnel, including among others recruitment, transfer, promotion, salary, tenure, retirement.

d. Personal independence is independence from the management of colleagues, leaders, and the judicial institution itself.[17]

C. CONCLUSION

Freedom of Judges based on the independence of Judicial Power in Indonesia is guaranteed in the Indonesian Constitution, namely the 1945 Constitution, which is then implemented in the Law on Judicial Power. Thus the judicial power must be free and impartial, this will only be realized if it is subject to the applicable legal rules. If the judicial power does not maintain a proper distance from the existing political institutions in a country, then it will lose its legitimacy and its presence in a country will be meaningless. The idea of independent judicial power can be realized, one of which is if the Human Resources of the Supreme Court justices have a personality that is not reprehensible, fair, professional, and experienced in the field of law. This means that the available recruitment system must ensure that the best individuals are recruited. Therefore, recruitment must be carried out through a system by neutral, competent, transparent parties, effective supervision of recruitment, and proper standards.

BIBLIOGRAPHY

1) Ahmad Basuki, "Supervision of the Implementation of Judicial Power as an Effort in Realizing Criminal Justice Accountability", Perspektif Journal Vol. XVIII No. 1, 2013.

2) Anwar, Yesmil, et.al., 2011, Criminal Justice System, Concepts, Components and Implementation in Law Enforcement in Indonesia, Bandung, Widya Padjadjaran.

3) Barda Nawawi Arief, 2008, Problems of Law Enforcement and Criminal Law Policy in Combating Crime, Jakarta, Kencana, p. 37.

4) Benny K. Harman, 1997, Political Configuration and Judicial Power in Indonesia, Jakarta, ELSAM.

5) Jose Maria Maravall and Adam Przeworski (eds.), Democracy and the Rule of Law, Cambridge University Press, 2003; read for example the writings of John Ferejohn and Pasquale Pasquino, Rule of Democracy and Rule of Law

6) M. Syahrul, "Independence of Judicial Power from the Influence of Power in Indonesia" Journal of Legal Studies, Vol. 1 No. 1, 2016.

7) Moh. Mahfud MD, 1999, Political and Legal Struggle in Indonesia, Jakarta, Gama Media.

8) Nawa Angkasa, "Analysis of the Position and Function of the Judiciary as the Holder of Judicial Power in the State Legal System in Indonesia" Journal of Nizham, Vol. 01 No. 01, 2013.

9) Pujiyono, "Reconstruction of the Indonesian Criminal Justice System in the Perspective of Independence of Judicial Power" Journal of Legal Problems, Vol. 41, No. 1, 2012.

10) R. Subekti and R. Tjitcosoedibio, 1971, Legal Dictionary, Jakarta, Pradnya Paramita.

11) Sirajuddin, et.al., 2007, Law Enforcement Supervisory Commission, Can It Bring Change, Malang, Malang Corruption Watch (MCW) - YAPPIKA.

12) Sjachran Basah, 1997, Existence and Benchmarks of Administrative Courts in Indonesia, Bandung, Alumni.

13) Sudikno Mertokosumo, 1971, History of the Judiciary and its Legislation in Indonesia Since 1942 and What Are the Benefits for Us, the Indonesian Nation, Bandung, Kilat Maju.
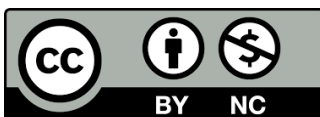
---

[17] *Ibid*., hlm. 58.

On the Quotations in Arabic Quoted in the Work "Qush tili" (The Language of Birds) by Mawlana Khoja Qazi Payvandi Rizoi

Shafoat Khasanova

Doctor of Sciences in Philology, Acting Professor Al Bukhari University of the Republic of Uzbekistan

ABSTRACT: In Uzbek literature, the study of epics of the genre "Mantiq ut-tayr" is associated with the study of Alisher Navoi's epic "Lison ut-tayr" and has always been in the spotlight of experts. Mavlono Khoja Qazi Payvandi Rizoi (XVIII acp) was another artist who wrote in Turkish on the theme of "Mantiq ut-tayr". The only manuscript of the epic "Qush tili"(The Language of Birds) created by him is kept in the fund of the State Museum of Literature named after Alisher Navoi under inventory number 127.

In the creation of Rizoi's epic "Qush tili"(The Language of Birds) the epics of the series "Mantiq ut-tayr" and the works of Sana'i, Ibn Sina, Shahobiddin Suhrawardi, Ahmad Ghazzali were the first sources, The history of Islam, the Qur'an and the hadiths have served as an important factor in ensuring the originality of the work, the uniqueness of the plot and compositional structure.

KEYWORDS: Rizoi Payvandi, "Qush tili"(The Language of Birds), Qur'an, hadith, epic, quotation, content, form.

INTRODUCTION

Payvandi Rizoi's "Qush tili"(The Language of Birds) is a religious and philosophical work dedicated to the symbolic adventures of birds to Simurg (Allah), with a special emphasis on human spiritual maturity. In Rizoi's epic, unlike Fariduddin Attor's "Mantiq ut-tayr" and Alisher Navoi's "Lison ut-tayr", the epic is divided into two parts. In the first, the 10 beds that are initially required for taxation, namely the nutrients - Tawba, Zuhd, Tawakkul, Qanoat, Uzlat, Zikr, Tavajjuh, Sabr, Muroqiblik and Riza. These nutrients purify the soul spiritually and encourage it to cross the next 7 climates, namely, Talab, Ishq, Ma'rifat, Istiqna, Tawhid, Hayrat, Faqru fano and Simurg visoli.

Payvandi Rizoi's epic "Qush tili"(The Language of Birds) has a total of 156 titles. Of these, 66 were the titles of the main chapters of the epic, while 33 were the titles of the stories. The 53 titles consist of Arabic suras from the suras of the Qur'an and hadiths.

In the introductory part of the work:

مناجات القاضى الحاخات حضرتيندا كيم عدونى استجب اكم امرى بيرله حاجتمندلاركا دعا واجب قيلدى و رفع حاجات الرفيع الدرجات جنابيداكيم هل من سائل سولى بيرله بارچه سائللار سوالينى روا قيلور

"*Munojot ul qoziyul hojot Hazratindakim "Ad'uvni astajib lakum" amri birla hojatmandlarga duo vojib qildi va rafa'a hojot ul rafi'u-d-darajot Janobidakim "Hal man sail" savoli birla barcha soyillar savolini ravo qilur*".

The headline reads: "Munojat ul Qaziyul Hojat Hazrat's command" Aduwni astajib lakum "has made it obligatory to pray for the needy, and rafa'a hojat ul rafi'u-d-derjot Janobi's question" Hal man sail "will answer the question of all the tribes." The Arabic sentences in this title are taken from verse 60 of Surah al-Ghafir. Contents*: "Your Lord has said", "Call on Me, and I will answer you" [1. 37].*

The next headline is about the Prophet (peace and blessings of Allaah be upon him):

نعت آخرسابقى نينك كيم حديث كنت نبيا و آدم بين الماء و الطين اولىتى غه دليلى دور صحيح و انه و لكن رسول الله و خاتم النبين آخرى غه نصى دور صريح

"*Na'ti oxiri sobiqeningkim hadis: "Kuntu nabiyyan va Odama baynal moi va-t-tini" avvaliyatig'a daliledur sahih: "Va innahu va lakinna Rasulullohi va xotamu-n-nabiyyin" oxirig'a nassiydur sarih" [1. 42].* The Arabic sentences in this title are the hadiths of the Prophet (peace and blessings of Allaah be upon him) and quotations from verse 40 of Surah al-Ahzab.

When the play mentions Sulayman (as), the author quotes the following Arabic quote:

قال الله تعالى حكايت من سليمان ما لى لا ارى الهدهد ام كان من الغائبين

On the Quotations in Arabic Quoted in the Work "Qush tili" (The Language of Birds) by Mawlana Khoja Qazi Payvandi Rizoi

"*The story of the Prophet (peace and blessings of Allaah be upon him) is as follow*". This quote from Surat an-Naml of the Qur'an refers to the narration that the Prophet Sulayman (as) invited Bilqis, the queen of Yemen, to Islam. The Prophet Solomon sought Hudhud and said, "Why do I not see Hudhud, but he is one of those who disappear?"[2].

Rizoi Payvandi narrates the story of the Ashâb-i kahf (Ashobi Kahf - The owners of the cave. They became seven brothers, had a strong faith in the Almighty, and hid in a cave for fear of the cruel punishment of the tyrannical infidel king Dacianus. They were joined by a dog. They slept for 309 years by the power of God. The dog was guarding them without blinking. (Basitkhan bin Zahidhon. Javohir ul-hikoya. Tashkent: 2004. –p. 214) Surah al-Kahf 22 verses. Meaning: "(The others) are five, and the sixth is their dog.)in the Qur'ân al-kerîm and concludes it with the story of the climate of demand. It speaks of devotion to the path of faith. The Companions of the Cave, by the will of Allah, will remain steadfast in their faith for 300 years. According to legend, a dog named Kitmir was guarding them in their hidden caves.

Rizoi draws his attention to the image of the dog-Kitmir in this quotation, citing another example from verse 22 of Surat al-Kahf, and concludes the story with a description of the dog in a climate of demand. In it, the dog is seen as a human being because he served the guide. This idea finds its vivid expression in the following verses. Rizoi draws his attention to the image of the dog-Kitmir in this quotation, citing another example from verse 22 (Surah al-Kahf 22 verses. Meaning: "(The others) are five, and the sixth is their dog.") of Surah al-Kahf, and concludes the story with a description of the dog in a climate of demand. In it, the dog is seen as a human being because he served the guide. This idea finds its vivid expression in the following verses:

> *Kimki tajrid ahliga hamdam bo'lur,*
> *Garchi it bo'lsakim ul odam bo'lur,*
> *Itki Kahf ashobig'a hamdam edi,*
> *Haq alardin oni oltinchi dedi.[3. 277]*

In the chapter on the climate of love, Rizoi speaks of the quality of the will of God and refers to the hadiths of the Prophet Muhammad (saas):

> *Ya'ni olam kavnig'a uldur sabab,*
> *Kuntu kanzandur munga nassi ajab.*

The full text of the hadith:

Qavluhu alayhis salom: «Kuntu kanzan قوله عليه السلام كنت كنزا مخفيا فاحببت ان اعرف فخلق الخلق و يجيب اليهم بالنعم فعرفوا بها *maxfiyan fahbabtu an u'rafa» faxuliqal xalqa va yujibu ilayhim bin ni'ami fa arafu biho.* Meaning: The hadiths of the Holy Prophet (saas): The Almighty commanded: "I was a hidden treasure, I wanted to show my appearance." All beings were created, provided with sustenance, and they knew Him.

As Rizoi points out, the knowledge of Allah is closely related to the enlightenment of the nafs. This is what the hadith says:

من عرف نفسه فقد عرف ربه

« *Man arafa nafsahu faqad arafa rabbahu*». [4. 814]

Purpose: He knows God who knows himself. In this way, the divine attributes of the Almighty will be revealed, and only then will it be clear that the Absolute Being is Subhanahu wa Ta'ala.

In his description of the climate of enlightenment, al-Rizoi narrated that the Prophet (peace and blessings of Allaah be upon him) said, "We did not know you and the truth of enlightenment," and in Surah al-Isra, so he will be blind in the Hereafter and completely astray" [5. 289] quoting 72 verses in its content and interpreting it through verse:

> *Kimki bu kun diyda hosil qilmasa,*
> *Onda ko'rgusini munda bilmasa.*
> *Tonglakim a'mo basar bo'lg'usidur,*
> *Qaysi ko'z birla oni ko'rgusidur.[3. 294]*

It should be noted that Rizoi gives many examples from the Qur'an and hadiths in the epic "Qush tili"(The Language of Birds) and, most importantly, explains the content of the quotations in Uzbek to make it clear to the reader.

In Rizoi Payvandi's epic, the climate of Enlightenment comes after the climate of Enlightenment. This climate is explained by the details of the prayer of Hazrat Hasan, the son of Hazrat Ali (ra), who performed the prayer from dawn to dusk on the way to the Ka'bah. It quotes Surat al-Ahzab, Hud and Mu'minun(Al-Ahzab, the meaning of verse 33: "O people of the House, Allah wants to remove sin from you and purify you." Hud, verses 45-46: "My Lord, my son is from my family ... (Allah) said: O Noah, he is not from your family. That is not a good thing. " The meaning of verse 101 of Mu'minun is:), emphasizing the need to be cleansed of sins, the fact that on the Day of Judgment the lineage will not be taken into account, and that everyone will be responsible for himself.

Most of the stories in the epic are described in the Qur'an as "Anbiya", "Ali Imran", "Maida", "Baqara", "An'am", "Nur", "Al-Isra", "Nahl", "Hijr", "Sod" , "Fajr", "Kahf", "Tawba", "Najm", "Tin", "Yusuf", "Ahzob" created based on the

On the Quotations in Arabic Quoted in the Work "Qush tili" (The Language of Birds) by Mawlana Khoja Qazi Payvandi Rizoi

content of the suras, they are based on miracles and stories related to the history of Adam, Ibrahim Khalilullah, Job, Prophet Uzair, Prophet Solomon, and Joseph.

The main ideas of the epic are articulated and interpreted by the poet on the basis of the hadith and the interpretation of quotations from the Qur'an.

Rizoi's epic "Qush tili"(The Language of Birds) is a work written in a religious-mystical spirit, in which the birds' journey to Simurg led by Hudhud is of special scientific and artistic significance, as it is symbolically described. The composition of the epic and the world of images, the creativity of the stories and fables quoted in it served as the main factor determining the specific ideological and artistic features of Rizoi's work. Before addressing this topic, the poet studied the genetic buds and religious sources of the epic "Mantiq-ut tayr" and managed to create a work rich in content and form, adapting the plot to his views.

REFERENCES
1. Mawlana Khoja Qazi Payvandi Rizoi. Bird language / publisher Sh. Hasanova. Tashkent: 2009 y. -p. 37.
2. Abdulaziz Mansur. Translation of the meanings of the Qur'an. Tashkent: Tashkent Islamic University, 2001.
3. Mawlana Khoja Qazi Payvandi Rizoi. Bird language / publisher Sh. Hasanova. Tashkent: 2009 y. -p. 277.
4. The terminology and interpretation of culture is traditional. Tehron: 1303. –p. 814.
5. Abdulaziz Mansur. Translation of the meanings of the Qur'an. Tashkent: Tashkent Islamic University, 2001. –p. 289. Surah Al-Isra, verse 72.
6. Basitxon bin Zahidhon. Javohir ul-hikoya. Tashkent:, 2004. –p. 214.
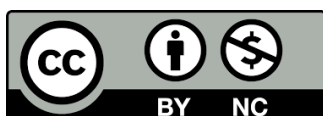
Development of Information Technology (IT) Based Learning Model Using Flip Animation on Chemical Bonding Material Grade X in Yapalis Vocational High School Krian

Ellyta Norsita Sophia[1], Hari Karyono[2], Wawan Gunawan[3]

[1,2,3]Education Technology, Postgraduate, University PGRI Adi Buana of Surabaya

ABSTRACT: This research aims to develop a chemistry teaching material that takes into account the characteristics of the subject and the characteristics of the students. Teaching materials that are designed according to student needs can increase student interest, which, in turn, will increase their learning achievement. The development model chosen is the Dick and Carey model using flip media. The reason for choosing this model is that the Dick and Carey model uses a procedural-system approach in accordance with the characteristics of chemical subjects that are tiered and sequential.

The stages carried out in the development of these teaching materials are (1) identifying the objectives of chemistry learning, (2) conducting learning analysis, (3) identifying the initial abilities and characteristics of students, (4) formulating specific learning objectives, (5) preparing assessment instruments, (6) developing learning strategies, (7) developing and selecting learning materials, (8) designing and conducting formative evaluations, and (9) revising learning.

The results of field trials showed 84.90% of students and 80% of teachers that the flip learning media were qualified. The odd semester flip chemistry learning media can be used by students and chemistry teachers of class X SMK Yapalis Krian and can be used by teachers and vocational students by paying attention to product use suggestions, dissemination suggestions, and suggestions for further development.

KEYWORDS: Flip Animation, Chemistry, Vocational High School

I. INTRODUCTION

The implementation of the 2013 curriculum has consequences for teachers who have to be more qualified in carrying out learning activities. There must be literacy integration and character education strengthening (PPK) in the teaching and learning process (PBM). Learning also needs to be carried out contextually using models, strategies, and techniques according to the characteristics of Basic Competence (KD) so that learning objectives are achieved (Puspita, 2016) and (Khoirunnisa, Veri Firmansyah, & Friska Septiani Silitonga, 2019). 21st century learning is simply defined as learning that provides 21st century skills to students, namely the 4Cs, which include: (1) communication, (2) collaboration, (3) critical thinking and problem solving, and (4) creativity and innovation. Based on Bloom's Taxonomy, which has been revised by Krathwoll and Anderson, the abilities that students need to achieve are not only Lower Order Thinking Skills (LOTS), namely C1 (knowing) and C2 (understanding), and Middle Order Thinking Skills (MOTS), namely C3 (applying) and C4 (analyzing), but there must also be an increase in Higher Order Thinking Skills (HOTS), namely C5 (evaluating) and C6 (creating) (Elihami, 2019; Marwiyah, 2012; Rosmaiyadi, 2017).

For this reason, education is needed to form a creative, innovative, and competitive generation. One of these things can be achieved by optimizing the use of technology as an educational tool, which is expected to produce output that can follow or be better.

II. RESEARCH METHODS

This study uses research and development methods, which means that the results of this research can be used to assist the implementation so that the work becomes more effective and efficient (Sugiyono, 2017). This research method contains several points, namely (1) development model, (2) development procedure, and (3) product trial, wherein the third item contains several points, namely (a) trial design, (b) test subject, (c) types of data, (d) data collection instruments, and (e) data analysis techniques. Expert validation of devices and media. Flip media support device and Flip media were both assessed by experts, and the results were analyzed in a way that was easy to understand.

The assessment of supporting tools is in the form of compatibility between the tools, namely curriculum, concept analysis, and learning scenarios, while the assessment of the design is in the form of the suitability of supporting devices with the

media that has been designed. Limited trial of Flip media: The data collected from the results of the limited trial in the form of questionnaires from both students and educators were analyzed descriptively with the percentage technique.

III. RESULTS AND DISCUSSION

This development research produced a Flip Animation learning medium that students can use both offline and online. All they need to do is simply download the file shared by the teacher and open it on their laptop, tablet, or smartphone. The interesting part about this medium is that students can flip the pages like a book instead of scrolling them down endlessly like a basic PDF eBook.

Image 1. Flip Animation Cover

Image 2. How Flip Animation looks on touch screen devices

Image 3. Materials inside

Development of Information Technology (IT) Based Learning Model Using Flip Animation on Chemical Bonding Material Grade X in Yapalis Vocational High School Krian
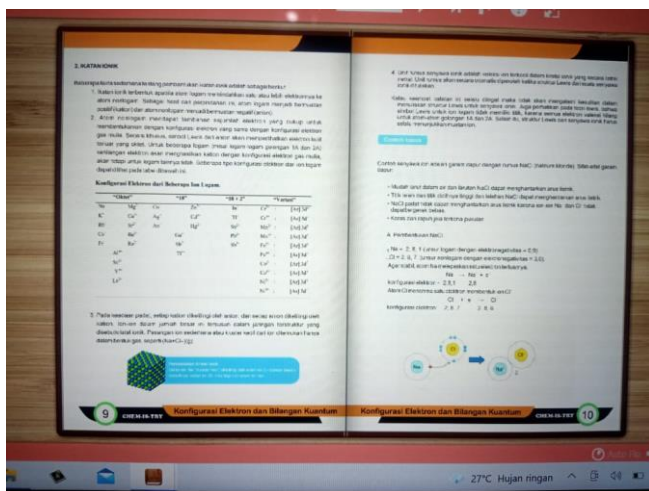
Image 4. Student's evaluation

The researcher also got valuable input from content experts for chemistry subjects, learning design experts, and learning media experts. Meanwhile, the input from students using the Flip Animation application media on the chemical bonding material was shown in the results of individual trials, small group trials, and field trials.

A. Feasibility Assessment by Content Expert

Table 1. Feasibility Test Result by Content Expert

No.	Indicator	Score (1-5)
1.	The design and layout images give a positive impression so that they are able to attract the interest of *Flip* and Animation application media users	5
2.	Ease of reading text/writing and symbols.	5
	Total	**10**

Comments and suggestions from subject matter experts on the Flip Animation application media product on Chemical Bonding Materials are as follows: (1) in the presentation section of the Chemical Bond Material concept map, the writing on the concept map should be written in a rather large font size so that students can more clearly read and understand each word that is there; (2) should be given a summary at the end of the chapter so that students can review the material they have read; (3) abstract concepts and learning topics are clarified again during direct learning, namely when face-to-face or Google Meet; and (4) in general, this Flip and Animation application media is good and worthy to be conveyed to students.

To determine the percentage of the results of the assessment of subject matter experts, a score calculation is used on the feasibility of material aspects, linguistic aspects, presentation aspects, aspects of the Flip and Animation application media effect on learning strategies and overall display aspects with two formulas sourced from (Luhulia, 2018) as follows:

P =(X/X1×100%)

The explanation for the formula is:
- P = percentage (%) of answers
- X = total score of respondents' overall answers in one item
- X 1 = the maximum number of scores in one item

P =((∑X)/(∑X1)×100%)

The explanation for the formula is:
- P = Percentage (%) of answers
- X = total score of respondents' overall answers
- X 1 = the maximum number of answer scores

The percentage of the feasibility level of Flip and Animation application media on this Chemical Bond Material can be presented in the following table:

Development of Information Technology (IT) Based Learning Model Using Flip Animation on Chemical Bonding Material Grade X in Yapalis Vocational High School Krian

Table 2. Content Feasibility Test Score in Percent by Content Expert

No.	Assessment Aspect	Total score	Percentage
1	Material aspect feasibility assessment	25	83.33
2	Assessment of the feasibility of the linguistic aspect	17	85.00
3	Presentation aspect feasibility assessment	9	90.00
4	Assessment of feasibility aspects of *Flip* and Animation application Media effects on learning strategies	21	84.00
5	Overall view aspect feasibility assessment	10	100.00
	Average percentage		**88.47**

B. Feasibility Assesment by Design Expert

The second expert who provides input on the Flip and Animation application media is a learning design expert. The Flip and Animation application media on the Chemical Bond Material was submitted to the learning design expert on December 14, 2020. The design expert appointed by the developer to validate the learning design in this Flip and Animation application media was Dr. H. Ibu t Priono Leksono, M.Pd., one of the lecturers of the Learning Technology Study Program, Postgraduate Program, Universitas PGRI Adibuana Surabaya. The questionnaire was collected on January 4, 2020. The data was collected using the questionnaire method.

Table 3. Feasibility Test Result by Design Expert

No.	Indicator	Score (1-5)
1.	The design and layout images give a positive impression so that they are able to attract the interest of *Flip* and Animation application media users	4
2.	*Flip* app Media Design and Animation regular and consistent.	3
3.	The type and size of the selected font is correct and makes Media a *Flip* and Animated application become more interesting.	4
4.	Easy text/writing and symbols be read.	4
5.	The colors chosen and their combinations are appropriate and attractive .	3
6.	There is a suitability of the presentation of the image and the material under discussion.	4
7.	*Flip* and Animation app media packaged in the form of *Html5* for ONLINE learning	5
	Total	**27**

The assessment about flip and animation's media, linguistic, presentation, learning strategy, and overall display aspects are shown in the table below. The percentage of learning design expert assessments that were used to calculate the scores is shown in the next column.

Table 4. Design Feasibility Test Score in Percent by Design Expert

No.	Assessment Aspect	Total score	Percentage
1.	Assessment of the feasibility of the Media aspect of the *Flip* and Animation application	55	91.66
2.	Assessment of the feasibility of the linguistic aspect	20	80.00
3.	Presentation aspect feasibility assessment	14	93.33
4.	Assessment of the feasibility of aspects of Learning strategy	18	90.00
5.	Overall view aspect feasibility assessment	27	77.14
	Average percentage		**86.43**

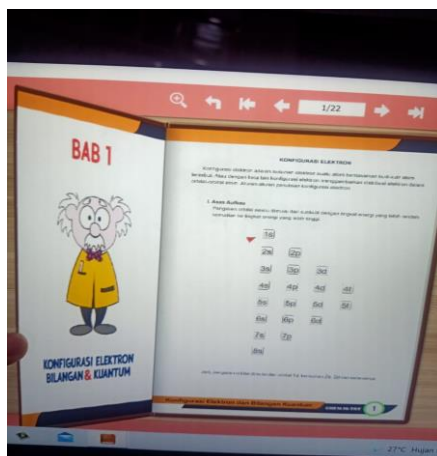**Development of Information Technology (IT) Based Learning Model Using Flip Animation on Chemical Bonding Material Grade X in Yapalis Vocational High School Krian**

Based on the table above, the average percentage of the design feasibility level of Flip and Animation application media is 86.43%. The qualifications are very good, and the feasibility level is very high. Therefore, Flip and Animation media do not need a revision.

C. FeasibilityAssessement by Media Expert

A draft of the Flip and Animation application on Chemical Bond Materials was validated by learning media experts on December 14, 2020, to obtain feedback and assessments. The learning media expert referred by the developer to validate the learning media in this Flip and Animation Media application is Dr. Ahmad Noor Fatirul, M.Pd., one of the Postgraduate Program lecturers at PGRI Adibuana University Surabaya.

Table 5. Feasibility Test Result by Media Expert

No.	Indicator	Score (1-5)
1.	The design and layout images give a positive impression so that they are able to attract the interest of *Flip* and Animation application media users	5
2.	*Flip* app Media Design and Animation regular and consistent.	4
3.	The type and size of the selected font is correct and makes Media a *Flip* and Animated application become more interesting.	4
4.	Easy text/writing and symbols be read.	5
5.	The colors chosen and their combinations are appropriate and attractive .	5
6.	There is a suitability of the presentation of the image and the material under discussion.	5
7.	*Flip* and Animation app media packaged in the form of *Html5* for ONLINE learning	5
	Total	**33**

The percentage results of media expert assessments used to calculate the score on the feasibility of the Flip and Animation application media aspects, linguistic aspects, presentation aspects, learning strategy aspects, and overall display aspects are presented in the following table:

Table 6. Media Feasibility Test Score in Percent by Media Expert

No.	Aassessment Aspect	Total score	Percentage
1.	Media aspect feasibility assessment	55	91.66
2.	Material aspect feasibility assessment	29	96.66
3.	Assessment of the feasibility of the linguistic aspect	24	96.00
4.	Presentation aspect feasibility assessment	14	93.33
5.	Assessment of feasibility aspects of Learning strategy	19	95.00
6.	Overall view aspect feasibility assessment	33	94.28
	Average percentage		**94.49**

D. Individual Trial

After revising the first draft of Flip and Animation application media on Chemical Bonding Materials based on input from subject content experts, learning design experts, and learning media experts, the developer submitted draft II (revised draft I) Flip and Animation application media to 3 students as respondents in the individual test, namely 1 person each from class X MM4, X MM-5, and X MM-7. Individuals will be able to test the second draft of the Flip and Animation Media app on February 2, 2021. There are no additional comments on other things that need to be improved, so that this textbook in the form of Flip and Animation application media is suitable for use without revision.

The results of data analysis through questionnaires revealed that the average individual test reached 80.47%. This result is categorized as highly feasible. Therefore, the Flip and Animation applications do not require revision. There are also no further comments or suggestions from students.

Development of Information Technology (IT) Based Learning Model Using Flip Animation on Chemical Bonding Material Grade X in Yapalis Vocational High School Krian

The results of the small group test analysis of teaching materials in the form of Flip and Animation application media showed the average percentage of textbook achievement was 92.69%, which was included in the very good category.

E. Field Trial

Field trial was carried out at the Yapalis Krian 1 Vocational School with 21 respondents from class X MM 4, as many as 7 students, X MM5, as many as 7 students, and also as many as 7 students from class X MM 6, on March 2, 2021. Hanit Styaningtyas, S.Pd., is a senior chemistry teacher at Yapalis Krian Vocational School who helped to run the field trial.

The result of student assessment questionnaires on the Flip and Animation application media during the field trial was 91.76%, which means that the Flip and Animation application media were in very good qualification. It also turns out that, from the point of view of the chemistry teacher who filled out a questionnaire, the development product in the form of Flip and Animation application media is very good at achieving goals with a 90% success rate.

The final result of the assessment from both students and teachers in the field test is (91.76% + 90%)/2 = 90.88%. This average demonstrates that the Flip and Animation application media are of very high quality. The developer did not make any revisions, considering there were no suggestions from the subject teacher.

IV. CONCLUSIONS

Flip and Animation media for Chemical Bonds in Class X SMK Yapalis Krian has been developed. Flip and Animation Application Media Development using the Dick and Carey development model . The content or material in the Flip and Animation application media is adjusted to the curriculum that is currently being used. Inside Flip and Animation apps students are given access rights to access material that is packaged in an attractive manner by providing multimedia elements in it in it as well as competency test. Students can study independently anytime and anywhere, especially when learning is still being done ONLINE due to the COVID-19 outbreak.

The results of validity test for Flip and Animation application media on Class X Chemical Bond Materials at Yapalis Krian Vocational School for the 2020/2021 Academic Year, as follow: (1) according to content experts, the qualifications are very good, namely 88.47%, (2) according to learning design experts, they are in very good qualification 86.43%, (3) according to learning media experts, it is in very good qualification 94.49%, (4) based on individual trials is in very good qualification, namely 80.47%, (5) based on trials the small group has very good qualifications, namely 92, 69%, (6) based on field trials for students and chemistry teachers are in very good qualifications, namely 91.76% and 91.76%.

REFERENCES

1) Adriawati, & Purwanto, A. (2018). Pengembangan Media Interaktif Menggunakan Flipbook Maker Pro dan Kemampuan Berpikir Kritis terhadap Hasil Belajar Materi IPA Tema 2 Udara Bersih bagi Kesehatan Kelas 5 pada Kurikulum 2013. Prosiding Seminar Nasional Pendidikan 2018.

2) Agustien, R., Umamah, N., & Sumarno, S. (2018). Pengembangan Media Pembelajaran Video Animasi Dua Dimensi Situs Pekauman di Bondowoso Dengan Model Addie Mata Pelajaran Sejarah Kelas X IPS. Jurnal Edukasi. https://doi.org/10.19184/jukasi.v5i1.8010

3) Agustina, M. (2013). Pemanfaatan E-Learning sebagai Media Pembelajaran. Seminar Nasional Aplikasi Teknologi Informasi (SNATI).

4) Amalia, S. L. F., Ayuningtyas, T. R., & Adzkiyak. (2020). Pengembangan Media Flip Book Berbasis Peninggalan Megalitikum Sebagai Sumber Belajar Untuk Meningkatkan Prestasi Belajar Siswa Kelas X PM SMK Trunojoyo Jember Ajaran 2018/2019. Sandhyakala: Jurnal Pendidikan Sejarah, Sosial dan Budaya.

5) Andriani, R., & Rasto, R. (2019). Motivasi Belajar Sebagai Determinan Hasil Belajar Siswa. Jurnal Pendidikan Manajemen Perkantoran. https://doi.org/10.17509/jpm.v4i1.14958

6) Angriani, S. (2019). Pengembangan Media Pembelajaran E-Book Sejarah Menggunakan Flip Pdf Profesional Materi Perkembangan Kolonialisme dan …. … Media Pembelajaran E-Book Sejarah ….

7) Anugra, H., Yusup, P. M., & Erwina, W. (2013). Faktor-Faktor Dominan yang Mempengaruhi Minat Baca Mahasiswa. Jurnal Kajian Informasi & Perpustakaan.

8) Anwas, O. M. (2018). Kebutuhan Diklat Online Untuk Tenaga Pendidik. Jurnal Teknodik. Https://Doi.Org/10.32550/Teknodik.V10i19.391

9) Anyau, M. (2018). Pemanfaatan Lingkungan Sekolah Sebagai Media Pembelajaran Biologi. Jurnal Keguruan dan Ilmu Pendidikan.

10) Ariyani, B., Wasitohadi, Rahayu, T. S. (2019). Meningkatkan Antusiasme dan Hasil Belajar Siswa dengan Model Picture and Picture Berbantuan Media Puzzle pada Muatan Matematika , Bahasa Indonesia , dan PPKn Kelas 1 SD. Jartika: Jurnal Riset Teknologi dan Inovasi Pendidikan.

Development of Information Technology (IT) Based Learning Model Using Flip Animation on Chemical Bonding Material Grade X in Yapalis Vocational High School Krian

11) Ariyanto, R. R., & Huda, M. (2013). Model-Model Pengajaran dan Pembelajaran : Isu-Isu Metodis dan Paradigmatis. Yugyakarta: Pustaka Pelajar.

12) Asep Hernawan Herry, & Andriyani, D. (2014). Hakikat Kurikulum dan Pembelajaran. Modul Pembelajaran.

13) Asmara, A. P. (2015). Pengembangan Media Pembelajaran Berbasis Audio Visual Tentang Pembuatan Koloid. Jurnal Ilmiah Didaktika. https://doi.org/10.22373/jid.v15i2.578

14) Aurora, A., & Effendi, H. (2019). Pengaruh Penggunaan Media Pembelajaran E-learning terhadap Motivasi Belajar Mahasiswa di Universitas Negeri Padang. Jurnal Teknik Elektro Vokasional.

15) Ayuningtyas Rheza Pratama, T. R. P. (2019). Pengembangan Media Pembelajaran Flip Chart Berbahan Dasar Bambu. Historia Jurnal Program Studi Pendidikan Sejarah.

16) Azis, A. (2014). Kompetensi Guru Dalam Penggunaan Media Dengan Mutu Pendidikan. Jurnal Pelopor Pendidikan.

17) Bagaray, F. E. K., Wowor, V. N. S., & Mintjelungan, C. N. (2016). Perbedaan efektivitas DHE dengan media booklet dan media Flip chart terhadap peningkatan pengetahuan kesehatan gigi dan mulut siswa SDN 126 Manado. E-GIGI. https://doi.org/10.35790/eg.4.2.2016.13487

18) Bernard, M. (2015). Meningkatkan Kemampuan Komunikasi dan Penalaran Serta Disposisi Matematik Siswa SMK Dengan Pendekatan Kontekstual Melalui Game Adobe Flash Cs 4.0. Infinity Journal. https://doi.org/10.22460/infinity.v4i2.84

19) Blair, E., Maharaj, C., & Primus, S. (2016). Performance and perception in the Flipped classroom. Education and Information Technologies. https://doi.org/10.1007/s10639-015-9393-5

20) Chairiah, Silalahi, A., & Hutabarat, W. (2016). Pengembangan Bahan Ajar Kimia Materi Larutan Asam dan Basa Berbasis Chemo Edutainment Untuk Siswa SMK TI Kelas XI. Jurnal Pendidikan Kimia (JPK).

21) Chandra, O., Adib, A., & Wijayanti, A. (2019). Perancangan Komunikasi Visual Social Campaign Media "Body Shaming" Pada Anak 13-18 Tahun Pemakai Media Sosial. Jurnal DKV Adiwarna.

22) Chaniago, S. M. (2018). Pengidentifikasian Hiperteks Pada Kompas Online Sebagai Sebuah Genre Multimedia. Aksis: Jurnal Pendidikan Bahasa dan Sastra Indonesia. https://doi.org/10.21009/aksis.020104

23) Chotib, S. H. (2018). Prinsip Dasar Pertimbangan Pemilihan Media Pembelajaran. Awwaliyah: Jurnal PGMI.

24) Chusna, P. A. (2017). Pengaruh Media Gadget Pada Perkembangan Karakter Anak. Dinamika Penelitian: Media Komunikasi Sosial Keagamaan.

25) Clorawati, A. R., Rohiat, S., & Amir, H. (2017). Implementasi kurikulum 2013 bagi guru kimia. Jurnal Pendidikan dan Ilmu Kimia.

26) Danoebroto, S. W. (2015). Teori Belajar Konstruktivis Piaget dan Vygotsky. P4TK Matematika.

27) Darimi, I. (2017). Teknologi Informasi dan Komunikasi Sebagai Media. Pendidikan Teknologi Informasi.

28) Dimyati, M. dan. (2013). Model-model pengajaran dan pembelajaran. Teaching and Educations.

29) Dwidasmara, I. (2014). Sistem Informasi Geografis Obyek Wisata Bali Berbasis Aplikasi Mobile Dengan Representasi Data Spasial Menggunakan XML SVG. Jurnal Ilmu Komputer.

30) Dzarnisa, D., Intan Novita, C., Yurliasni, Y., Handayani, T., & Anggaini, S. (2019). Analisa Kualitas Kimia dan Mikrobiologi Susu Kambing Peranakan Etawa dengan Pemberian Pakan yang Ditambahkan Tepung Kulit Manggis pada Persentase yang Berbeda. Jurnal Ilmu dan Teknologi Hasil Ternak. https://doi.org/10.21776/ub.jitek.2019.014.01.4

31) Efendi, R. (2020). Media Pembelajaran Berbasis Video Animasi Untuk Meningkatkan Kompetensi Siswa Di SMA Negeri 4 Palembang. Jurnal Pengabdian Sriwijaya. https://doi.org/10.37061/jps.v8i2.12432

32) El Hami, A., & Ahmad Sidik, A. (2017). Studi Komparasi Self-Esteem Pengguna Iphone dan Bukan Pengguna Iphone Pada Remaja. Psympathic, Jurnal Ilmiah Psikologi.

33) Elihami, E. (2019). Implementasi layanan bimbingan kelompok dalam meningkatkan higher of think mahasiswa berbasis kampus merdeka. Journal of Education, Psychology, and Counseling.

34) Elyas, A. H. (2018). Penggunaan Model Pembelajaran E-Learning Dalam Meningkatkan Kualitas Pembelajaran. Jurnal Warta.

35) Erliyanti, R. (2019). Penerapan Pendekatan Saintifik Berbasis Window Shopping Untuk Meningkatkan Hasil Belajar Peserta Didik Konsep Himpunan Pada Kelas VII C SMPN 3 Hulu Sungai Tengah. EDU-MAT: Jurnal Pendidikan Matematika. https://doi.org/10.20527/edumat.v7i2.7205

36) Faizah, S. N. (2020). Hakikat Belajar dan Pembelajaran. At-Thullab: Jurnal Pendidikan Guru Madrasah Ibtidaiyah. https://doi.org/10.30736/atl.v1i2.85

37) Fakhrurrazi, F. (2018). Hakikat Pembelajaran Yang Efektif. At-Tafkir. https://doi.org/10.32505/at.v11i1.529

38) Fatirul, A. N., & Rufi'i. (2020). Evaluasi dan Pengukuran (I. Wiryokusumo, Ed.). Surabaya: Adi Buana University Press.

39) Fitria, A. (2018). Penggunaan Media Audio Visual Dalam Pembelajaran Anak Usia Dini. Cakrawala Dini: Jurnal Pendidikan Anak Usia Dini. https://doi.org/10.17509/cd.v5i2.10498

40) Gazali, R. Y. (2016). Pembelajaran Matematika yang Bermakna. Math Didactic. https://doi.org/10.33654/math.v2i3.47

41) Gunawan W, Degeng INS, Utaya S, S. (2019). The Improvement of Conceptual and Procedural Understanding by Scaffolding with Responsiveness. International Journal of Innovation, Creativity and Change, 7(5), 162–179. Retrieved from https://ijicc.net/images/vol7iss5/7517_Gunawan_2019_E_R.pdf

42) Gunawan, W., Degeng, I. N. S., Utaya, S., & Sulton. (2019). The Improvement of Conceptual and Procedural Understanding by Scaffolding with Responsiveness. International Journal of Innovation, Creativity and Change, 7(5), 162–179.

43) Hakim, A. R., & Windayana, H. (2016). Pengaruh Penggunaan Multimedia Interaktif Dalam Pembelajaran Matematika Untuk Meningkatkan Hasil Belajar Siswa SD. EduHumaniora | Jurnal Pendidikan Dasar Kampus Cibiru. https://doi.org/10.17509/eh.v4i2.2827

44) Hakim, L. (2018). Pengembangan Media Pembelajaran PAI Berbasis Augmented Reality. Lentera Pendidikan: Jurnal Ilmu Tarbiyah dan Keguruan. https://doi.org/10.24252/lp.2018v21n1i6

45) Hardiansyah, D. (2016). Pengembangan Media Flash Flipbook dalam Pembelajaran Perakitan Komputer untuk Meningkatkan Hasil Belajar Siswa Kelas X TKJ SMK Negeri 7 Surabaya. It-Edu.

46) Hardianto, D. (2005). Media Pendidikan Sebagai Sarana Pembelajaran Efektif. Majalah Ilmiah Pembelajaran.

47) Hayati, N., & Harianto, F. (2017). Hubungan Penggunaan Media Pembelajaran Audio Visual dengan Minat Peserta Didik pada Pembelajaran Pendidikan Agama Islam di SMAN 1 Bangkinang Kota. Al-Hikmah: Jurnal Agama dan Ilmu Pengetahuan. https://doi.org/10.25299/al-hikmah:jaip.2017.vol14(2).1027

48) Heinich, R., Molenda, M., Russell, J., & Smaldino, S. (2012). Instructional Media and Technology for Learning. International Journal of Distributed and Parallel Systems.

49) Herdiana. (2013). Media Audio Visual. Journal of Chemical Information and Modeling.

50) Hernawan, A. H. (2018). Hakikat Strategi Pembelajaran. Strategi Pembelajaran Di SD.

51) Hidayatullah, M. S. (2016). Pengembangan Media Pembelajaran Berbasis Flip Book Maker Pada Mata Pelajaran Elektronika Dasar Di SMK Negeri 1 Sampang. Pendidikan Teknik Elektro.

52) Imania, K. A., & Bariah, S. K. (2019). Rancangan Pengembangan Instrumen Penilaian Pembelajaran Berbasis Daring. Jurnal Petik. https://doi.org/10.31980/jpetik.v5i1.445

53) Iriani, T., Premono, A., & Sri Handoyo, S. (2014). Gagasan Alternatif Program Kemitraan LPTK dengan SMK dalam Menciptakan Guru yang Profesional dan Berkarakter. Konvensi Nasional APTEKINDO VII.

54) J., R. R., Setiawan, W., & R., E. F. (2008). Optimalisasi Macromedia Flash Untuk Mendukung Pembelajaran Berbasis Komputer Pada Program Studi Ilmu Komputer FPMIPA UPI Oleh. Jurnal Pendidikan Teknologi Informasi dan KomunikasiTeknologi Informasi dan Komunikasi.

55) J, H., & Sulaeman, S. (2019). Pengaruh Edukasi Media Video dan Flipchart terhadap Motivasi dan Sikap Orangtua dalam Merawat Balita dengan Pneumonia. Jurnal Keperawatan Silampari. https://doi.org/10.31539/jks.v2i2.530

56) Jannah, U. M., Rohmah, S. A., & Noor, F. M. (2019). Analisis Penerapan Pembelajaran Kimia Organik Berkonteks Isu Sosiosainstifik untuk Meningkatkan Literasi Sains Mahasiswa IPA. THABIEA: Journal of Natural Science Teaching. https://doi.org/10.21043/thabiea.v2i1.5491

57) Jantos, A., Heinz, M., Schoop, E., Sonntag, R., & Univ, L. (2016). Creating a Scalable Flipped Classroom Arrangement To Enable Part Time Studies To Further Human Development and Management Education. New Challenges of Economic and Business Development - 2016.

58) Januarisman, E., & Ghufron, A. (2016). Pengembangan Media Pembelajaran Berbasis Web Mata Pelajaran Ilmu Pengetahuan Alam Untuk Siswa Kelas VII. Jurnal Inovasi Teknologi Pendidikan. https://doi.org/10.21831/jitp.v3i2.8019

59) Jatmika, H. M. (2005). Pemanfaatan Media Visual dalam Menunjang Pembelajaran Arti Penting Media Pembelajaran. Jurnal Pendidikan Jasmani Indonesia.

60) Jumasa, H. M. (2019). Rancang Bangun Digital Library Berbasis Mobile (Studi Kasus: Universitas Muhammadiyah Purworejo). INTEK: Jurnal Informatika dan Teknologi Informasi. https://doi.org/10.37729/intek.v2i1.87

61) Kesehatan, J. I., Husada, S., Sitanaya, R. I., Gigi, K., Kemenkes, P., & Artikel, M. (2019). Artikel Penelitian Efektivitas Flip Chart dan Media Audiovisual tentang Karies gigi Effectiveness of Flip Charts and Audiovisual Media about dental caries. JIKSH. https://doi.org/10.35816/jiskh.v10i2.110

62) Khairani, M., Sutisna, S., & Suyanto, S. (2019). Studi Meta-Analisis Pengaruh Video Pembelajaran Terhadap Hasil Belajar Peserta Didik. Jurnal Biolokus. https://doi.org/10.30821/biolokus.v2i1.442

63) Khoirunnisa, F., Veri Firmansyah, & Friska Septiani Silitonga. (2019). Analisis Kebutuhan Petunjuk Praktikum Berbasis Keterampilan Proses Sains untuk Mencapai Kemampuan Merancang Eksperimen. Jurnal Zarah. https://doi.org/10.31629/zarah.v7i1.1287

64) Kowi, R., & Widyanigsih, T. W. (2017). Indonesian Learning Culture Based on Android. International Journal of New Media Technology. https://doi.org/10.31937/ijnmt.v4i1.532

65) Kumalasani, M. P. (2018). Kepraktisan Penggunaan Multimedia Interaktif Pada Pembelajaran Tematik Kelas IV SD. Jurnal Bidang Pendidikan Dasar. https://doi.org/10.21067/jbpd.v2i1a.2345

66) Kumisi, R. (2019). Upaya Meningkatkan Kompetensi Guru Dalam Menyusun Rencana Program Pembelajaran Harian Melalui Bimbingan Berkelanjutan Di TK Negeri Pembina Kecamatan Kota Barat Kota Gorontalo.pdf. Ideas: Jurnal Pendidikan, Sosial dan Budaya. https://doi.org/10.32884/ideas.v5i2.190

67) Kun Sri Budiasih. (2017). Prosiding Seminar Nasional Kimia UNY 2017 Sinergi Penelitian dan Pembelajaran untuk Mendukung Pengembangan Literasi Kimia pada Era Global Ruang Seminar FMIPA UNY, 14 Oktober 2017. Prosiding Seminar Nasional Kimia UNY 2017.

68) Kurniawati, I. D., & Nita, S.-. (2018). Media Pembelajaran Berbasis Multimedia Interaktif Untuk Meningkatkan Pemahaman Konsep Mahasiswa. DoubleClick: Journal of Computer and Information Technology. https://doi.org/10.25273/doubleclick.v1i2.1540

69) Kuswanto, J., Walusfa, Y., Artikel, S., Korespondensi, A., Ratu Penghulu No, J., Sari, K., … Selatan, S. (2017). Pengembangan Multimedia Pembelajaran pada Mata Pelajaran Teknologi Informasi dan Komunikasi Kelas VIII. Innovative Journal of Curriculum and Educational Technology IJCET.

70) Lahadisi. (2014). Inkuiri: Sebuah Strategi Menuju Pembelajaran Bermakna. Jurnal Al-Ta'dib.

71) Lasry, N., Dugdale, M., & Charles, E. (2014). Just in Time to Flip Your Classroom. The Physics Teacher. https://doi.org/10.1119/1.4849151

72) Lipson, A., Lispson, S, & Lipson, H. (2019). Pengertian dan Fungsi HTML (HyperText Markup Language).

73) Luhulima, D. A. (2018). Pengembangan Media Video Animasi untuk Materi Pembelajaran Karakter Bersaksi di Sekolah Minggu. Jurnal Pendidikan Agama Kristen, 4(16).

74) Maimunah, M. (2016). Metode Penggunaan Media Pembelajaran. Al-Afkar: Jurnal Keislaman & Peradaban. https://doi.org/10.28944/afkar.v5i1.107

75) Marsita, N. M. A., Negara, I. G. A. O., & Wiarta, I. W. (2016). Penerapan Metode Bercerita Berbantuan Flip Chart Dapat Mengembangkan Kemampuan Berbahasa Lisan Pada Anak TK. E-Journal Pendidikan Anak Usia Dini.

76) Martilia, A., & Priyambodo, E. (2017). Pengembangan Alat Peraga Kimia Berbasis Kearifan Lokal Sebagai Media Pembelajaran Kimia Kelas XI. Prosiding Seminar Nasional UNY 2017.

77) Marwiyah, S. (2012). Konsep Pendidikan Berbasis Kecakapan Hidup. Jurnal Falasifa.

78) Masitha Arsyati Konsentrasi Promosi Kesehatan, A., Studi Kesehatan Masyarakat Fakultas Ilmu Kesehatan, P., & Ibn Khaldun, U. (2019). Pengaruh Penyuluhan Media Audiovisual Dalam Pengetahuan Pencegahan Stunting Pada Ibu Hamil Di Desa Cibatok 2 Cibungbulang. In Promotor Jurnal Mahasiswa Kesehatan Masyarakat.

79) Matte, R. (2018). Efektivitas Pendidikan Kesehatanmelalui Media Flip Chart dan Media Video Terhadap Pengetahuan Remaja Tentang Hiv/Aids Di SMA Negeri 10 Gowa.

80) Mawarni, S., & Muhtadi, A. (2017). Pengembangan digital book interaktif mata kuliah pengembangan multimedia pembelajaran interaktif untuk mahasiswa teknologi pendidikan. Jurnal Inovasi Teknologi Pendidikan. https://doi.org/10.21831/jitp.v4i1.10114

81) Maynastiti, D., Serevina, V., & Sugihartono, I. (2020). The development of Flip book contextual teaching and learning-based to enhance students' physics problem solving skill. Journal of Physics: Conference Series. https://doi.org/10.1088/1742-6596/1481/1/012076

82) Meidiana, R., Simbolon, D., & Wahyudi, A. (2018). Pengaruh Edukasi melalui Media Audio Visual terhadap Pengetahuan dan Sikap Remaja Overweight. Jurnal Kesehatan. https://doi.org/10.26630/jk.v9i3.961

83) Misnar, M., & Karim, A. (2019). Reformasi Sekolah melalui Lesson Study untuk Membangun Learning Community Menuju Pembelajaran Abad 21 di SD Negeri 6 Kuta Blang. BAKTIMAS: Jurnal Pengabdian Pada Masyarakat. https://doi.org/10.32672/btm.v1i3.1507

84) Mohamad N, I., Budiman, D., & Suhendi, H. (2016). Penerapan Modifikasi Alat Untuk Meningkatkan Keterampilan Bermain Bulutangkis (Penelitian Tindakan Kelas di SD Percobaan Negeri Setiabudi Bandung). Jurnal Pendidikan Jasmani dan Olahraga. https://doi.org/10.17509/jpjo.v1i2.5665

85) Muchlas. (2013). Pengembangan Model Pembelajaran Online untuk Praktik Teknik Digital Program Pascasarjana Universitas Negeri Yogyakarta. UNY Journal.

86) Mukaromah, B. (2017). Pengembangan Media Flip Chart pada Materi Struktur Kerangka Tubuh Manusia Kelas IV SDN Banjaran 2 Kota Kediri Tahun 2016/2017. Simki Pedagogia.

87) Ngubaidillah, A., & Kartadie, R. (2018). Pengaruh Media Visual Menggunakan Aplikasi Lectora Inspire Terhadap Hasil Belajar Peserta Didik. Jurnal Penelitian Pendidikan.

88) Ningrum, D. J., Suryadi, S., & Chandra Wardhana, D. E. (2019). Kajian Ujaran Kebencian Di Media Sosial. Jurnal Ilmiah KORPUS. https://doi.org/10.33369/jik.v2i3.6779

89) Nugroho, A. A., Putra, R. W. Y., Putra, F. G., & Syazali, M. (2017). Pengembangan Blog Sebagai Media Pembelajaran Matematika. Al-Jabar: Jurnal Pendidikan Matematika. https://doi.org/10.24042/ajpm.v8i2.2028

90) Nur Salim. (2018). Meninjau Kembali Standar Pendidik dan Tenaga Kependidikan dalam Meningkatkan Mutu Pendidikan. Jurnal Cendekia. https://doi.org/10.37850/cendekia.v9i02.52

91) Nurdyansyah, & Fahyuni, E. F. (2016a). Inovasi Model. In Nizmania Learning Center.

92) Nurdyansyah, & Fahyuni, E. F. (2016b). Inovasi Model Pembelajaran. In Nizmania Learning Center.

93) Nurhalimah, S. R., Suhartono, S., & Cahyana, U. (2017). Pengembangan Media Pembelajaran Mobile Learning Berbasis Android pada Materi Sifat Koligatif Larutan. JRPK: Jurnal Riset Pendidikan Kimia. https://doi.org/10.21009/jrpk.072.10

94) Nurkarima, N. (2018). Pengaruh Penggunaan Media Sosial Terhadap Akhlakul Karimah dan Akhlakul Madzmumah Siswa Di SMAN 1 Kauman Tahun Ajaran 2017/2018. Institutional Repository.

95) Nurlia, N., Hala, Y., Muchtar, R., Jumadi, O., & Taiyeb, M. (2017). Hubungan Antara Gaya Belajar, Kemandirian Belajar, dan Minat Belajar dengan Hasil Belajar Biologi Siswa. Jurnal Pendidikan Biologi. https://doi.org/10.24114/jpb.v6i2.6552

96) Nurmadiah, N. (2016). MEDIA PENDIDIKAN. Al-Afkar: Jurnal Keislaman & Peradaban. https://doi.org/10.28944/afkar.v5i1.109

97) Nurrita, T. (2018). Pengembangan Media Pembelajaran untuk Meningkatkan Hasil Belajar Siswa. Miskat.

98) Papilaya, E. A., Zuliari, K., & J. (2016). Perbandingan pengaruh promosi kesehatan menggunakan media audio dengan media audio-visual terhadap perilaku kesehatan gigi dan mulut siswa SD. E-GIGI. https://doi.org/10.35790/eg.4.2.2016.14261

99) Pengaruh Media Pembelajaran Terhadap Mutu Pembelajaran Pada Sekolah Dasar Terakreditasi A. (2016). Mimbar Sekolah Dasar. https://doi.org/10.23819/mimbar-sd.v3i2.4259

100) Pengaruh Multimedia Berbasis Hiperteks Terhadap Pemahaman Siswa Pada Pembelajaran Ips Materi Teknologi Produksi, Komunikasi, dan Transportasi Di Kelas IV SD. (2017). Pedadidaktika: Jurnal Ilmiah Pendidikan Guru Sekolah Dasar.

101) Pengaruh Penggunaan Media Power Point Terhadap Minat Belajar Sejarah Siswa Kelas X SMA Negeri 1 Bumiayu Tahun Ajaran 2017/2018. (2018). Indonesian Journal of History Education.

102) Pengembangan Media Animasi Interaktif 3(Tiga) Dimensi sebagai Alat Bantu Ajar Mata Pelajaran IPA Kelas VII menggunakan Blender Game Engine. (2015). Jurnal Teknik Elektro. https://doi.org/10.15294/jte.v7i2.8586

103) Pengembangan Model Media KIE Gizi untuk Peningkatan Pengetahuan, Sikap dan Praktik Pemilihan Pangan Jajan Anak Sekolah (PJAS). (2016). JHE (Journal of Health Education).

104) Penggunaan Media Audio Visual Untuk Meningkatkan Hasil Belajar Siswa Pada Materi Hubungan Antarmakhluk Hidup. (2016). Jurnal Pena Ilmiah. https://doi.org/10.23819/pi.v1i1.3576

105) Penyuluhan Dengan Media Audio Visual dan Konvensional Terhadap Pengetahuan Ibu Anak Balita. (2014). Jurnal Kesehatan Masyarakat. https://doi.org/10.15294/kemas.v10i1.3073

106) Permana, A. (2016). Pengaruh Gaya Belajar dan Motivasi Belajar Mahasiswa Terhadap Kemampuan Belajar Ilmu Alamiah Dasar. Formatif: Jurnal Ilmiah Pendidikan MIPA. https://doi.org/10.30998/formatif.v6i3.999

107) Pornamasari, E. I. (2017). Pengembangan Modul Pembelajaran Berbantu Flipbook Maker Dengan Model Pembelajaran Numbered Heads Together (Nht) Berbasis Teori Vygotsky Materi Pokok Relasi dan Fungsi. Aksioma. https://doi.org/10.26877/aks.v7i1.1412

108) Prasetyo, Yoga Andhika ; Triyono ; Suyanto, I. (2015). Penggunaan Media Flip Chart Dalam Peningkatan Pembelajaran IPA Di Sekolah Dasar. Jurnal Pendidikan IPA Indonesia.

109) Prastowo, A. (2018). Sumber Belajar dan Pusat Sumber Belajar: Teori dan Aplikasinya di Sekolah/Madrasah. In Depok.

110) Prastya, A. (2016). Strategi Pemilihan Media Pembelajaran. Temu Ilmiah Nasional Guru (Ting) VIII.

111) Pribadi, R. B. A. (2017). Media dan Teknologi dalam Pembelajaran. Jakarta: Kencana.

112) Prihatin, M. satri. (2017). Pengaruh Fasilitas Belajar, Gaya Belajar dan Minat Belajar Terhadap Hasil Belajar Mata Pelajaran Ekonomi Siswa Kelas X IIS SMA Negeri 1 Seyegan. Jurnal Pendidikan Ekonomi.

113) Primavera, I. R. C., & Iwan Permana Suwarna, M. P. (2014). Pengaruh Media Audio Visual Terhadap Hasil Belajar Siswa Kelas XI Pada Konsep Elastisitas. Prosiding Seminar Nasional Pendidikan IPA FITK UIN Syarif Hidayatullah Jakarta.

114) Puspita, H. J. (2016). Implementasi Pembelajaran Temtik Terpadu. Basic Education.

115) Putranti, N. (2013). Cara Membuat Media Pembelajaran Online Menggunakan Edmodo. Jurnal Pendidikan Informatika dan Sains.

116) Putri, A., rezal, F., & Akifah, A. (2017). Efektifitas Media Audio Visual dan Leaflet Terhadap Peningkatan Pengetahuan, Sikap dan Tindakan Tentang Pencegahan Penyakit Gastritis Pada Santriwati Di Pondok Pesantren Hidayatullah Putri dan Ummusshabri Kota Kendari Tahun 2017. Jurnal Ilmiah Mahasiswa Kesehatan Masyarakat Unsyiah.

117) Rahayu, E. S., & Laela, S. (2018). Pengaruh Minat Berwirausaha dan Penggunaan Sosial Media Terhadap Kewirausahaan Mahasiswa. Jurnal Pengembangan Wiraswasta. https://doi.org/10.33370/jpw.v20i3.246

118) Rahayu, S. (2017). Mengoptimalkan Aspek Literasi dalam Pembelajaran Kimia Abad 21. Prosiding Seminar Nasional Kimia UNY.

119) Rahmah, N. (2018). Belajar Bermakna Ausubel. Al-Khwarizmi: Jurnal Pendidikan Matematika dan Ilmu Pengetahuan Alam. https://doi.org/10.24256/jpmipa.v1i1.54

120) Ramadhani, W. J. A. (2019). Jurnal Teknologi Informasi dan Pendidikan. Perancangan Sistem Pelayanan Restoran Berbasis Web Mobile Menggunakan Framework YII2 Maharani.

121) Rasiman, & Pramasdyahsari, A. S. (2014). Development of Mathematics Learning Media E- Comic Based on Flip Book Maker to Increase the Critical Thinking Skill and Character of Junior High School Students. International Journal of Education and Research.

122) Rasmitadila, Widyasari, Humaira, M. A., Tambunan, A. R. S., Rachmadtullah, R., & Samsudin, A. (2020). Using blended learning approach (BLA) in inclusive education course: A study investigating teacher students' perception. International Journal of Emerging Technologies in Learning. https://doi.org/10.3991/ijet.v15i02.9285

123) Ratminingsih, N. M. (2016). Efektivitas Media Audio Pembelajaran Bahasa Inggris Berbasis Lagu Kreasi Di Kelas Lima Sekolah Dasar. JPI (Jurnal Pendidikan Indonesia). https://doi.org/10.23887/jpi-undiksha.v5i1.8292

124) Rejeki, R., Adnan, M. F., & Siregar, P. S. (2020). Pemanfaatan Media Pembelajaran pada Pembelajaran Tematik Terpadu di Sekolah Dasar. Jurnal Basicedu. https://doi.org/10.31004/basicedu.v4i2.351

125) Retnawati, H., Jailani, Sugiman, Bukhori, Apino, E., Djidu, H., & Arifin, Z. (2018). Desain Pembelajaran Matematika Untuk Melatih Higher Order Thinking Skills. In UNY Press.

126) Rezeki, S. (2018). Pemanfaatan Adobe Flash CS6 Berbasis Problem Based Learning Pada Materi Fungsi Komposisi dan Fungsi Invers. Jurnal Pendidikan Tambusai.

127) Rifai, M. H. (2017). Pemilihan Media Dalam Pembelajaran Geografi. Edudikara: Jurnal Pendidikan dan Pembelajaran.

128) Rosa, N. M. (2017). Kontribusi Laboratorium Kimia dan Sikap siswa. 7(3): 198-206, 2017.

129) Rosdiana, R. (2018). Pengembangan Media Pembelajaran Berbasis Komputer. Al-Khwarizmi: Jurnal Pendidikan Matematika dan Ilmu Pengetahuan Alam. https://doi.org/10.24256/jpmipa.v1i2.95

130) Rosmaiyadi, R. (2017). Analisis Kemampuan Berpikir Kritis Matematis Siswa Dalam Learning Cycle 7e Berdasarkan Gaya Belajar. Aksioma: Jurnal Program Studi Pendidikan Matematika. https://doi.org/10.24127/ajpm.v6i1.722

131) Rozikin, S., Amir, H., & Rohiat, S. (2018). Hubungan Minat Belajar Siswa dengan Prestasi Belajar Siswa pada Mata Pelajaran Kimia di SMA Negeri 1 Tebat Karai dan SMA Negeri 1 Kabupaten Kepahiang. Jurnal Pendidikan dan Ilmu Kimia.

132) Sabran, & Sabara, E. (2019). Keefektifan Google Classroom Sebagai Media Pembelajaran. Prosiding Seminar Nasional Lembaga Penelitian Universitas Negeri Makasar.

133) Saleh, N., Saud, S., & Nursalam, N. (2019). Kemampuan Pemahaman Lintas Budaya Dalam Pembelajaran Membaca Melalui Flipped Learning Model. Seminar Nasional LP2M UNM.

134) Sanusi, S., Suprapto, E., & Apriandi, D. (2015). Pengembangan Multimedia Interaktif Sebagai Media Pembelajaran Pada Pokok Bahasan Dimensi Tiga Di Sekolah Menengah Atas (SMA). JIPM (Jurnal Ilmiah Pendidikan Matematika). https://doi.org/10.25273/jipm.v3i2.510

135) Sarhan, R. (2019). The performance of HTML5 in e-learning. Journal Port Science Research. https://doi.org/10.36371/port.2019.02.1.8

136) Sari, L. (2020). Upaya Menaikkan Kualitas Pendidikan dengan Pemanfaatan Youtube Sebagai Media Ajar Pada Masa Pandemi Covid-19. Jurnal Tawadhu.

137) Sari, P. (2019). Analisis Terhadap Kerucut Pengalaman Edgar Dale dan Keragaman Gaya Belajar untuk Memilih Media yang Tepat Dalam Pembelajaran. Mudir: Jurnal Manajemen Pendidikan.

138) Sayangan, Y. V. (2018). Peran Pendidik Sebagai Desainer Strategi Instruksional Dalam Meningkatkan Kualitas Pembelajaran Di SD. JRPD (Jurnal Riset Pendidikan Dasar). https://doi.org/10.26618/jrpd.v1i2.1569

139) Setia, M. O. (2018). Pengembangan Media Pembelajaran Dengan Menggunakan Adobe Flash CS 6 Pada Materi Hukum Newton Tentang Gerak dan Penerapannya. EduFisika. https://doi.org/10.22437/edufisika.v3i01.3961

140) Setiadi, E. F., Azmi, A., & Indrawadi, J. (2019). Youtube Sebagai Sumber Belajar Generasi Milenial. Journal of Civic Education. https://doi.org/10.24036/jce.v2i4.135

141) Setiawan, W. (2017). Era Digital dan Tantangannya. Seminar Nasional Pendidikan.

142) Setiyorini, S., Patonah, S., & Murniati, N. A. N. (2017). Pengembangan Media Pembelajaran Moodle. Jurnal Penelitian Pembelajaran Fisika. https://doi.org/10.26877/jp2f.v7i2.1311

143) Sidik;, & Annisa, N. (2017). Animasi Interaktif Pengetahuan Dasar Bahasa dan Matematika Berbasis Multimedia. None.

144) Sudibjo, N., Idawati, L., & Harsanti, H. G. R. (2019). Characteristics of Learning in the Era of Industry 4 . 0 and Society 5 . 0. International Conference on Education Technology (ICoET 2019) Characteristics.

145) Sugiyarti, L., Arif, A., & Mursalin. (2018). Pembelajaran Abad 21 di SD. Prosiding Seminar dan Diskusi Nasional Pendidikan Dasar.

146) Sugiyono. (2017). Metode Penelitian Kuantitatif Kualitatif dan R&D (25th ed.). Bandung: Alfabeta.

147) Suhana, C. (2014). Konsep Strategi Pembelajaran. In Jurnal Ipteks Terapan.

148) Sumiyati, E. (2017). Penggunaan Model Pembelajaran Interaktif Berbasis Aktivitas Untuk Meningkatkan Prestasi Belajar Siswa Kelas VI Pada Pelajaran PKN SD Negeri 09 Kabawetan. Jurnal PGSD. https://doi.org/10.33369/pgsd.10.2.66-72

149) Supriono, N., & Rozi, F. (2018). Pengembangan Media Pembelajaran Bentuk Molekul Kimia Menggunakan Augmented Reality Berbasis Android. JIPI (Jurnal Ilmiah Penelitian dan Pembelajaran Informatika). https://doi.org/10.29100/jipi.v3i1.652

150) Surachman, A. (2014). M-Libraries: Menghadirkan Layanan Perpustakaan Berbasis Mobile Technology. Makalah Disampaikan Dalam Bimbingan Teknis Teknologi Informasi, Perpustakaan Nasional Republik Indonesia, UPT Perpustakaan Proklamator Bung Karno, Malang.

151) Surasmi, W. A. (2016). Pemanfaatan Multimedia untuk Mendukung Kualitas Pembelajaran. Temu Ilmiah Nasional Guru (TING) VIII.

152) Suryadi, B., Rahmawati, Y., Hayat, B., & Suprananto, S. (2019). Indonesia National Curriculum Reform in the Context of Standard-Based Education: Policy and Implementation. TARBIYA: Journal of Education in Muslim Society. https://doi.org/10.15408/tjems.v6i1.12883

153) Suwarno, M. (2017). Potensi Youtube Sebagai Sumber Belajar Matematika. Pi: Mathematics Education Journal. https://doi.org/10.21067/pmej.v1i1.1989

154) Syafitri, P. A., & Aini, A. N. (2020). Efektivitas Model Pembelajaran Concept Attainment dan Mind Mapping Berbantuan Adobe Flash CS6 Terhadap Pemahaman Konsep Siswa Pada Mata Pelajaran Matematika SMK. Imajiner: Jurnal Matematika dan Pendidikan Matematika. https://doi.org/10.26877/imajiner.v2i3.6118

155) Tafonao, T. (2018). Peranan Media Pembelajaran Dalam Meningkatkan Minat Belajar Mahasiswa. Jurnal Komunikasi Pendidikan. https://doi.org/10.32585/jkp.v2i2.113

156) Tanrere, M., & Side, S. (2012). Pengembangan Media Chemo-Edutainmentmelalui Software Macromedia Flash MX pada Pembelajaran IPA Kimia SMP. Jurnal Pendidikan dan Kebudayaan. https://doi.org/10.24832/jpnk.v18i2.77

157) Umar. (2014). Media Pendidikan: Peran dan Fungsinya dalam Pembelajaran. Jurnal Tarbiyah.

158) Wahyuliani, Y., Supriadi, U., & Anwar, S. (2016). Efektivitas Penggunaan Media Pembelajaran Flip Book Terhadap Peningkatan Hasil Belajar Siswa Pada Mata Pelajaran PAI dan Budi Pekerti Di SMA Negeri 4 Bandung. TARBAWY: Indonesian Journal of Islamic Education. https://doi.org/10.17509/t.v3i1.3457

159) Wardani, P., A., M., Rufi'i, & Harwanto. (2019). Pengaruh Penerapan Strategi Pembelajaran Berbasis ICT Terhadap Pencapaian Hasil Belajar Sistem Komputer Siswa Kelas X SMK. Edcomtech: Jurnal Kajian Teknologi Pendidikan, 4(1), 27–37.

160) Warsita, B. (2013). Perkembangan Definisi dan Kawasan Teknologi Pembelajaran Serta Perannya Dalam Pemecahan Masalah Pembelajaran. Jurnal Kwangsan. https://doi.org/10.31800/jurnalkwangsan.v1i2.6

161) Wartomo, W. (2016). Peran Guru Dalam Pembelajaran Era Digital. Prosiding Temu Ilmiah Nasional Guru (Ting) VII.

162) Waryanto, N. H. (2007). Penggunaan Media Audio Visual dalam Menunjang Pembelajaran *). Pendidikan.

163) Wea, K. B., Kristiawati, & Hidayati, L. (2015). Pendidikan Kesehatan Dengan Media Audiovisual Meningkatkatkan Perilaku Ibu dalam Penanganan Infeksi Saluran Pernafasan Akut pada Balita di Kelurahan Lebijaga Kabupaten Ngada. Journal Ners.

164) Wijayanti, H. (2020). Pengembangan Bahan Ajar Berbasis E-Learning pada Pembelajaran Tematik Kelas 3 Tema 6: Energi dan Perubahannya. Universitas PGRI Adi Buana Surabaya.

165) Wijoyo, A. (2018). Pengaruh Hasil Belajar Siswa dengan Menggunakan Multi Media Pembelajaran Interaktif untuk Sekolah Menengah Pertama dan Sekolah Menengah Atas. Jurnal Informatika Universitas Pamulang. https://doi.org/10.32493/informatika.v3i1.1519

166) Windasari, Suci & Sofyan, H. (2018). Pengaruh Penggunaan Media Audio Visual Terhadap. Jurnal Pendidikan Dasar.

167) Yudianto, A. (2017). Penerapan Video Sebagai Media Pembelajaran. Seminar Nasional Pendidikan 2017.

168) Yulianitias, Y., Marsiti, C. I. R., & Masdarini, L. (2019). Pengaruh Model Problem Based Learning Berbasis Lingkungan Terhadap Hasil Belajar Siswa Kelas X Ap Pada Mata Ajar Sanitasi, Hygiene dan Keselamatan Kerja Di SMK Pariwisata Triatma Jaya Singaraja Tahun Ajaran 2018/2019. Jurnal BOSAPARIS: Pendidikan Kesejahteraan Keluarga. https://doi.org/10.23887/jjpkk.v10i2.22128

169) Yuliati, T. (2019). Metode Digital Animation Dalam Pembuatan Film Animasi 2d Vector Dengan Tema Harapan dan Doa. Informatika. https://doi.org/10.36723/juri.v11i1.157

170) Yunita, S., Rohiat, S., & Amir, H. (2018). Analisis Kemampuan Berpikir Kritis Mata Pelajaran Kimia Pada Siswa Kelas XI IPA SMAN 1 Kepahiang. Jurnal Pendidikan dan Ilmu Kimia.

171) Yusantika, F. D., Suyitno, I., & Furaidah. (2018). Pengaruh Media Audio dan Audio Visual terhadap Kemampuan Menyimak Siswa Kelas IV. Jurnal Pendidikan.
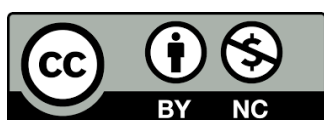
Christian Women Fellowship (CWF) and Evangelisation amongst the Nsos of Cameroon: Challenges and Prospects

Happiness Yinyuy, Ph.D
Department of History and African Civilisations, Faculty of Arts, University of Buea, Cameroon

ABSTRACT: This paper examines the challenges or difficulties faced by the Christian Women Fellowship (CWF) Movement of the Presbyterian Church in Cameroon (PCC) in Nso, Bui Division of the North West Region of Cameroon. From its inception, the movement faced a lot of challenges in the Nso area in its evangelization drives although several successes were registered. The CWF has been actively involved in spiritual and socio-economic activities which have affected more positively the lives of women in particular and the entire community in general. The spiritual activities helped to strengthen its members in their Christian faith and the socio-economic lessons also empowered the women to become self-reliant. To carry out this work we use data collected from both the primary and secondary sources. Primary data were mostly collected from archival material and oral interviews conducted with some CWF officials and CWF members alike in the Bui Presbytery. Those interviewed were mostly between the ages of 40 and 80. This choice was dictated by the desire for reliability as most of them lived and experienced some of these challenges personally. Secondary data were collected from documented sources obtained through the use of books. The necessity for interviews was created by the lacunae exposed by archival material and secondary sources. It was realized that despite the successes registered, this group faced challenges such as poor road infrastructure, financial difficulty, cultural constraints, administrative bottlenecks and misconduct of some of its members.

KEY WORDS: Evangelisation and Christian Women Fellowship

INTRODUCTION

In 1912, the Catholic missionaries of the sacred Heart were the first Christian missionaries to arrive Nso. They created a mission station at Shisong-Kumbo but their activities were later disrupted by the outbreak of the First World War which started in Europe in 1914 and was extended to Africa and Cameroon in Particular by the Allied Powers (Britain and France). It was during the second phase of missionaries' activities that Basel missionaries left Bali and created a Basel Mission station at Kishong- Kumbo. From Kishong, the missionaries evangelized other areas in the North West Region such as Nkambe and We in Wum(Yinyuy, 2005: 40).

From 1928 to 1956, Kishong served as the Basel Mission station in Nso. From Kishong, the Basel missionaries penetrated other parts of the fondom and areas of the North West Region. In order to survive in an area that had already been Christianised by the Roman Catholics, the Basel missionaries developed several strategies of evangelisation. First, they accepted the use of local instruments like drums, harps, cymbals and trumpets in evangelisation. The use of traditional instruments attracted traditional dancers to the Basel Mission church. Furthermore, youth and later women groups were introduced to serve as agent of evangelization in church. Also, sporting activities were organised, the youths and women were offered courses on sewing, music and the rearing of animals. With the above strategies, the Basel missionaries achieved their mission of planting the gospel in Nsofondom(Yinyuy, 2005:40).

In addition, Basel missionaries and their converts made frequent visits to the Fon's palace with the major aim to preach to the Fon, his wives and traditional rulers. During such visits, gifts of salt, food, firewood, dresses and wine were presented to the royal family. This strategy endeared them to the royal family. A glaring example was *Shufai* Nsa-Nsa, lineage head of Kikaikom who gave his "family house" to serve as the Basel Mission church. Till date, the name of the church has remained Presbyterian Church Nsa-Nsa, Kumbo, bearing the name of his compound (Happiness Yinyuy, 2018:133).

The CWF is a by-product of the activities of Basel missionaries who came to spread Christianity in Cameroon from 1886 to 1957. As Basel missionaries began to preach the gospel in various areas of Cameroon, their wives together with some Swiss female missionaries also evangelised amongst the women. The first groups of women to benefit from their lectures were the wives of church workers (pastors, catechists, evangelists and teachers) who lived around the mission stations. The women gathered in mission stations and learned Bible lessons, singing, prayers, reading, writing and home economics lessons. These lessons helped them grew morally and spiritually. From these gatherings, Christian women's groups were formed in all the congregations of the

Christian Women Fellowship (CWF) and Evangelisation amongst the Nsos of Cameroon: Challenges and Prospects

Basel Mission, which later became the PCC between 1961 and 1972 due to constitutional changes which occurred in Cameroon History within this period of time (Presbyterian Church in Cameroon Department for Women's Work, 2001: 40).

It is not an overstatement to say that gathering women was to consolidate fellowship and reiterate the essential ways of approaching Christian faith. Rohde set out the following priorities for Christian association: Firstly, they were to be instructed how to pray through Jesus Christ and communicate with God. Secondly, they learned to listen and read the Word of God earnestly by attending weekly Bible studies and Sunday service regularly. Thirdly, they were encouraged to set an example of good behavior, professing their faith to others and inviting them to the Christian faith. Fifthly, they should visit the sick and needy. In outlining these principles, Rhode therefore demonstrated how appropriate guidelines sought to combine the introspective element of Christian devotion with evangelistic zeal(Rhode, 1915: 5-6). These were the issues the CWF set out to address in their evangelization drive in Nso land.

It is vital to note that earlier cooperative ties among the Nso women were primarily centered on lineage bases but not limited to it. However, with the introduction of the Christian Women association in Nsofondom, women of different ethnic groups were brought together. Thus, one of the achievements of the Christian women group was the gradual removal of barriers between ethnic groups so that the women worked amicably with each other regardless of their different ethnic origins. The grassroots women primarily engaged in farming and child bearing functions still devoted time to attend church activities. In this light the indigenous women carried out diversified social and economic activities which help to improve on the living standards and those of the people living in the community as well. Women learned to manage time between their housing activities, farm work and church activities. They began to enjoy the sociability of gathering in church for regular weekly meetings to study the word of God (Yinyuy, 2018: 79).

From the onset Christian women associations were constructed inherently as nonpolitical or nonprofit making associations. The aim was to encourage Christian women of the Presbyterian Church to serve the Lord Jesus Christ whole heartedly in the Church and community. Initially, Christian women work was organized in two districts: namely, the Forest District and Grassfields District. The Forest District comprised Buea, `Victoria (Limbe), Kumba, Nyasoso and Mamfe. While the Grassfields District included Bali, Bafut, Mankon, Nso, We(Wum) and Nkambe areas. The first female missionaries to supervise women's work in the Forest District were Mary Heckliger, Maria Walcherin, Elizabeth Buhler, Anna Maurer and Anna Frank. These female missionaries supervised Christian women work in the Forest area before handing over to Cameroonian women. The first Cameroonian woman to assist these female missionaries as workers in the Department of Women's Work was Grace AkweEneme. Through these female missionaries, women groups were formed in Buea, Victoria (Limbe), Mamfe and Kumba. In 1960, Sister Rose Marie Peter visited the grassfields and supervised women's work in six centres: Bafut, Bali, Bamenda, Mbengwi, Kishong (Nso) and Mbelifang (File No. PIV/24, 1962).

Progressively as members grew in faith, women groups in the church were constituted to form the CWF movement which serves as an agent of evangelization in the PCC. In 1961, Rosemarie Peter and Maria Schlenker, Basel female missionaries from Switzerland who supervised the women's work in Cameroon together with the Synod (the highest decision making body of the PCC) coordinated the Christian women's groups to form the CWF movement. The major objective of CWF was to encourage women to serve God through prayers, songs and equally reach out the less privileged ones living in their communities (Presbyterian Church in Cameroon Department for Women's Work, 2001: 63).

SOURCES AND METHODOLOGY

The research materials were collected from both the primary and secondary sources. Primary data were mostly collected from archival material and oral interviews conducted with some CWA officials and members alike in the Nso community. The choice of those interviewed was dictated by the desire for reliability as most of them lived and experienced some of these challenges personally. Secondary data were collected from documented sources obtained through the use of books. The necessity for interviews was created by the lacunae exposed by archival material and secondary sources. In addition, the study makes use of photographs to depict a pictorial evidence of missionary activities in the area.

With regard to the methodology of collecting data, an interview question guide was used. Interviews were conducted using an open-ended questionnaire format. In the open-ended questionnaire, the respondents composed answers while the interviewer recorded them. This method was adopted because it enables some informants to go beyond the expected answer and express other relevant information which has enriched the study.

The study area is Nso, found in Bui Division in the North West Region of Cameroon. According to the structure of the Presbyterian Church in Cameroon (PCC), the CWF movement in Nso falls under Bui Presbytery which includes other areas such as Oku and Noni (Personal communication with Mrs. Triphine Wiraghai, CWF Bui Presbytery President at Dzeng (Nkum Zone) on 27/08/21). Nso is located in Bui Division, in the North West Region of Cameroon. The area is divided into four administrative sub divisions: Kumbo (630km2), Jakiri or Dzekwa (675km2), Nkum (375.3km2) and Mbiame or Mbvem (575km2) Robert M. Njilla, 2009: 9. Nso is one of the Tikar fondoms of the Western grassfields of Cameroon. The Tikar fondoms in the Bamenda grass fields include Nso, Kom, Warr, Bafut, Wiya, Fongom, Tang, Bum,Mbem, Bambili, Mfumte, Oku, Bamunka, Bambalang, Babungo, Bamali,

Bafanji and Bamessi. Their dynastic clan forefathers originated from places such as Tibati, Banyo,Ndobo, Kimi, Bankim and Rifum. These peoples recognize relations with one another mainly on grounds of dynastic origin and the general linguistic similarities shared by many of the cisMbam peoples. The Nso described their place of origin as Rifum which is presentday Bankim (Kinbinkiri and Yinyuy, (ijtsrd), ISSN: 2456-6470, Volume 4, Issue 5, August 2020, p.1144).

CONCEPTUAL FRAMEWORK

Evangelisation

Several definitions have been given to the word evangelization. Some authors describe it as an umbrella word which covers methods or ways of preaching the gospel. The word was coined from the Greek word *evangelion* and Latin word *evangelium* which means announcing or proclaiming the gospel or good news of Christ. Its fundamental tasks are to proclaim the mysteries of faith, to foster and share with the community, to lead to worship and prayer and to motivate to service. These four aspects taken together are the essential components of evangelisation, and they are always in the context of the mystery of Christ in the revealed message. The primary focus of evangelisation therefore is to show who Christ is, his life and ministry and to present the Christian faiths as the following of his person (Internet source).

Generally, it is a process by which Christian faithfuls proclaim and spread the gospel throughout the entire world. It is the primary way in which the church brings about the mandate of Jesus Christ to his disciples to go and teach in all nations (Mt 28:19-20). The concept of evangelisation has two aspects. The first is what Pope John Paul II calls the mission *ad gentes*(to the nations) which is directed to non-Christian and invites them to conversion. Evangelisation*ad gentes* require that there be an explicit proclamation of "the name, the teaching, the life, the promises, the kingdom and mystery of Jesus Christ, the son of God (Internet source).

The most important factor in the evangelisation" is the witness of a Christian life (Agnelo Rossi, 1975: 100). In other words genuine evangelization is seen in the words and actions of a believer. It is seen on one's relationship with people living around him or her and even through interactions with non-Christians. It is marked by action on behalf of human dignity and participation in the transformation of structures as a constitutive dimension of preaching the gospel. Generally evangelisation has to be understood as an entire process whereby individual and communal life is transformed in the light of the gospel (H.Okechukwu Ochulor, 2002: 188). Evangelisation is the work of the whole church or every Christian since the primary form of evangelisation is the witness of an authentically Christian life, then ultimately it is the faith of the church that brings others to faith (Jonas N. Dah, 1989, iii).

Moreover, Rev. Bishop Cornelius Fontem Esua is of the opinion that the concept of evangelisation has a biblical bearing. This is found in the gospel of Mathew 28: 18-20, where Christ commissioned his disciples to go to all parts of the world, preach the Word of God to the people and baptize them in the name of God the Father, God the Son, and God the Holy Spirit. In this light, every Christian like the early followers of Christ by virtue of his or her baptism has the right to evangelise. This term was widely applied during the Second Vatican Council in Rome. This was when the council centered the fundamental role or mission of the church on lay faithful rather than sending missionaries to preach the gospel in distant areas or by constructing more mission stations in these areas. The council recommended that the activities of lay faithful in various Christian communities should help the apostolate of bishops, priests or men of religious order to be effective in the mission of the church. The holding of the Second Vatican Council (1962-1965) added new meaning in the concept of evangelisation.

In a nutshell and from a lay man point of view, evangelization means to bear witness for Jesus Christ by preaching or announcing the gospel to others in order to convert them into the Christian faith or by living a life that can enable unbelievers to imitate you and join the Christian faith.

There are basically two types of evangelization:- primary evangelization that aims at converting non-Christian into the Christian faith and "new evangelization." New evangelization is a broad term that views evangelisation as the work of the whole community and not just certain groups of clergy and religious. It is directed to those who are baptized but uncatechised, to those who have lost a living sense of faith or who have removed themselves from the church and to those who are committed Christians(Yinyuy, 2018: 14-15).This term was widely used in the Roman Catholic Church during the Second Vatican Conference held in Rome from 1962-1965. During this conference deliberations were made and lay faithfuls (Christians or people who are not of the clergy or religious class) were given the opportunity to read/meditate on the Word of God, participate in church activities, visit the sick, prisoners and take care of the orphans in the community. Thus, these declarations gained grounds as most of the Christian groups and movements in the Christian churchesset the pace and carried out these charitable works in their communities. It is in line with this principle that the CWF in Bui Presbytery like their counterparts elsewhere has since the formation of the movement in 1961 carried out activities which have had an impact on the Church and lives of people living in the community. Although a lot of successes have been registered, the movement also experienced some challenges which have slowed down the evangelization drive, which is the focus of this discussion.

Christian Women Fellowship (CWF) and Evangelisation amongst the Nsos of Cameroon: Challenges and Prospects

Challenges Encountered by the CWF in Evangelisation

The CWF in Nso in their evangelisation drive faced several challenges which can be classified under economic, social and administrative constraints.

Economic Challenges

Financial difficulty was a major challenge faced by the CWF Group in Nso. The members were expected to contribute yearly dues or money to carry out their evangelistic activities. This was a problem because a majority of its members found at the outskirts of Kumbo town (Mbah, Melim, Javnyuy, Roh, Yeh, Nkuv, Kikaikilahki, Sarkir, Tatum, Nseh, Dzeng, Kifem, Lip, Mbongnso, Shiy, Wainama…Limbo) practised subsistence agriculture for a livelihood. Also, some of their members were engaged in petty businesses "buyamsellams".These activities since the year 2016 have been disrupted by the Anglophone crisis that has brought almost all the economic activities (trade and agriculture to a halt). The effects of economic stagnation coupled with the low prices of agricultural produce have rendered most CWF members especially the elderly womenunable to provide for their basic needs before contributing dues to the group. With this financial problem it was and is still difficult to acquire new equipment for effective management of information such as computers, printers and tape recorders. A financial difficulty then has slowed down their evangelisation drive (Wiraghai,2021).

It is a pity that some members irrespective of the commitment and vows they took during their dedication to fully participate in the activities of the organisation with joy were offended during financial contributions. They complained of "too much" contributions in the group and at times their argument brought disunity or division in the association. Akin to this, is the fact that some leaders were not transparent with their financial records.They did not give a clear record of the money collected in groups, parishes and zones. This led to distrust among leaders and members thereby depriving them of honour and self-esteem. Moreover, at times the right statistics were not given on how the budget of the group, zone or presbytery was used and this remained a challenge to the leaders (Wiraghai, 2021).

Social Constraints

Another challenge faced by the CWF movement in Nso was disunity. Membership into the CWF was opened to all the baptized and communicant women of the church from 18 years onward. This embodies women from all walks of life. The CWF movement comprised various categories of women: some being well educated and others not so educated. Experience shows that most of these women joined these associations with different intentions: while most of the women would actively participate in the spiritual or evangelistic activities without complaint, others joined these groups to occupy high positions and when their desires were not granted they created problems and disunity in the association. Thus, self-ambition tore apart the Christian women (Joan Bongasov, 2021). Commenting on disunity, (Martin Z. Njeuma, 2000: 106) explains that the power of evangelisation will find itself considerably diminished if those who proclaim the gospel are divided among themselves in all kinds of ways....how can those to whom we address our preaching fail to be disturbed, disoriented, even scandalized, if the gospel is seen to be sent by our different views of the society and human condition? There is no doubt that one of the setbacks to the growth of Christian associations in Nso land was caused by division among its members.

Lifestyle

With regard to lifestyle, Mary Maingam explains that "some CWF members conducted themselves very poorly. Some women who joined the movement with the intention of gaining leadership positions did not respect the leaders of the group. Consequently, they formed factions to criticize group leaders and other members instead of helping them to effect changes where necessary. This attitude created problems and disunity in certain cases leading to backsliding of members. She advocates that all the CWF women should learned to appreciate each other's effort. Unnecessary criticisms should not prevent the CWF women from speaking good of others. It is through the spirit of appreciation that some of the leaders would work harder. Consequently, this poor attitude retarded the evangelisation drive. Secondly, Mrs Fai noted that some of the members practiced other vices like hatred, jealousy and discrimination among family relations living with them. She lamented that some of them even sat in beer parlours with their uniforms to drink and make noise. This type of attitude, according to her contradicted the role and aims of the association which encouraged good behavior (Mrs. Fai PriscaSheei, 2021). In line with this opinion, Angelo Rossi in outlining the main components found in the concept of evangelization also agrees to the fact that disunity will slow down the pace of evangelisation. It is obvious, when disunity arises among the evangelisers, the mind of those to whom the gospel is preached would not be edified (Agnelo Rossi, 1975: 100).

Similarly, Madam Jane Francisargues that it was through a good lifestyle that those to whom the gospel was preached in the community would listen to the message and also evangelise. In other words, the lifestyles of both the CWF women served as the first observation that some people made. Thus, the members of this movement were encouraged to have good life styles. They were not to focus only in carrying out church activities but were to show good morals so that family members and people living in the community would learn from them and follow their example. Sincerely, she wishes that all the CWF women shouldpractice a good lifestyle so that people living in the community would emulate them on Christian living (Jane Francis Bongsui, 2021).

Furthermore, social engagements acted as a hindrance to evangelisation. Some traditional rulers and men who were against women's groups restricted their wives from participating in CWF activities. They saw the Christian women group as a forum through which their wives and other women were educated to question the rights of men in the community. With this misconception, in 1987, Fai Kibang warned CWF Kiyan group and the Parish pastor not to interact or involve hiswives with the activities of the CWF again. He restricted his wives from participating in CWF group studies and activities. However, through persuasive dialogue with the pastor, Rev. P N. Fai and continuous visits made by the CWF group to the Kibang compound, he was convinced. He later accepted the gospel message and received baptism at Presbyterian Church Kiyan in 1990(Joan Bongasov, 2021).

The members of this association also faced the problem of time management. These groups carried out several activities: they attended weekly Bible meetings, the CWF Zonal, Presbytery and Synod meetings, rallies and visited the sick. These activities in addition to their house and farm work demanded much time and constant movements out of their homes. Members of the public as well as family members were aware of this challenge. Thus, during dedication ceremonies, husbands or family members were and are instructed by officiating priests and CWF officials to assist the women in the evangelisation drive. Husbands and family members were encouraged by the CWF Pastors/ Chaplains/ CWF Officers to give the women time to come and participate in the CWF activities (Helmina Bonghram, 2020).

However, in order to manage the problem of time and house work, the CWF planned their activities ahead of time. The associations have an organised Work Plan Programme or Study Book which contained their activities for the year. They had specific months and dates in which they carried out their annual rallies and conferences. Members during this period tried to manage the time well. They got up early to prepare food for the family, cleaned their homes, carried out other activities within the day and attended evangelistic group weekly meetings from 4pm prompt. The CWF activities usually demanded a lot of time and financial sacrifice. Hence, as women of faith they had to commit themselves to serve the church and the community. In cases where rallies and conferences would take two to three days, the members would arrange their homes well. They would store more food to sustain the family members for the period. It is a fact that devoted CWF women served as actors in carrying out these diversified activities in the church and in their homes (Julienne Nsoyuri, 2021).

Poor Road Infrastructure

The poor nature of roads linking the towns and villages in Nso also slowed down the evangelisation drive within the period of study. During the rainy season most of the secondary as well as farm to market roads were muddy and had pot holes. The bad state of the roads resulted to long and tiring trips. These poor conditions which characterize most of the roads linking the town and other places like Shisong, Kingomen, Nkuv, Dzeng, Kifem, Mbiame, Lip, Nseh, and Djottin, retarded both the movement of people and vehicles. Often, vehicles transporting goods and people to these areas got stuck in the mud during the rainy season. Resulting from this poor road network in the area some groups experienced accidents on their way to the rally ground. A glaring example was in the year 2009 when the vehicle transporting over 60 CWF members from the CWF Kiyan group fell and stumbled at the Oku hill. Eventhough, no lost of life was recorded, many members sustained injuries and were immediately rushed to the Banso Baptist Hospital for medical attention(Julienne Nsoyuri, 2021).

Eleanor Loweh, one of the victims of this accident recounted the greatness of God in her life and family as she observed CWF members and the people living at Oku community pulling out her two months baby boy under the vehicle still alive. The driver of this group, Musa Fonyuy, a Moslem faithful together with his family joined the entire CWF Kiyan group in a thanksgiving service held at PC Kiyan Congregation in 2009. The testimony given by the driver and members of this group strengthened the worshippers to believe in the saving grace of God(Eleanor Loweh, 2020).

Moreover, the poor nature of the roads retarded the spread of the gospel because vehicles, passengers and CWF circulars delayed on the way and did not reach the necessary areas on time. With the poor nature of the roads, only few drivers known as "road sense drivers" could drive safely into some of these places resulting in high transport cost. However, through the effort of lineage heads and people living in the community, some of these roads in areas like Limboh, Jakiri, Vekovi, Kikaikom (K3), Kikaikelahki(K4), Roh, Sakir, Nseh, Dzeng and Kifem among others were maintained. Moreover, through financial and material support from the Kumbo Urban Council, some of the farm to market roads leading to Nkuv and Mbokam areas were enlarged and filled with gravel in 2011 to ease transportation into these areas(Eleanor Loweh, 2020).

Illiteracy

During the early beginnings of the CWF evangelisation, the rate of illiteracy was high among the Nso women. Before the advent of Christianity in Nso, women and girls were trained only in informal education. Their parents taught them farming activities, weaving of mats and domestic work. The education was aimed at preparing them for marriage. Hence with the advent of Christianity in Nso, some women who joined this association were incompetent to lead as they could neither read nor write. In this regard, the Christian Women Fellowship movement from the onset faced the problem of inadequate staff to supervise evangelisation. Groups, especially in the remote areas without educated members, could not follow their work programmes strictly. Consequently, there was low performance in carrying out evangelistic activities. Notwithstanding, the Department of Women's Work of the PCC, organised

courses and trained more women on leadership skills. Primarily, the core of leadership course training was to prepare members for works of service (Wiraghai, 2021).

Administrative challenges

Triphine Wiraghaiadmits that it has been difficult to manage some of the large CWF groups in Bui in particular with increase membership. Some of these groups include: - CWF Kumbo Town Congregation, CWF Tobin, CWF Kikaikilahki (K4) , CWF Nsa-Nsa and CWF Jakiri among others. Membership in each of the groups ranged from 250 to over 300 members. In order to ensure effectiveness and participation among its members, each group has been sub divided into three or four subgroups. These subgroups bear the names of virtuous women in the Bible such as Esther, Ruth, Naomi, Miriam, Mary and Lydia among others. A sub executive committee was elected to direct the activities of these subgroups in their various quarters. The subgroups may have different meeting days and places where they meet (they can meet in their member's homes or in the church house) but the entire group generally met once in the week in the church to discuss their activities and the general affairs of the association. As membership increased disciplinary measures were taken by creating subgroups to ensure discipline (Wiraghai, 2021).

Moreover, the CWF Bui Presbytery executive faced administrative challenges. It has not been an easy task to cover he vast nature ofarea especially with the socio-political upheavals plaguing Nsoland. With the intensification of the Anglophone crisis in Nso, many PCC Congregations located along the road from Wainamah through Jakiri, Vekovi, Kumbo, Tatum and Mbiame areas were shut down. Most of the CWF weekly meetings, rallies and come togethers were disrupted by this crisis making it difficult for effective evangelization to be conducted.CWF members and people living in the community only struggle to look for survival.Moving from one village to another in Nso has not been easy since most of the roads and foot paths have been blocked.Some CWF leaders like Mrs. Wiraghai and Nsoyuri at times have trekked on foot to attend CWF national/ Synod meetings at the PCC Church Centre Mankon - Bamenda. Insecurity and poor health of the members have been a serious challenge faced by the group since the crisis broke out in 2016 (Wiraghai and Nsoyuri, 2021).

Generally, the production of the CWF official uniform, yellow wrapper remains a challenge to the movement. Initially, the original fabric was produced abroad and sent to the PCC Women's Work Department in Cameroon. The transportation of the fabric took a longer period to arrive Cameroon thereby slowing down the CWF evangelistic activities. The PCC Women's Work Department then thought it wise to make an agreement with the LaKing Company in Douala, Cameroon so that it could produce the uniform for the CWF movement. Despite the complaint given by the CWF National Executive to the Company, it has been producing very poor quality of the CWF uniform which at times fades within a short period of time. The movement is obliged to pay or buy the fabric because the uniform is unique and could only be used by CWF members. The issue of poor production of the CWF fabric which stems from the national level has greatly affected CWF members at the local congregations. Most of these members do not have an income to buy the uniform on a yearly basis (Chufor Catherine Muke, 2017).

RECOMMENDATIONS

The research targeted CWF members, officials, pastors and Chaplains of the movement. From the data collected and discussions made with the targeted group of persons, it is necessary to make some suggestions which will help this association to advance. First, the staff of the Christian Women's Work should be increased in order to effectively manage the various activities of the associations. If this is done, more trained field workers will carry out evangelisation in the various Congregations, Zones, or Presbyteries. This will help CWF groups in the remote parts of the *Fondom* with few educated members to benefit from their lectures. This will also reduce the tedious task carried by the   Women Work Helpers.

Secondly, the study material or work plan programme used by the association should be written in simple language. That is, it should be written using simple words so that members who only attained the Primary Level of Education could read and understand the message in the Study Material. This is so because from the findings, more than fifty percent of the women in the rural areas attained only primary education .With this low standard of education   it was and is still difficult for some of them to understand the text .In addition, the CWF members should denounce vices such as gossips, infidelity and jealousy and practise a good life style for members of the community to emulate. Some dedicated members of these associations still have a good knowledge of their past lifestyle and are caught with shame to preach the Word of God or encourage others to practice good lifestyle. This notion keep them swinging between what they have learned and what they could teach others.

Furthermore, it will be necessary for the CWF members to build a sense of self confidence in their evangelisation. This will enable them to become bold and creative in their speech. It has been noticed that majority of the members of these associations, especially the less educated, feel inferior and inadequate to share the gospel with others. Thus, members have to forge ahead irrespective of their weakness. Much emphasis is laid on the fact that members should denounce vices such as gossiping and jealousy that hinders evangelisation and establishes cordial relationship with each other. If this is done, the quality of their evangelisation will be important to the church and people living in the community.

The CWF members as well as leaders should work in unity. CWF leaders at the group, parish/ zone, presbytery or national level should work in harmony. They should have due respect for each other irrespective of their educational or financial background.

Christian Women Fellowship (CWF) and Evangelisation amongst the Nsos of Cameroon: Challenges and Prospects

They should speak to each other in a polite way and use proper words to response to suggestions or criticisms raised during their evaluation meetings. The CWF women should learn to be modest in their language. The appropriate speaking style for the members should include softness of voice and politeness. They should give everyone the opportunity to express their views or points during meetings. Leaders should be tactful and be able to remark on opposing viewpoints without making offense. In a nutshell, they should learn to deal with the women sensitively to avoid offense.

Equally important, members should learn to appreciate one another's gift or talent and seek to promote an attitude which does not envy others. Unnecessary criticisms should be avoided and members should learn to accept one another unconditionally with readiness to lead the association, providing the missing competent. In so doing, the spirit of toleration will be promoted which yields effective communication and avoiding misunderstanding. A global vision of evangelisation will be given life and substance by a liturgical sacramental orientation. A liturgical sacramental orientation means a different way of "seeing things" in life. It includes a sense of sacrament (the presence of God in all created reality), an understanding of mediation (God is present to us through persons, communities, events) and an understanding of communion (we come to faith through a community of faith). Evangelisation should foster Christian spirit or willingness shaped by participation in the community and life of a parish.

The CWF evangelisation should foster a real process of conversion; it should help Christians to discern Gospel values seen in the lives of members as they experience it in everyday life. Members should call on God to bless and lead the ordinary women as they strive to spread the Christian faith in the world today so that they would continue to evangelise their homes and communities with Good news, and to promote the church to grow in all the aspects of life.

Above all, members should show greater ability to forgive each other and be reconciled. The CWF members should always take into consideration Peter's question to Jesus Christ about the number of times one needs to forgive others (Mathew 18: 21-35). This question is answered by Jesus Christ not by quantifying the act of forgiveness but by leading Peter to the mystery of forgiveness. Thus, when offended the women should remember God who is the source of unlimited forgiveness. In fact any one when offended should not think of revenge but rather he or she should think of Jesus Christ who in his painful death forgives Mankind generously and unconditionally as written in the gospel of Luke 23: 26-34. It is very necessary to note that when the CWF women are graced to forgive others, they are only sharing with others the Christian teachings which they have received in abundance. Since Jesus Christ died to save Mankind from sin, every human being is part of the mystery of God's forgiveness, thus we cannot put a limit to our forgiveness of others. The implementation of these recommendations would ensure growth in the association.

CONCLUSION

Over the years the CWF has faced several challenges. In order to manage and ease reading, these challenges have been classified under social, economic and administrative reasons.The CWF is a by-product of the activities of the Basel missionaries who came to spread Christianity in Cameroon from 1886 to 1957.In 1957, Basel Mission changes its name to the Presbyterian Church in West Cameroon. Progressively, all the Christian women groups were coordinated in 1961, by the Synod (the decision making body of the PCC together with some Swiss female missionaries who created the association to form the CWF. As the history of the nation changes, so too was that of the Christian Church in Cameroon. In 1961, British Southern Cameroons, also known as West Cameroon reunified with French Cameroon (East Cameroon) to form the Federal Republic of Cameroon. With the subsequent unitary system adopted in 1972, the church was renamed the PCC by the synod. The study focuses on evangelization and the views of several authors on the topic of evangelization has been analysed in order to broaden the scope and bring a better understanding on the issues discussed on the paper.The main objective of the CWF movement is to encourage its members studies the Word of God and to serve the church and the community at large. Since 1961, the CWF movement has carried out spiritual activities such as introspection retreat characterized with fasting and prayers, weekly Bible studies and meditations, praise and worship. The spiritual activities help to build and strengthen the faith of its members. The group equally organized annual come togethers, rallies, visits to the poor and needy, orphans, prisoners and the underprivileged in general living in Nsoland. Also, the group has been carrying out self-reliant projects which have had an impact on the church, the individual and the community. In carrying out these activities, the CWF movement has faced some challenges which have retarded the evangelization drive in Nsoland. Some of the challenges include: financial difficulty, administrative challenges, time management problem, poor conduct of some members and the poor nature of the roads among others. However, despite these challenges the CWF movement still played a major role in evangelization in Nso in particular and Bui Presbytery as a whole.

REFERENCES

1) Angwi, Munyam Winifred. 1999. "The Role of the Christian Women Fellowship (CWF) in the Enhancement of God's Kingdom in the Presbyterian Church in Cameroon." Presbyterian Seminary Kumba: Long Essay in Theology.
2) Ashu, Comfort.2000. *The Cultural Emancipation of a Woman from a Christian Perspective: The African Example.* Nigeria, Zaria Road: Star Link Communications.
3) Beri, Rosemary. 27 April, 2020.Women Work Helper for CWF Bui Presbytery. Mbiame.

4) Bishop Cornelius FontemEsua. 2008.*The Catholic Catechism, Provincial Episcopal Commission for Catechetical and Pastoral Affairs.*Claretian Publications, Banglore-India.

5) BMCA E-4/3.14,, 27 July 1915. R. Rohde to W. Oettli. Buea.

6) Bongasov, Joan Kewir., 12 December, 2021. Former CWF Kiyan member.Yaounde-Cameroon.

7) Bonghram, Helmina.25 August, 2020. Former CWF Bui Presbytery Vice President.Wainama.

8) Bongsui, Jane Francis. 25 August, 2020. CWF Financial Secretary, Kumbo Zone. Kumbo.

9) Chufor, Catherine Muke.9 November, 2017. CWF Regional Secretary, North West Region. Presbyterian Church Center Mankon - Bamenda.

10) Dah,Jonas N. 1989.*In Search of a Soul*.Owerri: Nigeria.

11) ------------, 2000. Christian Women Felowship Manual for Women's Work Helper. Bamenda: Cameroon.

12) File No. PIV/24,1962.Constitution of the Christian Women Fellowship.

13) File No. 6282, 1961.Women's Work, Presbyterian Church in West Cameroon.

14) Google Search.28/01/15.Concept of Evangelisation (From Mission to New Evangelisation). https://www.dictionary.cambridge.org<dictionary.13/12/21.

15) https://www. 21stcenturycatholicevangelisation.org. Information accessed on 23/03/18.

16) Kaberry, Phyllis M. , 1952.*Women of the Grassfields: A Study of the Economic Positon of Women in Bamenda, British Cameroons.* London: Her Majesty's Stationery Office.

17) Kinbinkiri Eric Len and Happiness Yinyuy. August 2020. "Globalisation and its Effects on Nso Cultural Educational Practices: A Pedagogic Retrospection." Published in International Journal of Trend in Scientific Research and Development (ijtsrd), ISSN: 2456-6470, Volume 4, Issue 5.

18) Loweh, Eleanor, 15 August, 2021.CWF Kiyan Discipline and Song Mistress. Kibang-Kumbo.

19) Maingam, Mary. 02/08/20.CWF Group President Presbyterian Church Mensai.

20) Musime, Abo Hannah.1996. " The Presbyterian Church in Cameroon and its Institutions; The Case of the Christian Women Fellowship (CWF) 1961-991." University of Buea: long Essay.

21) Njeuma, Martin Z. 2000. *A Pilgrimage of Faith (History of Buea Diocese): Golden Jubilee Edition.*Bamenda : Copy Printing Technology.

22) Njilla, Robert M. 2009. "Management of Cameroon Property and Resources for Sustainable Rural Livelihoods in Bui Division, North West Region of Cameroon." University of Buea: Master Dissertation.

23) Nsoyuri, Julienne.14 August, 2021.CWF Kumbo Zonal President, Njikiyan.

24) Nyansako, ni- Nku.1986. *Journey in Faith: The Story of Presbyterian Church in Cameroon*. Limbe: Presprint.

25) Ochulor, H.Okechukwu. 2002. "The Function of Dialogue in the Process of Evangelisation: A Pastoral Theological Appraisal of the Relevance of Dialogue in a Nigerian Context Based on the Experience of Igboland." Nigeria: Doctorate Thesis in Theology.

26) Presbyterian Church in Cameroon Department for Women's Work.2001. "Christian Women Move on in Faith and Hope in Christ: to God be the Glory for 40 Years of Evangelisation." Bamenda: Women's Work Department Publication.

27) Rossi, Agnelo.1975.*The Evangelisation of the Men of Our Time.* Rome: Vatican Polyglot Printing Press.

28) Sheei, Fai Prisca. 4 August, 2021. Former CWF Bui Presbytery President, Yaounde.

29) Wiraghai, Triphine. 27 August, 2021. CWF Bui Presbytery President. Bamenda, Dzeng.

30) Yinyuy, Happiness.   2005. "Nso Response to Colonial Administration and Christianity, 1902-1961." University of Buea: Long Essay.

31) ------------. 2018. "The Evangelsing Efforts of the Presbyterian and Catholic Women Associations in Nso, Cameroon, 1961 -2013," University of Yaounde 1: Ph.D.

Language Maintenance Mechanisms of Kigiriama Language in Ganze Sub-County, Kilifi County, Kenya

Fredrick Kombe Charo[1], Dr. Anashia Nancy Ong'onda[2]

[1]Department of languages and humanities, School of social sciences Mount Kenya University

[2]Department of Languages and Linguistics, School of Humanities and Social Sciences, Machakos University, Kenya

ABSTRACT: Global figures and reports by UNESCO indicate that 90% of the world's languages are endangered. Kigiriama not being a minority language may attract little or no attention in terms of language shift and maintenance investigation. However, in spite Kigiriama having an estimated number of 600, 000 speakers and the trend at the moment is that many of its speakers and especially the youth are shifting to the use of Kiswahili language in many domains raises questions on the concept of language shift and maintenance. Therefore, this study aimed to investigate on language maintenance mechanisms of Kigiriama language. The study employed Fishman's Domain theory and Holmes' theory on language maintenance. The study employed descriptive survey research design. Data was collected using questionnaires and interviews. The findings of the study reveal that language maintenance in Kigiriama language is done at family domain, community domain, and media domain and through language planning policy. The study concludes that language the use of Kigiriama language in both formal and informal will enhance language maintenance efforts of indigenous languages.

KEY WORDS: Language Maintenance, Kigiriama Language, Giriama people, Strategies of Language Maintenance.

1. INTRODUCTION

Language is a social aspect of human life and a fundamental part of human life in society. According to Brown (2007) a language is a tool for expressing ideas or relating information and messages to other people. Thornborrow (2004) states that language is a fundamental way people have in establishing identity and of shaping other people's views of who they are. Therefore, language cannot be separated from human life. Global figures and reports by UNESCO indicate that 90% of the world's languages are endangered hence the need for strategies of maintaining languages.

Language maintenance is the continuing use of a language in the face of competition from a regionally and socially more powerful language (Mesthri and Leap, 2000). It also refers to a situation where a speech community, under circumstances that would seem to favor language shift, holds on to its language (Coulmas, 2005). Batibo (2005) observes that maintenance of a language occurs when a language retains its vitality even when placed under pressure. Language maintenance is the promotion or protection of the native language of an individual or of a speech community (Baker and Jones, 2008). Basing on the above definitions language maintenance from a sociolinguistic perspective is about language use as the notion of competition from a more powerful language conveys. The more powerful language is typically the language spoken by the majority in society, while the language being "maintained" is a minority or home language. Language maintenance denotes the continuing use of a language in the face of competition from a regionally and socially more powerful language. Language maintenance is thus the preservation of the use of a language by a speech community under conditions where there is a possibility of shift to another language.

Various studies have shown different strategies of language maintenance; Aitchson (1991) argue that old speakers are likely to use the old language (mothertongue) but they import features of other languages into in it. The young generation continues shifting to the dominant language to an extent of expressing the old language (mother tongue) which may more socially and economically relevant. Fishman (1991) argue that a language spoken within the family is tied to its cultural self-identity; it is often parents who make a decision on whether to teach their mother tongue to their children, or not. Clyne and Kipp (1999) state that home domain is a key element in language maintenance. They observe that if a language is not maintained in the home domain, then it cannot be maintained elsewhere. Edwards and Newcombe (2005) study show that the speakers who use the heritage language with their parents at home tend to repeat the similar process with their children later. Myers-Scotton (2006) states that societal factors such as demographic factors in terms of

large numbers of speakers of the same L1 living together are likely to maintain their language and occupational factors where members working with fellow speakers of the L1 are likely to maintain it, with restrictive socio-economic mobility, educational factors. Lee (2013) found an issue of language maintenance and shift among the Chilean community in Auckland. She concluded that the participants not only showed an awareness of the advantages of speaking more than one language, but also identified Spanish as an important and useful language on the world stage.

Kigiriama language is a language spoken by Giriama people in Kenya. Giriama people are one of the nine ethnic groups that make up the Mijikenda the others being, Kauma, Chonyi, Jibana, Kambe, Ribe, Rabai, Duruma and Digo. Giriama and the Digo are the most well-known, most populous, and therefore, most dominant along the Kenyan coast. The mijikenda people occupy the coastal strip extending from Lamu in the North to the Kenya/Tanzania. The Giriama people inhabit the area bordered by coastal cities of Mombasa and Malindi and towns such as Mariakani and Kaloleni. Giriama people having been surrounded by Kiswahili people are slowly shifting from the use of Kigiriama language to Kiswahili language. According to Gordon (2005) Kigiriama has an estimated 600, 000 speakers, while Kiswahili has an estimated 700,000 monolingual speakers in Kenya and 33 million speakers across Eastern and Central Africa. Giriama speakers are currently shifting from speaking Kigiriama to Kiswahili which may affect the vitality of Kigiriama language in the future.

Kigiriama not being a minority language may attract little or no attention in terms of language mainetenance investigation. However, in spite Kigiriama having an estimated number of 600, 000 speakers, the trend at the moment is that many of its speakers and especially the youth are shifting to the use of Kiswahili language in many domains and English when at school. This worrying trend is the reason United Nations Educational, Scientific and Cultural Organization (UNESCO) has designated the 21st day of February as International Mother Language Day. This designation is encouraged by the fact that there have been many of mother tongue/local languages that come into extinction in the last century.

The locality in which Kigiriama language is spoken is surrounded by Mombasa and Malindi city and Kaloleni town where is Kiswahili is spoken. Thus, the shift from Kigirima to Kiswahili is prone. Therefore, this paper investigates the possible language maintenance strategies of the Kigiriama language. The study has one main quest which is to:

i. Establish factors that support language maintenance of Kigiriama language

The focus of the study is on the strategies in maintaining Kigiriama language. It is hoped that the study is going to be a springboard for further studies on Kigiriama language in Kenya. Secondly, the government of Kenya in the new constitution insists on the promotion of 'indegenous' languages, to make them recognized and used in the curriculum, communication, technology and research. The study of language shift and maintenance in Kenya is important since it might be insightful to language planning and policy makers and consider Kigiriama language to be used as a medium of instruction in primary or secondary schools in Kenya. This therefore, means that this study is useful for language policy law makers in Kenya.

2. THEORETICAL FRAMEWORK
This paper was anchored within the framework of Fishman's (1964, 1968, 1972, 1991) domain theory and Holmes theory on language maintenance in (2006). According to Fishman (1964) speech situations can be classified into broader groupings called domains on the basis of similarity of social characteristics. Fishman proposed the concept of "Domain' in order to specify the larger institutional role-contexts within which habitual language use occurs in multilingual settings (Fishman, 1968). Some of the relevant domains for describing language use in relatively complex multilingual societies include family, friendship, religion, education, work sphere and government. This phenomenon is termed by Hughes (1970) as linguistic division of labour. According to Hughes (1970) in a society where two languages are used, the two languages are not used for the same purpose but in different contexts. Fishman (1991) argues that the domain theory is grounded on the maxim of: who speaks what language when and where. Fishbone contents that a domain is a socio-cultural construct abstracted from topics of communications, relationships between communicators, and locales of communication, in accord with the institutions of a society and the spheres of activity of a culture, in such a way that individual behaviour and social patterns can be distinguished from each other and yet related to each other. Worth noting is that domains are defined regardless of their number in terms of institutional contexts or socio-ecological co-occurrences. They are based on the major clusters of interaction situations that occur in particular multilingual settings.

The domain theory is relevant to the study. The researcher grouped the participants into different domains of family, friendship, religion, education, work sphere and government and find out whether they use the Kigiriama language or the Kiswahili or English language in their domains. The researcher assessed whether in some domains Giriama speakers are resistant to shift than others. The researcher also

compared the preference of the use of a given language over the other in a given domain. The researcher described the domains or contexts of language use such as home, school, church, market, among others. The maxim of who speaks what language when and where will also be instrumental in the proposed study. The *who* premise will be used to identify Giriama speakers and their speech communities. The *what* question is used to refer to the dialect(s) under study while *when* refers to the time of interaction, and *where* to the locales of interaction or domains of language use.

Holmes's theory (2001) focuses on some strategies in language maintenance such us regular social interaction between community members, frequency of contact with the homeland, resistance to mixed marriage, and institutional support. Holmes argues that If families from a minority group live near each other and see each other frequently, their interactions will help to maintain the language. More so the institutional support from domains such as education, law, administration, religion and the media can make a difference between the success and failure of maintaining of a language. Jendra (2010) argues that larger numbers of speakers have a better possibility to maintain their language. These strategies were applied in the analysis of preservations strategies of Kigiriama language.

3. MATERIALS AND METHODS
3.1 Research Design
The design for this study is a descriptive survey design, utilizing a mixed Methodology. This type of design is used to find answers to the questions generated from the statements of the problem. Qualitative methods will also be used in the understanding of the meanings that people attach to actions, decisions, beliefs and values (Cresswell, 2012). Qualitative methods were used as an important part in developing, maintaining and improving survey quality. A survey can assess personality variables such as attitude and opinions about events, individuals or procedures (Wiersman, 1985; Gay (1992). Surveys were used in collecting data on language use, choice and attitudes in different language domains of Kigiriama speakers.

3.2 Participants
The respondents of the study were drawn from Giriama speaking areas in Ganze Sub-county, Kilifi County in Kenya. The respondents were selected using a convenience sampling technique. 100 speakers of Kigiriama language participated in the current study. Through stratified sampling the participants were grouped into strata's of age groups, and gender. Out of 100 respondents who participated in the study, 50 (50%) were males and 50 (50%) were females. This indicates that there was a fair gender balance and representation among respondents who participated in the study. The age range of the respondents was between 9 and 84.

3.3 Data collection
The data was collected through questionnaire for parents, questionnaire for children, unstructured interviews for teachers and participant observations. These three methods were used to complement each other. The questionnaire for parents covered several areas including general background such as surname, sex, age, marital status, socio-economic status; educational background; patterns of language use; language fluency rating scales; and linguistic attitudes. The questionnaire for Giriama children and youths sought information on language preference in education domain and language use among the youth.

The questionnaire included a list of items asking interviewees to indicate which language they use in a series of communicative situations. The latter have been subsequently gathered in seven major domains in order to define those promoting the maintenance of the Kigiriama language. Language maintenance factors are framed within an examination of language use within Fishman's (1965) sociolinguistic domains: home/family;personal/intimate; leisure/social life/religion; media; workplace/shopping/neighborhoods; education; spouse/partner; (future) children and a value cluster of overt language attitudes.

3.4 Data analysis
Data was analyzed both qualitatively and quantitatively. Quantitative measures and qualitative formulas were used to analyze the data. Items in the questionnaire were analyzed quantitatively by analyzing the rate of languages relevance to domains in their lives. The responses were expressed as percentages of the survey sample. These percentages were necessary to determine language preferences among the young and older Kigiriama speakers. Data from interviews and observation schedule were analyzed descriptively to complement data from questionnaires.

4. RESULTS AND DISCUSSION
4.1 Factors that support language maintenance of Kigiriama language
4.1.1 Language use in family domain
The study established the maintenance of Kigiriama language would first be in-home and family domain. The results show the use of the Kigiriama language is still dominant in intimate and informal situations. The family, in particular, still remains rampart in

preservation of the native language, as the vast majority of the interviewed subjects declared that they use Kigiriama mostly at home. When the parents were asked which language they use at home the results were shown in figure one below:
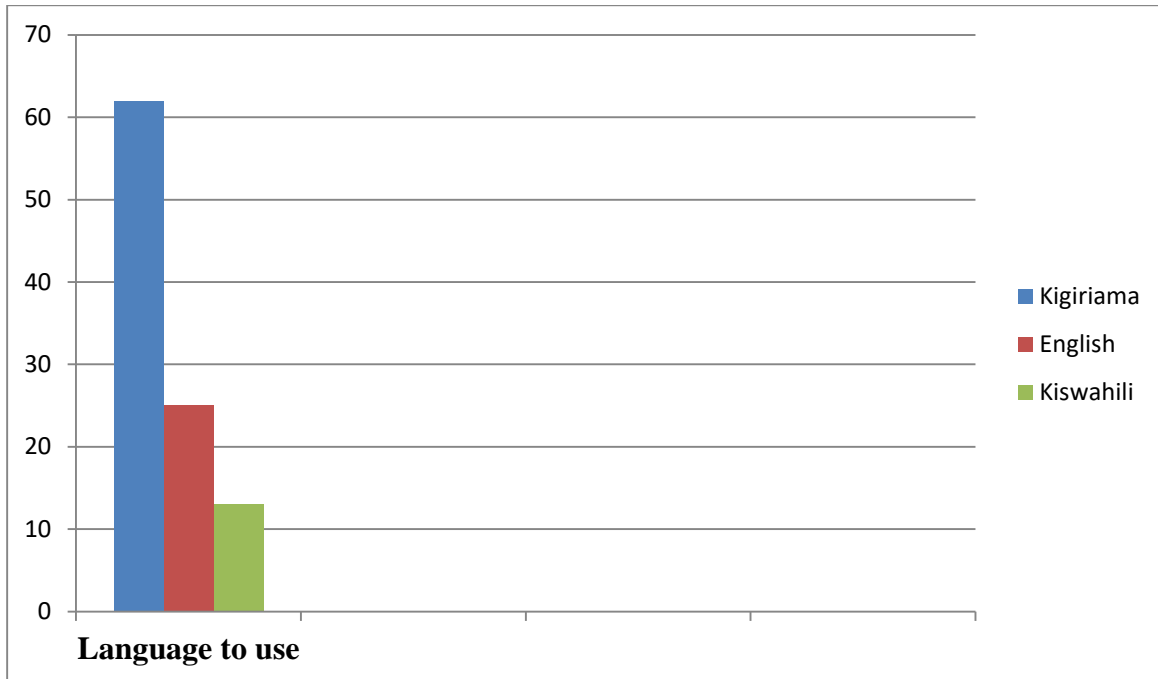
Figure 1: Language preference at home

The majority of Kigiriama parents think they should speak Kigiriama (62%) at home to their children this is followed by others who think that they should speak English Language (25%) while (13%) thought they should speak Kiswahili. The majority of speakers of Kigiriama language (62%) noted that they should Kigiriama language for social identity purposes and away of teaching their children. They stated that it was the only way they could maintain their culture. 25% of participants who felt that they should speak the English language stated that in Kenya English language is considered us a language of the educated and as an international language. This was in line with Choudry (1993) who observed that factors like motivation, prestige, identity, language loyalty and the importance of their relationship to attitude influenced language choice.

The study shows that the home domain represents the last defense against the influence of the language of the majority. Fishman (1965) states in many studies of multilingual behavior the family domain has proved to be a very crucial one. The participants reported that loyalty towards the use of the Kigiriama language within the mixed family structures seems to guarantee – at least in the short-medium term – its intergenerational transmission. In other words if Kigiriama language is used in family domain and home it will lead to language maintenance.

Table 1 below further show language use within family domain:

Table 1: Frequency of Kigiriama use in family domain

Dyads	Level of use	No of respondents
Mother and father	High use Moderate use Low use	33 3 1 N=37
Mother and children	High use Moderate use Low use	32 3 2 N=37
Father and children	High use Moderate use Low use	38 2 2

Language Maintenance Mechanisms of Kigiriama Language in Ganze Sub-County, Kilifi County, Kenya

		N=42
Children with each other	High use Moderate use Low use	1 2 18 N=21
Parents with relatives	High use Moderate use Low use	70 5 4 N=79
Parents with friends	High use Moderate use Low use	63 10 6 N=79

Table 1 shows that Kigiriama language use in the family domain is a particularly an important factor of language maintenance in Kenya. The findings reveal that parents' language use patterns have substantial impact on children's overall acquisition and maintenance of home language. Majority of the older speakers predominantly use Kigiriama to speak to their children, siblings and relatives. Parents in the society play an important role in intergenerational transmission of Kigiriama and by comparing levels of Kigiriama usage in the respondents childhood home and their present home, it is possible to analyze whether this transmission has been successful and to what extent parents are prepared to bring up their children through Kigiriama. Table 1 however shows that children rarely use Kigiriama language when speaking to other children which is dangerous trend. However, family and home domain still plays a crucial role in the maintenance of Kigiriama language. These findings are in line with Cartwright (1987) and Barnes (1990) who points out that the family plays a crucial role in maintaining a language.

4.1.2 Language use of kigiriama in the domain of community

Through questionnaires older speakers noted that continued use of Kigiriama in the following domain within the community would lead to maintenance of the language. When the older speakers (parents) were asked which language they mainly use in given community domains, they responded as shown in Table 2 below:

Table 2: Language Use in the community domains among Giriama parents

Language	Shopping Domain	Social Functions	School Domain	Public Health	Ritual Ceremonies
Kigiriama	80%	83%	33%	27%	97%
English/Kiswahili	20%	17%	67%	73%	3%

This study was carried out in the rural setting therefore the use of Kigiriama language was likely to be dominant among parents. During shopping in Ganze sub-county 80% of the older speakers (Parents) indicated that they use Kigiriama while 20% indicated that they use either Kiswahili or English. This case was likely to be since the parents encounter vendors who are Kigiriama speakers in the market. This then implies the Market place is a ground where language maintenance is experienced especially in the rural setting. Within Ganze sub-county 83% of parents also reported that they use Kigiriama language in social functions such as marriages, weddings and funerals while 7% reported that they use English or Kiswahili. This was the trend in the performance of rituals where 97% of parents reported that they use Kigiriama while 3% reported the use of English or Kiswahili. Therefore, the results of table 1 shows that language maintenance of Kigiriama language is at local levels such as shopping centers (high use), social functions and rituals that recorded high use too which are informal interaction.

The school domain recorded low use of Kigiriama language 33% while use of English and Kiswahili was at 67%. This was precipitated by the cases where parents are interacting with the teachers, school workers, and other parents in school, their own children and other students while in school. These results were almost similar to the use of Kigiriama in Public health sectors where English and Kiswahili (73%) dominated over Kigiriama (27%). Table 14 therefore shows Kigiriama language lacks institution support in formal settings such as public health, media, government offices and education sector. This implies that Kigiriama language is not used in formal interaction. Formal interaction refers to language use with public officers and other categories of speakers that imply formal interaction, i.e. Public

health, Education and government offices etc., while informal interaction refers to all those domains in which the use of language is not influenced by one-sided or power relationships (church, social welfare and in shopping centers).

However through questionnaires the older speakers reported that providing government and administrative services in the mother tongue can stimulate maintenance. This could be enhanced by having representatives that can interact with parents or speakers in the language they know best. The data show low use of Kigiriama language in public health and public sectors that threatened the existent of Kigiriama language in formal setting. The study concludes that the use of Kigiriama language in both formal and informal will enhance language maintenance efforts of indigenous languages.

4.1.3   Media and Language maintenance
Through interviews and questionnaires the data revealed the importance of media as a tool for language maintenance. There are four radio stations that support the use of Kigiriama language in media: Pilipili FM, Msenangu FM, Bahari and Kaya FM. Both parents and teachers reported that the use of Kigiriama language in media would enhance language preservation and maintenance. The respondents noted the functions of Kigiriama language should be advanced to use in media in order to increase its prestige.

When the teachers were asked why Kigiriama should be used in media they also pointed out that the use of Kigiriama in the media increases the exposure of the language itself and the awareness of the language. Thus, mass media supports the use of indigenous languages. More the use of Kigiriama language in an institution like media would give the language more vitality which enhances language maintenance. The uses of indigenous languages through media such as TV or radio maintain the native language.

The use of local languages will also enhance socialization and the utilization of local mass media that is both printed mass media and electronic mass media, to make a column or announcement about. Moreover, language shift tends to be slower among communities where the minority language or an indigenous language is highly valued. Thus, the use of Kigiriama in media would help it resist the pressure from the majority group language such as Kiswahili.

4.14 Language planning in maintaining indigenous language
Language planning is a deliberate effort to influence the function, structure or acquisition of languages or language variety within a speech community. Planning or improving effective communication can also lead to other social changes such as language shift or assimilation. The data collected clearly show that 67% percent of the parents cited the education system as a cause of language shift. This then implies that language classes should be the starting point for a language maintenance program which should be well articulated in language policy through language planning. Kenya being a multilingual society is faced with the problem of language maintenance due to language choice which eventually leads to language shift.

The teachers gave the following strategies as maintenance of Kigiriama language:
- Teaching poems, drama, songs in Kigiriama
- Government building museums
- Motivating cultural events
- Asking authors to write Giriama books
- Use local language while teaching
- Support program for cultural events
- More books to be printed in Kigiriama
- Encourage Musicians to make Kigiriama songs
- More Kigiriama stations and channels to be introduced
- Kigiriama to be appreciated like Kiswahili
- To teach Kigiriama as a subject to the learners especially in the lower classes

The language policy states that the child's first language either Mother Tongue (MT) or the language commonly spoken in the school's catchment area (usually Kiswahili or English) should be used as the Language of Instruction (LOI) in lower primary up to end of Grade Three. The policy further states that English and Kiswahili should be taught as subjects in lower primary and English should be used as the LOI from grade four onwards. The policy therefore state that in lower primary it is official for children to be taught in English, Kiswahili or any of the vernacular languages. This policy aims at maintaining the use of Kigiriama language and any other indigenous language.

In an interview schedule the researcher sought to find out the language that the pupils were expected to use in school. 92 % of the interviewed teachers reported that pupils were expected to speak English in school and all (100%) again reported that despite this expectation, pupils spoke other languages in school. The teachers agreed that speaking other languages affected pupils' achievement in

English. The findings above show that the school language may be a cause of language shift yet in the language planning policy it should enhance language maintenance.

85% of the teachers agreed that they often used Kiswahili during English lessons while 83.3% reported that pupils did not use Mother Tongue during English lessons while 16.7% of the teachers agreed that pupils used MT during English lessons. The teachers agreed that majority of the teachers (97%) did not use MT during English lessons. Only 3% agreed that teachers sometimes used MT during English lessons.

A working language planning thus is designed to solve language's problems in order to use it properly in communication for social intercourse and to maintain language from death. Thus, once language planning and policy works in Kenya it can enhance the maintenance of Kigiriama language. This observation corroborates with Wiley (2009) who argue that language planning entails formation and implementation of a policy designed to influence the languages and varieties of language which will be used and the purposes for which they will be used. Language planning for maintenance of local languages also requires the government to resources in terms (teachers, classrooms, textbooks, etc.).

Thus, the study concludes that as much as the Kenyan government has made language policy to maintain indigenous language in schools, the problem is that this policy seems to not be planned properly especially at the implementation stage. It is true that language maintenance can be achieved through education if the language is reflected in school curriculum so that children can learn to read and write in it**.**

The teachers reported that lack of resources such as course books on the Kigiriama language were also lacking. Therefore, full government support was lacking. The findings also show that the language policy on the use of indigenous languages in schools is not well-planned enough yet school and education play an important part in human life especially in acquiring language. It is through education that people acquire a better understanding about their first or second language acquisition.

5. CONCLUSION

This paper sought to establish language maintenance mechanisms of Kigiriama language. The results of the study show that the maintenance of Kigiriama language would first be in-home and family domain. The results show the use of the Kigiriama language is still dominant in intimate and informal situations. The family, in particular, still remains rampart in preservation of the native language, as the vast majority of the interviewed subjects declared that they use Kigiriama mostly at home. The study reveals that the home domain represents the last defense against the influence of the language of the majority. Another domain that could lead to maintenance of Kigiriama language is the domain of community**.** This study was carried out in the rural setting therefore the use of Kigiriama language was likely to be dominant among parents. The data show low use of Kigiriama language in public health and public sectors that threatened the existent of Kigiriama language in formal setting. The study concludes that the use of Kigiriama language in both formal and informal will enhance language maintenance efforts of indigenous languages. The study also recommends the actualization of language policy in schools especially at the implementation stage that would enhance the use of Kigiriama language among children.

REFERENCES
1) Aitchison, J. (1991). *Language Change: Progress or Decay*. Cambridge: Cambridge University Press.
2) Baker, C. & S.P. Jones. (2008). *Encyclopaedia of Bilingualism and Bilingual Education.* England: Clevedon.
3) Barnes, L. A. (1990). Family bilingualism: a review of the literature. *South African Journal of Linguistics, 8*(4), 143-8.
4) Batibo, H. M. (2005). *Language Decline and Death in Africa. Causes, Consequences and Challenges.* Clevedon, UK: Multilingual Matters Ltd.
5) Brown, H. D. (2007). Principles of Language Learning and Teaching (Fifth Edition). New York: Pearson Education, Inc.
6) Cartwright, D. (1987). Accommodation among the Anglophone minority in Quebec to official language policy: a shift in traditional patterns of language contact. *Journal of Multilingual and Multicultural Development, 8*(1) and (2), 187-212.
7) Choudry, A. (1993). Language Interference and Mother Tongue Maintenance: A case study of Bengali Speaking Children in Telugu Speaking Areas of Hyderabad and secunderabad. Ph.D. Dissertation. Hyderabad: Osmania University.
8) Coulmas, F. (2005). *Sociolinguistic: The Study of Speaker Choices*. New York: Cambridge University Press.
9) Clyne M. & Kipp, S. (1999). *Pluricentric languages in an immigrant context: Spanish, Arabic and Chinese.* Berlin, Germany: Mouton de Gruyter.
10) Creswell, J. W. (2012). *Qualitative inquiry and research design: Choosing among the five traditions.* California: Thousand Oaks.

11) Edwards, V., & Newcombe, P.L. (2005). Language transmission in the family in Wales: An example of innovative language planning. Language problems & language planning, 29(2), 135-150. (Accessed on September 30, 2017: 09. 30 pm).

12) Fishman, J.A. (1964). Language Maintenance and Language Shift as a Field of Enquiry." *Linguistics*, no. 9, 32-70.

13) Fishman, J. A. (1965). Who speaks what language to whom and when? *La Linguistique*, 1(2), 67–88.

14) Fishman, J. (1972). *Language and nationalism*. Rowley, MA: Newbury House.

15) Fishman, J.A. (1991). *Reversing Language Shift: Theoretical and Empirical Foundations of Assistance to Threatened Language*. Clevedon-England: Multilingual Matters.

16) Holmes, J. (2001). *An Introduction to sociolinguistics (second edition)*. Edinburgh: Pearson Education Limited.

17) Hughes, E. C. (1970). "The Linguistic Division of Labor in Industrial and Urban Societies". In Alatis.

18) Jendra, M. (2010). *The Studies of Societies Language*. Yogyakarta: Graha Ilmu Indonesia

19) Gay, L. (1992). *Educational Research*: Competencies for analysis and Applications, 4th edition. New York: Macmillan.

20) Gordon, R. G. (2005). *Enthnologue: languages of the world*. Dellas, TX: SIL international.

21) Lee, E. S. (2013). Spanish Language Maintenance and Shift among the Chilean Community in Auckland. Auckland University of Technology.

22) Mesthrie, R. & Willian L. (2000). Language contact I: Maintenance, shift and death. In Rajend Mesthrie, Joan Swann, Andrea Deumert & William L. Leap (eds.), I*ntroducing sociolinguistics*, 248–278. Edinburgh: Edinburgh University Press.

23) Thornborrow, J. (2004). Language and Identity. In Thomas, L. et al. *Language Society and Power*. An Introduction 2nd Edition. London: Routledge.

24) Wiersman, W. (1985). *Research methods in Education.* London: Allyn Bacon Inc.

25) Wiley, T. G. (2009). Language Planning and Policy. InMcKay, Sandra Lee and Nancy H. Hornberger. (2009). Sociolinguistics and Language Teaching. Cambrigde: Cambrigde University Press.

Implementation of Defense Industry Policy in Supporting National Economic Growth

Juliana[1], Guntur Eko Saputro[2], Lukman Yudho Prakoso[3]

[1]Juliana, Defense Economic Study Program, Defense management Faculty Indonesia
[2]Guntur Eko Saputro,Defense Economic Study Program, Defense Management Faculty Indonesia
[3]Lukman Yudho Prakoso,Defense Economic Study Program, Defense Management Faculty Indonesia

ABSTRACT: This study aims to identify and analyze the implementation of defense industry policies in supporting national economic growth. The research method used is literature review research with a descriptive approach. The results of the study show that the defense industry has contributed to national economic growth during the COVID-19 pandemic. This refers to the active role of the defense industry, which does not only focus on the defense of the national border area, but also becomes the support and solution for national economic defense. In addition, the policies implemented to encourage national economic development have multiple effects on the surrounding community, where this will contribute to morale and mobilization contributions from the defense industry to encourage the growth of broad economic awareness.

KEYWORDS: Policy Implementation, Defense Industry, Economic

INTRODUCTION

This research is motivated by the condition of the national defense industry which lags behind the defense industry of countries in the world, even with countries that are relatively young in developing the industry, even though various policies have been issued. This condition raises the question of how to implement Indonesia's defense industry policy.

Indonesia is the largest archipelagic country (airhipelago state) in the world with 2/3 of its territory is the ocean. This was recognized by the United Nations through UNCLOS in 1982 (Widodo, et. al. 2021). Therefore, Indonesia has quite heavy homework in the defense aspect. So it is necessary to develop a defense industry that makes Indonesia have a deterrence effect that is calculated on the international scene. This is certainly related to the policy of the defense industry. According to Widodo et. al. (2021) The defense industry requires a good and optimal supply, with the potential of its natural resources.

The abundance of natural resources can affect the progress of the development of the defense industry, this is certainly related to the development of human resources and other aspects of development, such as infrastructure and so on. According to BNPP (2011), border areas are generally less touched by the dynamics of development, thus affecting the level of poverty, in addition, in some areas bordering other countries, they are oriented towards neighboring countries in terms of social and economic services.

Therefore, the provisions of the 1945 Constitution affirm that; 1) The state protects the entire nation and the entire homeland; 2) advancing the general welfare and the intellectual life of the nation. In other words, there are two strong phrases in the two points of the rules above, the first is the phrase to protect, and the phrase to promote, from which two phrases can be drawn a common thread that the defense industry has an important role to protect and participate in the welfare of the nation's life. To realize the two points above, it is necessary to have support and encouragement in building the national economy. According to Deksino, et. al. (2022) the defense economy is the driving force of a nation's economy in the defense sector, where national economic growth is the result of the independence of the defense industry.

This is also related to the MEF (Minimum Essential Force) which is an important standard of strength that must be set. According to Husnah, et. al. (2020) one of the means to realize the MEF in the defense industry is the development of the domestic military industry. Where Hanneg (2014) emphasized that the optimization of the development of the national defense industry has only been implemented since 2010. Because apart from being the spearhead of a national defense, it is also one of the supports for economic development which is one aspect of defense as well. This is in line with Law No. 16 of 2012 concerning the defense industry. Where the national defense industry is able to take advantage of the defense advice procurement program at the Ministry of Defense.

Global economic conditions are likely to experience a slowdown, the fate of the trade war is not yet clear. With the situation, it is difficult to increase acceptance. As a result, the state budget deficit and debt could increase (Saputro, 2021)

Implementation of Defense Industry Policy in Supporting National Economic Growth

According to Muradi (2015) Management of the strategic industry and defense industry in many countries is almost always faced with three main problems, namely: First, the development of defense technology that relies on two schemes, namely the scheme for strengthening research and development of the defense industry, and through offset and technology transfer schemes. . Second, funding the defense industry with various funding models, and the third is the problem of improving the quality of the defense industry's Human Resources (HR). All three are related to one another in supporting the need for the main Armament System (Alutsista) in their country or are moving to become an exporter of weapons and war equipment.

Defense economics as a multidisciplinary study discusses resource allocation, income distribution, economic growth, and political stability as applied to topics related to defense. According to the defense economy, the impact of the use of the defense budget on the economy can be viewed from the demand or consumption and supply or production approaches (Saputro et al., 2021) If the connection between defense and economic defense is very important, then this will answer the reality of the evolution of the defense industry, which is not only talking about defending the country, but also talking about industrial procedures, diplomacy and cooperation, as well as promoting economic development as a strategy. national defense, especially during this COVID-19 pandemic. In line with that, Witarti and Armandha (2015) emphasize that the evolution of the defense industry must also adapt to current conditions.

Minister of Defense Decree Number 12 of 2016 states that national defense is essentially all defense efforts that are universal in nature characterized by populist, universal and territorial, not only that the TNI and other supporting components must be able to face military and non-military threats. In Chapter II, it is stated that the realization of a sovereign, independent and personalitybased Indonesia based on mutual cooperation is to realize national security capable of maintaining territorial sovereignty, sustaining economic independence by securing maritime resources, and reflecting Indonesia's personality as an archipelagic country. In addition, in point (g) it is stated that realizing economic independence by moving strategic sectors of the domestic economy. So that this can create a strong, independent and competitive defense industry, due to the realization of a domestic defense industry in order to fulfill Defense Equipment (Alpalhan) and support the production of equipment that supports the national economy.
The integration of security stability development together with increasing strategic industrial growth and macroeconomic stability synergistically has the ability to increase economic growth (SAPUTRO, 2021)

To improve and respond to economic growth, the implementation of defense industry policies based on Law Number 16 of 2012 and the Decree of the Minister of Defense of 2016, as well as economic growth data in the last five years show that the defense industry has an important role in supporting and supporting national economic growth as a form of economic growth. national defense. Defense budget planning and the right allocation of defense spending every year can support Indonesia's defense forces, so that they are able to create and increase Indonesia's economic growth (Saputro, Rivai, et al., 2021) Security Stability and Strategic Industry Growth have a simultaneous effect on Macroeconomic Stability. The integration of the development of security stability together with increasing the growth of strategic industries in a synergistic manner has the ability to increase macroeconomic stability (Saputro & Meirinaldi, 2019)

LITERATURE REVIEW
1. Public Policy
a.   It is believed that there is a relationship between defense spending and the economy. In reality, there are varying effects on each country when the defense budget deals with the economy. However, from the studies of economists, there is still no convincing opinion from the empirical tests that have been carried out. For example, Kennedy (2016) tested whether the national defense budget can stimulate investment, it turns out that empirical results show that Indonesia's defense budget still has a crowding out effect on investment, where there are many other opinions from different studies.

b.   The channel that can be used by the government to influence the economy, especially economic growth is through fiscal policy. The state can play a role through direct investment funding through the efficient provision of public services so as to encourage economic activity, as well as stimulate long-term investment. Defense spending, one of the government's policies, is expected to have a positive effect on the economy. Brasoveanu (2010) explains the shape of the channel in the economy that is influenced by defense spending. These channels include:

a.   Research and development in the defense sector. Research and development in the defense sector can have a positive influence through externalities in the economic sector from the private sector. Military research and defense spending can stimulate innovations in technology. In developing countries defense can assist in the establishment of socio-economic structures that support growth by engaging in research and development, providing trained personnel, training and education, and building the infrastructure necessary for economic development.

b.   Security (security). Defense spending can drive the economy because it provides security to maintain stability in the business environment and maintains favorable conditions to attract foreign investors. The existence of security also maintains respect for property rights and dynamics markets thus driving growth in today's global system. Recognizing that defense spending increases security, defense stimulates growth.

Implementation of Defense Industry Policy in Supporting National Economic Growth

       c.   Request. The positive effect of defense spending can occur through an increase in aggregate demand (Keynesian effect). An increase in demand plays an important role in increasing the utilization of idle capital, reducing the unemployment rate, and increasing profits thereby encouraging higher investment, all of which lead to economic growth. Defense spending is also recognized as a fiscal policy tool so as to increase demand stimulation or reduce demand constraints. This effect depends on the multiplier effect, if it is assumed that there is no reciprocal relationship between increased taxes and financing for government spending, and there is no crowding out effect due to this expenditure.

       d.   Labor. Defense spending may increase the skills of a portion of the population through training and education of members of the military. So that it has a stimulating effect on growth if it can move the economy towards full employment, formation of human resources, maintaining stability, and providing infrastructure.

i.   Investment. Capital expenditures can provide productive uses, such as private sector use of transport networks originally built for military purposes. Investment in the defense sector drives positive externalities to the private sector, such as the development of public infrastructure, spillovers from technology, and the formation of human resources.

j.   Crowdout effect. Military spending can have a detrimental effect on economic growth by crowding out with the private sector. The large defense spending creates a distortion in the allocation of resources and the separation of resources from productive activities due to the accumulation of weapons and the increase in military strength. Military spending can be detrimental because it impacts investment, savings, human resources, and infrastructure programs. The extent and form of crowding out of increased defense spending will depend on how they are used and how they are financed.

k.   Opportunity costs. To explain the negative relationship between military spending and growth, the economy focuses on the opportunity cost of defense spending. Military spending can hinder economic development by reducing savings and the inappropriate allocation of resources away from more productive uses of the public or private sectors. In the same context, research and development in the defense sector can separate research and development from the private sector. Government spending on national defense saves potential opportunity costs, because it allows for lowering economic output.

l.   Opportunity costs. To explain the negative relationship between military spending and growth, the economy focuses on the opportunity cost of defense spending. Military spending can hinder economic development by reducing savings and the inappropriate allocation of resources away from more productive uses of the public or private sectors. In the same context, research and development in the defense sector can separate research and development from the private sector. Government spending on national defense saves potential opportunity costs, because it is possible to lower economic output to have a positive or negative impact on economic growth, depending on the level of defense spending.

m.   Efficiency of resource allocation. If military spending is not managed through market mechanisms, it will tend to cause distortions in relative prices. The implementation of policies to support military programs may interfere with resource allocation and economic growth.

n.   Increasing the political power of the military. Defense spending may not come from the need for security, but because of rent seeking from the complex military industry, so that it can increase weapons and military posture that exceeds its share and can lead to an arms race or war.

    Many of these effects occur simultaneously, depending on the degree of usefulness and externalities of defense spending and effectiveness in dealing with threats. Through these certain channels, defense spending has an effect on economic growth that can be seen from two sides, namely the supply side and the demand side. Through a supply-side approach, the channel that can explain the effect of military spending on economic output is through the availability of production factors, be it labor, capital (both physical and human resources), as well as technology that together affect potential economic output. .

    This theory assumes that real output per capita and capital stock growth will be at a constant level in a certain period even though there are short-term fluctuations. It is also assumed that an increase in labor and capital at a steady level will also increase its aggregate output at a steady level (Solow, 1970). Then changes in aggregate output can be explained by changes in capital and labor. One approach that is commonly used in research on the relationship between defense spending and economic growth from the supply side is the neoclassical production function approach. That is by reviewing the description from the supply side through changes in aggregate output.

    West & Thompson (1990) stated, due to defense spending, effects appeared in the economy that had a great impact on output from the supply side, which can be explained through the following neoclassical theory:

      -      If there is a resource-allocation effect that causes investment to crowd-out, there will be a decrease in aggregate output growth. The neoclassical model explains that the growth rate is a function of capital growth. So when this effect occurs, the transmission that occurs will reduce capital growth and be followed by a decrease in the aggregate output growth rate.

      -      The emergence of the resource-mobilization effect will have an impact on decreasing household savings. In accordance with the neoclassical model, of course, a decrease in savings will lower the movement of the growth rate.

      -      If there is a spin-off effect in other sectors from technological improvement, then according to the neoclassical model, the technological improvement that occurs will lead to higher economic growth.

- The occurrence of an aggregate demand effect with the existence of a multiplier effect in the economy cannot be explained in neoclassical theory. In this model this is not possible, because the economic resources are assumed to be full employment.
- If there is a debt accumulation effect, high-tech products or services purchased with foreign debt without transferring technology will reduce technology growth. In the neoclassical model, this low growth is due to very limited access to foreign technology.

Strategy for Prevention of Corruption in the Procurement of Alutsista within the Ministry of Defense and the TNI includes Improving the Integrity and Ethics of Operators, Consolidating and Accelerating State Bureaucratic Reforms, Strengthening Anti Corruption Culture in the Community, Firm and Consistent Law Enforcement , and Integrated (Putro, 2021)

The channel that can explain the effect of military spending on economic output through the demand side is through the level and composition of expenditure. What happens here is that there is a multiplier effect that increases demand (Keynesian multiplier effect). This increase will increase utility and reduce the unemployment rate. According to Benoit (1973, 1978) spending on the military can have a positive influence on economic growth. He explained that this effect comes from the Keynes model based on a multiplier mechanism for underutilized countries.

The defense industry really needs an integrated and structured structure for the long term. It is hoped that the national defense equipment system can be independent to meet domestic needs, that in the long term, our defense equipment can be exported and traded abroad so that it becomes an economic source both from reducing unemployment, state income and being respected by other countries ((Hanri, 2021)

Uk Heo (1996) concludes, from the various effects caused by defense spending, broadly speaking, there are three different research results from the analysis of the relationship between defense spending and economic growth, namely those that give positive results, negative relationships, or no relationship at all. . The arguments of these groups are:
- The group that argues that defense spending has a positive impact on economic growth argues that defense spending will stimulate economic growth either directly or indirectly.
- The group that argues that there is a negative relationship between defense spending and economic growth focuses on arguments for two types of trade-offs, namely the allocation effect (the guns vs butter trade-off), and the growth effect (the guns vs growth trade-off).
- The third group finds that there is no relationship between military defense spending and economic growth. Defense spending can have a negative or positive effect on growth at certain times and under certain conditions. Defense spending may inconsistently affect economic growth in a statistically significant way

1. Policy Implementation
According to George Edward III, there are 4 factors that influence the success or failure of policy implementation, namely (1) communication, (2) resources, (3) disposition and (4) bureaucratic structure.

a. Communication
Communication is a very important factor because communication is related to the delivery of information, ideas, skills, regulations and others using certain means to those who are entitled to receive it. Policy implementation will be active if those who carry out the decisions know what they have to do. Communication includes:
- Communication channeling
- Clarity of communication - Communication consistency b. Resource
Implementation instructions and orders can be passed on carefully, clearly, and consistently. However, if implementers lack the necessary resources to implement policies, then policy implementation tends not to work. Resources include:
- Man
- Budget
- Authority
- Information
- Facilities and infrastructure c. Bureaucratic Structure
Bureaucracy is one element in policy implementation. Bureaucracy both consciously and unconsciously choose organizational forms for collective agreement in order to solve social problems in modern life which are sometimes deliberately formed to carry out certain policies. d. Attitude (Disposition)
The attitude of policy implementers is a factor that has consequences in policy implementation.

1) Defense Industry
Defense industry is a national industry (government or private) whose products, either individually or in groups, including maintenance and repair services, at the government's assessment can be utilized for the benefit of national defense.

Implementation of Defense Industry Policy in Supporting National Economic Growth

The defense industry is part of the national industrial order which specifically has the capability or potential that can or can be developed to produce products in the form of weapons systems, equipment and supplies, administrative/logistical support or services for the benefit of the implementation of national defense.

2) Economic Growth

Economic growth is seen and measured by comparing components that can represent the current state of a country's economy and the previous period. The components used to measure economic growth are gross national product (GNP) or gross domestic product (GDP).

METHOD

This study uses a literature review research with a descriptive approach. Sources of data using primary data and secondary data. Primary data includes supporting official documents and secondary data using applicable regulations/regulations. This study uses a descriptive qualitative approach, namely research that describes the current state of the research object as it is based on the facts. It is hoped that this research can reveal the problem or situation or event as it is so that an objective problem solving solution is obtained based on the facts obtained in the object of research according to the actual situation. Researchers will always ask with question words "why", "what reason" and "how it happened" (Moleong, 2008:6). This study uses a qualitative method because it aims to understand a phenomenon, role, interaction and group and not to test the truth of the hypothesis as in quantitative research.

RESULTS

According to Edward III in Widodo's (2010:96) policy implementation, there are 4 factors that influence the success or failure of policy implementation, including (1) communication, (2) resources, (3) disposition, and (4) bureaucratic structure. In this case, it can be described as follows:

1. Communication

The main requirement in implementing the most effective policy is communication which is then interpreted as the process of delivering information to the communicant. Policy communication is the process of delivering policies from policy makers (policy makers) to policy implementers (policy implementers). Public policy information needs to be conveyed to policy actors so that policy actors can know, understand about the content, objectives, directions, target groups of policies with the aim of policy actors being able to prepare what must be prepared so that policy goals and objectives can be achieved in accordance with what is stated. expected.

2. Resources

The resources in question are human resources, financial resources, equipment resources (buildings, equipment, land, and other spare parts), spare parts or material resources and the bureaucracy needed to implement policies. In this study, researchers found that in general, TNI AD personnel as users had the appropriate ability to operate and carry out light-moderate repairs.

3. Disposition

Even though there have been laws and Presidential Regulations to the Minister of Defense Regulation that obliges to prioritize domestically made defense equipment, the use of Anoa combat vehicles has always faced the needs of users in terms of only TNI AD units.

4. Bureaucratic Structure

Bureaucratic, the Regulation of the Minister of Defense of the Republic of Indonesia Number 17 of 2014 in Chapter X concerning the Use of Domestic and Foreign Production Alutsista in Part One explains the provisions for Increasing the Use of Domestically produced TNI Alutsista which in Article 70. Discussion

Referring to the implementation of the Defense industry policy, there are several things that are discussed in this research. Hartley, et al. (1995) explained macroeconomically, defense economics is a study of resource allocation, income distribution, economic growth, and stabilization which is applied to topics related to defense. Defense economics covers various sub-sectors of the economy, including public sector economics (public goods, the effects of externalities obtained by an economic sector in relation to other economic sectors, measurement of output), industrial economics (industrial base studies, procurement, research and development, collaborative industrial policies). , licensed production in the defense industry), labor economy, international economy, public choice, and other macroeconomic and economic growth.

The obstacles faced in implementing PT Pindad's Anoa combat vehicle production policy in supporting the improvement of the national defense economy were due to limited resources experienced by PT Pindad, namely capital and regulations that support PT Pindad's efforts in export market orientation (mulyani, 2022)

First, the implementation of the defense industry policy on economic growth. Second, economic growth after the Covid-19 pandemic is a form of defense industry efforts.

1. Defense Industry

The Defense Industry must look at regulatory aspects, technology, human and natural resources, integrated security and legal aspects. According to Widodo (2021), these five aspects must be integrated with the conditions or opportunities for national

defense. As well as policies to strengthen the local economy as a form of overcoming the impact of the pandemic in several defense industries, one of which is PT. Pindad.

At PT. Pindad according to research conducted by Deksino, et. al (2022) seeks to improve the country's defense economy through the implementation of the ANOA combat vehicle production policy. This, in addition to minimizing the budget, can also allocate budget for activities that are economic defense development, such as disaster management programs and assistance for micro, small and medium enterprises. According to Deksino, et. al. (2022) concluded that the implementation of the Anoa combat vehicle production policy of PT. Pindad has not been supported by an increase in the national defense economy. This is due to the limited state budget allocated for defense equipment spending, the limited allocation of the state budget in the national capital participation (PMN) for PT Pindad and the government's firmness to oblige non-TNI AD personnel to use the Anoa combat vehicle.

Therefore, from the perspective of the defense industry, the production of combat vehicles is part of efforts to improve national economic defense. The Indonesian government pays attention to the domestic defense industry by forming teams, councils and bodies which in principle are to accelerate the development of the national defense industry. The formation of teams, councils, and bodies was carried out by several Presidential Decrees (Keppres) Number 40 of 1980 concerning the Defense and Security Industry Development Team, Number 6 of 1984 concerning the Board of Trustees of Strategic Industries, Number 44 of 1989 concerning the Development Board of Strategic Industries, Number 56 of 1989 concerning Board of Trustees of Strategic Industries, Number 64 of 1998 concerning BUMN Management Agency and Determination of PT Bahana Pakarya Strategic Industries (BPIS) Persero. The economic crisis and democratization caused PTBPIS to be disbanded in 2001 but efforts to revitalize the Defense Industry did not stop through the formation of the Defense Industry Policy Committee (KKIP) based on Presidential Regulation Number 42 of 2010 followed by the issuance of Law Number 16 of 2012 concerning the Defense Industry. One of the mandates of the Act is the establishment of KKIP which was later confirmed by Presidential Decree number 59 of 2013.

1. The government plays a role in encouraging the domestic defense industry to be efficient, competitive, has a comparative advantage and is able to fulfill contract requirements so as to meet the needs of achieving MEF (Minimum Essential Force) which is supported through the independence of the defense industry. This is stated in Law No. 16 of 2012 which is to create an industry in production and maintenance and repair services in order to fulfill the Defense and Security Equipment Tool (alpalhankam) which is monitored and evaluated by the Defense Industry Policy Committee (KKIP). The national security system has been built with an approach participation of citizens and society or the security sector reform agreement, the most important thing is how it affects Defense-Security Expenditure Structure againstn security stability in Indonesia (Saputro et al., 2020)

2. Economic Growth

Based on BPS data which shows that the increase and decrease in the national economy in 2020-2021 is part of the impact of the COVID-19 pandemic. In economic growth, the role of government industry as stated by Robert Linton in Widodo (2021) that the role is part of social interaction in accordance with the established culture. Therefore, the defense industry policy as described above has an important role in responding to economic growth, especially during the pandemic and post-Covid-19 pandemic.

To respond to economic growth that begins to increase from 2020 to 2021 and 2022, is an effort to optimize the role and synergy of effective institutional or institutional development and implement a cross-institutional coordination system. The application of Law Number 23 of 2019 concerning the Management of National Resources for National Defense, as a form of government support for the optimization of national defense. The form of the role of this policy, namely mobilization is the act of mobilizing and simultaneously using National Resources and National Facilities and Infrastructure that have been prepared and fostered as a component of the National Defense force to be used in an appropriate, integrated, and directed manner for overcoming any threats, both from abroad and from abroad. from within the country which endangers the unity and integrity of the nation as well as the survival of the nation and the Unitary State of the Republic of Indonesia.

One of the studies conducted by Kennedy (2018) on defense policy in encouraging the national economy on the Trans Papua Road is a form of program carried out to determine and support economic growth, one of the efforts made by the defense industry in the case study of this research is 14 roads. which was built on the Trans Papua road.

CONCLUSIONS

Based on the results and discussion above, it can be concluded that:

1. Defense Industry Policy has an influence in encouraging and supporting economic growth in a region.

2. The form of economic encouragement based on the development and allocation of production of defense equipment independently provides the potential to develop the national economy.

3. During the COVID-19 pandemic, the defense industry policy in encouraging and growing the economy as a solution to the impact of the pandemic, it is enough to provide space and doors that are wide open for the community.

Implementation of Defense Industry Policy in Supporting National Economic Growth

SUGGESTION

There is a need for a defense industry policy that is not only related to accommodation or production of defense equipment, regional development, disaster management and human resource assistance, but also a stimulus policy that can create an attitude of independence towards social welfare for all Indonesian people. In other words, there is national welfare.

REFERENCES

1) Dexino, et., al. 2022. Improving the National Defense Economy through the Implementation of the ANOA Combat Vehicle Production Policy PT. PIndad. Journal of Research Innovation, 2(9).
2) Denik Iswardani Witarti, and Semmy Tyar Armandha, 2015. "Theoretical Review of the Conception of Defense and Security in the Era of Globalization of the Defense Industry", Defense Journal Vol 5 No 3.
3) Hartley, K., and Sandler, T. (1995). Handbook of Defense Economics. Volume I. Elsevier Science.
4) Harry. (2021). Integrated Structure in the Defense Industry Sector. International Journal of Arts and Social Sciences.
5) Kennedy, Posma Sariguna Johnson. (2016). The Relations of Defense Budget with Investment: Evidence from Indonesia. International Journal of Economics and Financial Issues , 6(S6), 115-119.
6) Ministry of Defense Decree No. 12/2016 on Foreign Military Assistance in Search and Rescue in Indonesia
7) Decree of the President of the Republic of Indonesia Number 59 of 2003 concerning Position Allowances for State Officials in the Highest State Institutions.
8) mulyani. (2022). IMPROVEMENT OF THE ECONOMY OF STATE DEFENSE THROUGH THE IMPLEMENTATION OF PT PINDAD (PERSERO) ANOA COMBAT VEHICLE PRODUCTION POLICY. Journal of research innovation, Volume 2 no 9.
9) Meleong, Lexy J. 2012. Qualitative research methods; Bandung: Youth RosdaKarya
10) Muradi, 2015. "The Defense Industry Funding Model and Human Resources Improvement," Defense Journal Vol 05 No 2.
11) Putro, S. C. (2021). Strategy to Prevent Corruption in the Procurement of Defense Equipment in Indonesia. International Journal of Arts and Social Sciences.
12) Saputro, G. E. (2021). Implementation of Economic Policy Facing the China American Trade War in the Framework of Non-Irmilitary Defense. International Journal of Social Science And Human Research.
13) Saputro, G. E., & Meirinaldi. (2019). Analysis of the Effect of Security Stability and Strategic Industry Growth on Macroeconomics. Journal of Economics, 21(3), 237–238. https://ejournal.borobudur.ac.id/index.php/1/article/view/603
14) SAPUTRO, G. E. (2021). Effect of Macroeconomic Stability, Security Stability and Strategic Industry Growth on Economic Growth By :. Journal of Economics, Volume 23 Number 1, BOROBUDUR UNIVERSITY.
15) Saputro, G. E., Rivai, A. M., & Meirinaldi. (2021). The Effect of the Defense Budget, Imports of Alutsista, Exports of Alutsista, and Inflation on Economic Growth in Indonesia in 1980-2019. Journal of Economics, 23(2), 103. https://ejournal.borobudur.ac.id/index.php/1/article/view/801
16) Saputro, G. E., Tarigan, H., & Rajab, D. D. A. (2021). the Role of Defense Economics in Economic Growth. Journal of Defense: Information Media About Defense Studies & Strategies That Promote Identity, Nationalism & Integrity, 7(2), 330. https://doi.org/10.33172/jp.v7i2.1239
17) Saputro, G. E., Mahroza, J., & Tarigan, H. (2020). THE IMPACT OF THE MILITARY EXPENDITURE AND SECURITY EXPENDITURE STRUCTURE ON THE SECURITY STABILITY Saputro, G. E., Mahroza, J., & Tarigan, H. (2020). THE IMPACT OF THE MILITARY EXPENDITURE AND SECURITY EXPENDITURE STRUCTURE ON THE SECURITY STABILITY. Journal. Journal of Defense: Information Media About Defense Studies & Strategies That Promote Identity, Nationalism & Integrity, 6(3). https://doi.org/10.33172/jp.v6i3.930
18) Solow, Robert M. (1957) "A Technical Change and the Aggregate Production Function", Review of Economics and Statistics, Vol.39 (3), pp. 312-320.
19) Law of the Republic of Indonesia Number 16 of 2012 concerning the Defense Industry
20) Law of the Republic of Indonesia Number 3 of 2014 concerning Industry
21) West, Robert & Thompson, Scott. (1990). Impact of Military Expenditures on Economic Development, Interim Synthesis Report Submitted to the Agency for International Development by the Fletcher School of Law and Diplomacy, Tufts University.
22) Widodo, et., al. 2021, "Defense Industry Development Strategy in Archipelagic Countries to Support National Defense" Journal of Academia Praja 4(2).
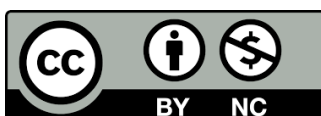
The Effectiveness of Play Therapy Studies on Behavioural Disorders in Children in Iran

Adeleh Niknezhad

Faculty of Psychology, Babol Islamic Azad University, Mazandaran, Iran

ABSTRACT:

Introduction: This study aimed to meta-analyze the influential play therapy studies on behavioural disorders in children in Iran.
Method: The analysis of the present research method uses internal and external databases to find and collect all research reports. The sample used included 22 studies conducted from 1997 to 2013, including 637 subjects. The data from these 22 studies were meta-analyzed by the standardized effect size difference method or Cohen d for the fixed effects model. All statistical operations were performed using the second edition of comprehensive meta-analysis software.
Results: The results showed that the average effect size of the studies is 0/434 for the fixed effects model and 0/477 for the random effects, both of which are significant. Because the effect sizes were heterogeneous, moderators were searched. The results showed no significant difference between the effect size of the studied studies according to the research design and the gender of the subjects. However, there was a substantial difference between the effect of studies on the effectiveness of play therapy on children's behavioural disorders according to the subject's age, the type of independent variable and the number of play therapy sessions.
Conclusion: Holding play therapy sessions ultimately and in multiple sessions and at a young age can improve more behavioural disorders in children.

KEYWORDS: play therapy, behavioural disorders, children, analysis

INTRODUCTION

The game has always existed in history. The play has been a constant companion of infants, children and adolescents. It is a rustless game that reveals the labyrinth of players. It is difficult, if not impossible, to imagine a world without children and children without games. The game has five essential characteristics: it is aroused from within, it is freely chosen, it is enjoyable, it is unrealistic, and the players are actively involved in it. Use activities and play equipment (such as pottery, water, cubes, dolls, puppets, paintings and finger paints) in child psychotherapy (Reid Chassiakos et al., 2016). Play therapy methods are based on the theory that such activities, life. They reflect the child's emotions and fantasies, enabling them to express their feelings and problems, try new ways, and learn about relationships, not just in words but in action. The child's inner world and subconscious conflicts and their daily life and current relationships may be unguided but can also be performed at a more guiding or analytical level and interpretively (Davis & Pereira, 2013). He communicates and allows the child to take control of foreign objects. Show experiences, thoughts, and feelings that are threatening to him. Studies on the clinical effects of play therapy on various diseases found that play therapy profoundly impacts a wide range of children's problems. In general, the history and developments of play therapy to play therapy are psychologically based on analytical activity, relaxation therapy based on the activities, communication therapy based on the activities, and b) directed or client-centred treatment based on the actions (Wicks, 2019).

Specialists have found play therapy to be very effective in improving externalized behavioural problems such as fighting and internalized problems such as immorality and children. Over the years, psychologists have pointed to the importance of play in children's psychotherapy for several reasons: Play allows children to express their emotions effectively, and playing is a natural way to do so. Allows adults to enter the world of children and show children that they recognize and accept them (Jones, 2013). Children are enjoyable, encourage children to calm down and thereby reduce their anxiety and defensive state is complex, play provides an opportunity for children to acquire social skills and -3 play gives children the chance to play new roles and experiment with different problem-solving approaches in a safe environment. They were the first to receive pretence games to allow children to practice newly acquired skills. Researchers have found that playfulness can strengthen cognitive and social skills. Furthermore, studies have shown that play helps children's attention, memory, logical reasoning, language, imagination, and creativity and enables them to see the point of view of others (Todd, 2022). Researchers have found that imaginary play, in addition to helping Cognitive development, increases children's self-awareness, self-confidence, self-control, memory and language skills. Landert for working

The Effectiveness of Play Therapy Studies on Behavioural Disorders in Children in Iran

with children] based on this approach has described the following: Children are not a tiny version of adults, so the play therapist should not treat them this way. They can express all human emotions. - deserve respect and should be valued by children for their uniqueness, are flexible -, have an innate ability to grow, communicate naturally through play, have the right to express themselves. Nonverbal expressions determine how to benefit from treatment sessions. They grow at their own pace, and the therapist's play must be patient in the process. The research background in various play therapy methods in children's behavioural and mental disorders in Iran and the world is relatively limited (Muchiri, 2021). So far, the effect of play therapy on social and psychological adjustment children, students' self-concept, reading progress and source control , children's speech problems, different stages children development, preoperative surgery on its consequences , internalized problems, External problems Internalized Disorders, Children 's behavioral and emotional problems, anxiety and depression and self-esteem, Children witnessing domestic violence, severity of symptoms of dysfunction activity / attention, inattention and impulsivity in children with attention-deficit / hyperactivity disorder activity, self-esteem, blind students , reduction of night fear Aggression, Children, Skills, Communication, Light Parenting, Child Behavior Disorder Reducing Anxiety,and Increasing Positive Emotions and General Adaptation Levels Decrease, Shyness and isolation Social isolation Specific fear, Fear, Social separation anxiety,Social interaction, Symptoms, Transformational impairment Ability, Mental Decrease, Students' spelling errors has a new disorder Shetenactivities, mental and immunological indicators related symptoms, with grief and injury caused by earthquake, development of motor perception children with vision, reduction of social phobia cases reviewed (Gil, 2012).

A meta-analysis on a study conducted in 1953 covering a distance of 3263 subjects from 1953 to 2000 reported an average effect size of 0.80. The effect size of the studies that involved parents in child rehab was much larger than the studies that the novel game was conducted by experts alone. The effect of play therapy did not differ according to the gender and age of the subjects and the type of play therapy approach used. Since research related to play or effective treatment on mental, behavioural disorders in children has increased significantly in recent years in our country, meta-analysis studies can, while reviewing the previous results, combine the results of those studies and more accurate estimates and Single results (Kottman & Meany-Walen, 2016). Combining the results and using the previous research as the unit of analysis to obtain a general and unambiguous picture of the impact of play therapy at this time in the country is valuable and practical. Researchers have traditionally investigated the generalization of accepted findings by examining research backgrounds. Research background The researcher studies several types of research that have dealt with a specific topic and then empties the article to summarize and evaluate the research backgrounds. Sometimes, a review reports that the author makes conclusions about research presentations and findings of the research background (Athey & Imbens, 2017). The determination of a research background report is based on the author's mental perceptions. In recent years, another method has been designed to compare a large number of studies in a particular field, and this method is called a meta-analysis. In a meta-analysis, the researcher combines the actual results of several studies. In this analysis, a set of statistical methods using effect sizes compares a specific finding in the research background. In this method, statistical conclusions can be drawn instead of relying on a research background report judgment. The information obtained from a meta-analysis is beneficial and informative. It isn't easy to reach a general conclusion of the meta-analysis type, main Peugeot target in a traditional research background (Field & Gillett, 2010).

METHOD

The metric method of the present method Play, play sand, play with rules, preschool play, imaginative play, imitation play, physical play, movement play, sensory-motor play, imaginary play, computer play, play game, computer play, play computer, play Bubbles, game bubbles, toy dolls, play equipment, medical arts and the like in domestic and foreign information databases such as MIDLINE, Noormags ERIC, Iran, And SCI / SSCI, PsycARTICLES, Most, Rice various search engines for finding and compiling all articles published in Persian and English, a summary of articles, a summary of articles Provincial, master's and doctoral dissertations were conducted to study the effectiveness of play therapy on behavioural disorders in children and adolescents in Iran. Also, he went to his universities and institutes to find master's, doctoral and professional doctoral dissertations, whose research report was not received in an article. Thus, all the research carried out from 1997 to 2013 were collected. The following criteria were considered for entering any study in the meta-analysis (Czalczynska-Podolska, 2014):

1. Research has been done in organizations, universities and higher education centres.
2. Research has been done on master's and doctoral degrees.
3. Research has been done using proper tools and methods, and have psycho-characteristics have been done with one of the experimental and quasi-experimental methods.
4. Research has been done correctly in terms of methodological principles.
5. Research has reported the work's size or provided the information needed to calculate it.

The research was performed on at least five subjects. Also, a checklist was prepared to select and extract information from various studies. The content of this list was prepared and finalized based on research literature and surveys of three experts in meta-analysis and play therapy. This list was used to codify the research and coded by two evaluators separately. Finally, the reliability of these evaluators was calculated with a kappa coefficient of 0.77.

The Effectiveness of Play Therapy Studies on Behavioural Disorders in Children in Iran

Researchers are to modify various research sections in some cases, including their statistical methods. According to the inclusion criteria of the research in the present meta-analysis and the results of evaluations, only 22 researched investigations were selected and analyzed. Many experts agree to perform meta-analysis even on a much smaller number of studies, provided that the criteria, capabilities and conditions are met. Research data were analyzed based on the effect size method of standardized mean difference or Cohen d for the fixed effects model. All statistical operations were performed with the second edition of comprehensive meta-analysis software.

FINDINGS

Table 1 of the analysis table of studies on the effectiveness of play therapy for behavioural-psychiatric disorders in children based on Study 22. The mean of the total effect of the studies conducted in play therapy for behavioural disorders in children for the model has a fixed effect of 0/434 and for the effects of 0/477 is equal to 0/01. Thus, the null hypothesis that the overall average does not differ is rejected. Based on Cohen, to interpret the practical significance of the dimensions of the work, a high value of d indicates the magnitude of the effect of the work. Therefore, the mean effect of the present study (0/434) can be interpreted as the average effect of rehabilitation therapy on the improvement of children's behavioural disorders. The confidence interval of the effect of the study for 22 games effective in treating children with behavioural disorders. As in the observation diagram, the size of the studies studied except for studies 2 and 21 are all significant at 0/01 levels, and the same as before the average of the average effect of all of these 22 studies in both fixed-effects models and Random at the significant level is 0/001. The highest effect is in the study of 22 cases, respectively, related to No. 9, 11, 10, 6, 1.

Table 1. Metadata Analysis of the effectiveness of play therapy on children's behavioural disorders

σˆi	D	nC	nE	Plan	Year	Study
0/181	0/837	12	12	1	2007	Ghaderi et al
0/322	0/401	7	7	2	2008	Zavalmajd et al
0/386	0/736	-	5	1	2008	Zare & Ahmadi
0/211	0/751	15	15	1	2009	Jalali et al
0/169	0/454	15	15	2	2009	Jantian et al
0/237	0/841	12	12	1	2010	Zarpor et al
0/180	0/680	15	15	2	2011	Jalali & Molavi
0/175	0/575	15	15	1	2011	Karahmadi & Jalali
0/072	0/924	20	60	2	2011	Saadat
0/182	0/855	12	12	2	2011	Babaei et al
0/088	0/90	25	25	2	2011	Jafari et al
0/217	0/79	10	20	1	2011	Ebrahimi et al
0/201	0/321	-	15	1	2011	Taklavi
0/227	0/73	15	15	1	2011	Jalali et al
0/166	0/408	15	15	1	2011	Abdkhodaei & Sadeghi
0/248	0/551	-	25	1	2011	Ganji et al
0/207	0/79	15	15	1	2012	Azarniushan et al
0/183	0/57	15	15	1	2012	Rezaei et al
0/186	0/774	15	15	1	2012	Barzegar et al
0/155	0/358	-	30	1	2012	Bazmi& naresi
0/097	0/192	-	14	1	2012	Soltanifar et al
0/290	0/765	16	16	2	2012	Nasaeimoghadam et al

Although it is essential to calculate the overall effect size in the meta-analysis, it is more critical to evaluate the heterogeneity of the effect estimates around their mean. We need to know whether the variability in effect sizes is due only to sampling error or whether the variability is more significant than can be explained by sampling error. This question is usually answered with a heterogeneity statistic Q. When the null hypothesis assumes that the heterogeneity is only due to a sampling error, the Q statistic follows a k-1 freedom chi-square distribution. When meta-analysis is performed on a few studies, the heterogeneity statistic Q has little statistical power. In this case, completing the heterogeneity statistic Q is more desirable. The percentage gives a lot of information about the

degree of variability in the effect size distribution due to actual heterogeneity (i.e., heterogeneity not due to sampling error but due to many different mediating variables).

Twenty-two studies with a degree of freedom of 21 equal to 30/271 were calculated, significant at 0/05. The null hypothesis is confirmed, and it is concluded that the studies are heterogeneous and heterogeneous. Statistical I was also calculated and equal to 30/626, indicating significant heterogeneity in the studies, so the studies in question are familiar to one actual effect size. The differences in effect size are due to sampling error. The stochastic effects were also significant, so the heterogeneity of the studies is not due to statistical methods, so the fixed effects model was used, and the moderator variables were searched for. The analysis subdivision was plotted from the line Classic's safe N. The present study is somewhat biased and diffuse. This may be due to the sample size of the studies used. The N-test of classical error also showed that the difference between observed and embedded studies is significant. Rosenthal (N safe-Fail) number of studies with a mean effect of zero (calculates that should be added to the analysis to give a statistically significant impact. Given that the effect sizes are heterogeneous, the next step) The body is the medium of mediating or modifying variables that can explain the variability of the effect sizes. , Boy, both (age of subject 6 years and under 6 above age intervention type play therapy method (and number/hours of training sessions that are all categories except age were selected. Summary of mean effect sizes for these five moderation variables supplier is separated.

Table 2. Summary table of average effect sizes for five modifier variables

Q	d	k	Class
Research method			
1/221	0/327	7	Experimental
1/101	0/196	15	Quasi-experimental
Gender			
2/217	0/391	4	Girl
2/301	0/386	7	Boy
2/266	0/498	11	Both
Age			
3/374	0/847	18	Under 6 years
1/219	0/232	4	Above 6 years
Play therapy method			
4/533	0/629	9	Cognitive-behavioral
3/301	0/551	1	Child-centered
2/894	0/192	1	Transformation
2/018	0/482	11	Others
Number of sessions			
3/407	0/446	9	5-8
3/899	0/532	10	9-12
5/121	0/598	3	More than 12

As shown in Table 2, the effect size of the moderating variables showed no significant difference between the study's effect size according to the research design and the subject's gender. However, there was a substantial difference between the effect of studies in the game or the effectiveness of field therapy on the child's behavioural disorders according to the age of the subjects, the type of independent variable and the number of sessions of play therapy training. Thus, the variables of the age of the issues and the number of play therapy sessions in the present study acted as moderating variables and affected the size of the overall effect.

DISCUSSION

The present study investigated a meta-analysis of adequate play therapy studies on psycho-behavioural disorders in Iranian children to combine existing studies' findings to allow more accurate conclusions in this area. The results showed that the average effect size of studies on the effectiveness of play therapy on behavioural disorders in children with permanent effects is 0/434 and for random effects is 0/477, both of which are significant at 0/001. Therefore, the average effect size of the present study (power) can be interpreted as 0/434 as the average effect of play therapy on children's behavioural disorders, which is consistent with other domestic and foreign studies in this field. However, it should not be considered. The effect size reported by Bratton [Macarano] was more significant than the present study. In addition, the variables of the age of the subjects and the number of play-therapy sessions in the current research acted as moderating variables. They affected the overall effect size. In explaining these findings, we can explain the difference between the number of studies used 637 versus 3263 people (mean age of game-playing issues and the number of saw therapies. However, both studies' Meta-analysis emphasizes the importance and role of different play therapy approaches in

improving and reducing mental behavioural disorders and helping children grow. Pediatric therapists are always looking for the best and most effective treatment for their young clients.

On the other hand, the community and mental health professionals have historically questioned the effectiveness of psychological interventions. However, in the light of the mass of research conducted in recent years, the importance of early interventions and appropriate treatment measures that have scientific and experimental support and are designed to meet the specific needs of children has been emphasized. Treatment plans should not be mass-produced, even if clients have more or less the same problems, but each program should be tailored to the client's issues and needs (Kazdin & Blase, 2011). Through abstract language, children cannot adequately express their thoughts, experiences, and feelings. Tangible objects, such as toys and other play-based experiences offered in play therapy, provide a convenient and emotionally harmless way to express unpleasant and challenging experiences. Hence, play therapy is an effective intervention for a wide range of problems of children of any age, gender, and environment (Esfandiari, 2018). Meta-analyses divide them into three categories depending on their purpose and information: The power of work in the research literature is summarized. Its primary goal is to determine the presence or absence of hypothetical effects and measure their ability. The second type tries to determine which mediating variables affect the strength of an impact. The third type attempts to use meta-analysis to provide new evidence for a theory. This analysis goes beyond the initial studies' mediating variables and introduces new potential variables. In addition, it identifies the issues that should be considered more in the research literature. They identify structural defects and sources of bias in early studies and raise appropriate research questions for the future (Podsakoff & Podsakoff, 2019).

In the sampling of previous studies to examine the present meta-analysis, it was acted in such a way to sampling the findings, intra and outside the trash bin, one and the lack of independence of the effects, an excessive emphasis on solitary confinement and eventually the problem of apples and Portuguese compositions (Vaportzis et al., 2017). Limitations of meta-analysis to the extent possible can be prevented. Hence, to observe the ethical principles of the research, without any prejudice, the collection of all the existing research backgrounds and the introduction of poor research to the methodology, the statistical model, findings and issues were refused (LEE, 2019). Only 22 studies had the necessary and appropriate angels to include in the meta-analysis in the present study. Many observers consider the conduct of meta-analysis, even on several studies, to be less than acceptable, provided that other queens and conditions are observed. In the American Psychological Association Publishing Handbook, it has been said that for the reader to understand the importance of your findings fully, it is almost always necessary to take note. In the past, meta-analysis studies have been needed to calculate the effect size, which is very difficult and time-consuming in some cases. Researchers should be encouraged to use appropriate statistical methods to present the amount of work in their reports. The editors and editors of scientific journals should be encouraged to do so. There are several ways to determine the size of an effect, and those interested in getting acquainted with it can refer to advanced statistics books.

CONCLUSION

The present study results showed that play therapy is more effective at younger ages in more sessions. In addition, more well-designed studies are still needed to answer the following questions: At what age is play therapy most effective? Which gender is affected by play therapy? Which play therapy approach is more effective? Which client therapy approach is most effective, and under what conditions? Is parental involvement in the play therapy process effective? Is the participation of parents in the play therapy process directly or indirectly more effective? In which group of exceptional children is play therapy more effective? Which of the following problems is most effective for play therapy in extraordinary children? Which method of individual or group therapy is more effective?

REFERENCE

1) Athey, S., & Imbens, G. W. (2017). The state of applied econometrics: Causality and policy evaluation. *Journal of Economic Perspectives*, *31*(2), 3-32.

2) Czalczynska-Podolska, M. (2014). The impact of playground spatial features on children's play and activity forms: An evaluation of contemporary playgrounds' play and social value. *Journal of environmental psychology*, *38*, 132-142.

3) Davis, E. S., & Pereira, J. K. (2013). COMBINING REALITY THERAPY AND PLAY THERAPY IN WORK WITH CHILDREN. *International Journal of Choice Theory & Reality Therapy*, *33*(1).

4) Esfandiari, H. (2018). *A Play Therapy Workshop for Children Witness to Domestic Violence* California State University, Northridge].

5) Field, A. P., & Gillett, R. (2010). How to do a meta-analysis. *British Journal of Mathematical and Statistical Psychology*, *63*(3), 665-694.

6) Gil, E. (2012). *The healing power of play: Working with abused children*. Guilford Press.

7) Jones, E. M. (2013). Play therapy for children with chronic illness. In *Innovations in Play Therapy* (pp. 283-300). Routledge.

8)   Kazdin, A. E., & Blase, S. L. (2011). Rebooting psychotherapy research and practice to reduce the burden of mental illness. *Perspectives on psychological science*, *6*(1), 21-37.

9)   Kottman, T., & Meany-Walen, K. (2016). *Partners in play: An Adlerian approach to play therapy*. John Wiley & Sons.

10) LEE, Y.-H. (2019). Strengths and limitations of meta-analysis. *Korean Journal of Medicine*, 391-395.

11) Muchiri, J. W. (2021). *Cognitive Behavioral Play Therapy Efficacy in the Treatment of Gender Symptomatology of Anxiety Disorders among Children A Case of Selected Schools in Dagoretti Sub-County, Nairobi County, Kenya* Daystar University, School of Human and Social Sciences].

12) Podsakoff, P. M., & Podsakoff, N. P. (2019). Experimental designs in management and leadership research: Strengths, limitations, and recommendations for improving publishability. *The Leadership Quarterly*, *30*(1), 11-33.

13) Reid Chassiakos, Y. L., Radesky, J., Christakis, D., Moreno, M. A., Cross, C., Hill, D., Ameenuddin, N., Hutchinson, J., Levine, A., & Boyd, R. (2016). Children and adolescents and digital media. *Pediatrics*, *138*(5).

14) Todd, C. (2022). *Elementary School Counselors' Experiences Delivering Child-Centered Play Therapy* Capella University].

15) Vaportzis, E., Giatsi Clausen, M., & Gow, A. J. (2017). Older adults perceptions of technology and barriers to interacting with tablet computers: a focus group study. *Frontiers in Psychology*, *8*, 1687.

16) Wicks, J. M. (2019). *Intensive Child Centred Play Therapy for Children Who Have Experienced Adversity in Aboriginal and Non-Aboriginal Communities* Charles Darwin University (Australia)].
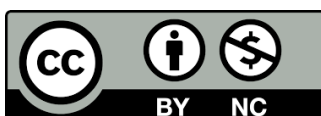
Review of Cashless Economy in Nigeria and the Challenges of Network Infrastructures

Adigwe, A.I.

Computer Science Department, Federal Polytechnic, Oko, Anambra State, Nigeria

ABSTRACT: The central Bank of Nigeria (CBN) conceptualized the idea of Cashless Economy in 2011 as part of its blueprint to drive economic development and modernise our payment system in line with the Nation's Vision 2020 goal of being amongst the twenty most developed economies by the year 2020. The Apex bank of Nigeria then came up with a cashless policy with the view of pegging the amount of physical cash to be withdrawn or deposited at a time in commercial banks. The pilot scheme kick started in Lagos, Kano, Anambra and some other states of Nigeria's major commercial cities with intention of spreading across all the states of federation and the Federal Capital Territory (FCT). It was designed to reduce but not eliminate the amount of physical cash in circulation and encourage more electronic driven transaction channels. A number of researchers agree that this initiative by the CBN is anchored on the fact that an efficient and digitized payment system positively correlates with economic development, which is believed to be a key indicator for economic growth provided that all other factors are constant. This policy involves deployment of Information and Communication Technology (ICT) gadgets through Computer Network Infrastructures. The Policy aims at reducing cost of banking services, improving the effectiveness of monetary policy in managing inflation as well as driving economic growth and development. However, since its inception, the policy has witnessed a number of challenges such as transaction failures resulting from poor network availability, hidden bank charges by commercial banks and cyber crime attacks. This research, therefore, is an opinion paper in which the researcher presents the challenges facing cashless policy in Nigeria and as well as proffer solutions to the identified challenges. A good number of cashless transaction channels were equally discussed and these include Electronic Cards, Automated Teller Machines (ATM), Mobile Banking, Online banking, Point of Sales (POS), and Near Field Communication (NFC). However, they all seem to have a common challenge (Network failures). The study recommends Five Nines availability (Network uptime of 99.999 percent) and Mesh Network design topology amongst others as recommendations.

KEYWORDS: Cashless Economy, ICT, Network Infrastructures, Online banking

INTRODUCTION

Economic growth and development are relative terms, but economic growth is possible without economic development as the former is demonstrated by an increase in Gross Domestic Product (GDP) and the latter is concerned with an increase in citizen's quality of life. In the words of Prateek (2019), quality of life is often measured using the human development index, which is an economic model that considers intrinsic personal factors not considered in economic growth, such as literacy rates, life expectancy and poverty rates. The researcher believes that what Nigeria has witnessed since her independent in 1960 has been that of economic growth and not development. As part of its blueprint in achieving both economic growth and development in Nigeria, the CBN introduced a cashless policy in 2011. This policy, since inception, has made the financial sector of the economy witness a tremendous change in order to accelerate easy production and trade of products and services using ICT enabled devices such as mobile phones, personal computer, Automated Teller Machine (ATM), Point of Sales (POS) and use of electronic credit or debit Cards for online payment for goods and services.

However, with increase in the development of financial systems, new ways of handling money appeared among banks and their customers. On a global scale, there has also been an increased awareness of the usefulness of Information and Communication Technology (ICT) driven by computer network infrastructures so as to enhance the rate of economic growth and development. ICT plays an important role in bringing about sustainable development in every nation where it has been properly deployed and implemented. The aforementioned assertion is in agreement with Dugeri (2013) statement in which he posited that without an optimal use of Information Technology (IT), no country can attain a speedy socio-economic growth and development. Global economies of the 21st century have come to realize that no country can become competitive in terms of trade, industry, manufacturing and services among others without adopting, deploying, integrating and utilizing ICT in various sectors (Omotoso & Adelowo, 2014).

Review of Cashless Economy in Nigeria and the Challenges of Network Infrastructures

There is no doubt that technological revolution and rapid development in Information and Communications Technology (ICT) has brought about many new opportunities and challenges for the global industrial sector. ICT, especially the Internet, is now an accepted operational element of most global industries and many enterprises may no longer perform without it. It is no longer news that most business transactions are now done online with little or no physical cash and interactions. This move where transactions can be done without physical cash is known as cashless economy which has been a major driver of economic growth and development all over the World. Before introduction of cashless policy in Nigeria by the CBN in 2011, banking operations in the country had been on the basis of individual bank's discretionary priority and there are lots of problems associated with a cash-based economy. The problems include money laundering, insecurity of cash in transition, delayed banking payments, and slow development in the country's economy (Agabonifo et al., 2012). According to a study conducted by Echekoba and Ezu (2012) as cited in Muyiwa et al (2013) about problems associated with cash based economy in Nigeria, it was observed that 68.2% of the respondent complained about long queues in the bank, 28.9% complained of bad attitude of tellers (cashiers) while 2.89% complained of long distance of bank locations to their homes or work places, but cashless economy through the advanced use of information technology drastically reduces time wasted in Bank(s) as well as addresses other hiccups noted by a number of researchers in the past .

Valentine (2011) cited in Agabonifo et al (2012) explains that the cost of minting the Naira is so high that the best alternative is to have an economy where less or no cash is required for various transactions. Studies equally revealed that the average cost of producing a Naira note is about four naira (N4), meaning that whopping sum of four billion naira (N4billion) is needed to mint one billion (N1billion) naira notes. The above figure excludes the cost of maintaining the notes which are subjected to different kinds of abuse. This partially explains why the CBN called for a cashless economy so as to reduce cost involved in minting and maintaining Naira notes amongst other economic benefits. And as part of sustainability measures to drive cashless economy, the apex bank in August 2019 rolled out "Clean Banknotes policy" which aims at mopping up mutilated naira notes in circulation. This simply means that commercial banks will no longer accept dirty and mutilated naira notes from customers at some point thereby invariably asking customers to go cashless.

The study further explains that the benefits of a cashless society to banks and merchants include larger customer coverage, reduction in cost of operations, international products and services promotion and branding, increase in customer satisfaction and personalized relationship with customers, easier to track documentation and transactions. Cashless policy, therefore, is not only essential to the development of Nigerian economy but has become top priority for Governments, Non-Governmental–Organizations (NGOs) and Corporate Bodies. Some means of e-payment Channels include the use of Electronic Cards, Automated Teller Machines (ATM), Mobile Banking, Online banking, Point of Sales (POS), Near Field Communication (NFC) and Electronic wallet (e-wallet). All these channels are effective means which have been adopted and there has been a remarkable progress as many Nigerians are going cashless daily.

However, it is important to note that in spite of successes recorded with cashless economy through the use of ICT gadgets, there has been a continuous and consistent complaints about availability of network resulting from poorly designed network infrastructures, hidden bank charges by commercial banks, cyber security to mention but a few. Given the above therefore, this paper focuses on the conceptual meaning of cashless economy, ICT and ICT network infrastructures. The researcher equally discussed different forms of electronic banking channels and challenges or hindrances militating against cashless economy policy which is perceived to usher in an era of massive economic and Infrastructural developments. Also extensively discussed are the solutions to Network availability and security issues.

Clarifications of Cashless Economy, ICT and Network Infrastructure

The key concepts in the topic of discussion are the meaning of Cashless Economy, ICT and overall influence of Network Infrastructure on performance of cashless economy. The researcher, however, begins the discussion with the clarifications of these key concepts in order to present a platform for articulation of his views on the subject matter.

What is Cashless Economy?

Cashless Economy is an internet driven economic model in which transactions are not done predominantly in exchange for physical cash but involves an economic system in which payment for goods and services are carried out through ICT enabled devices. A 2003 report by CBN technical committee on e-banking defines Cashless economy as a means whereby banking business is transacted using automated processes and electronic devices such as personal computers, mobile phones, card payments and other electronic channels. It further states that banks practice electronic banking for informational purpose, some for simple transactions such as checking accounts balance as well as transmission of information, while others facilitate funds transfer and other financial transactions. Cashless economy is an economy where transaction can be done without necessarily carrying physical cash as a means of exchange of transaction but rather with the use of credit or debit cards to make payment for goods bought or services rendered (Muyiwa et al, 2013). Ochei (2013) defines cashless economy as cashless banking which involves electronic form of money transmission and further links it to a situation where banking services are fully automated such that transactions are concluded in a jiffy. Cashless economy is not the complete absence of cash but an economic setting in which goods and services are bought and paid for through electronic media. It can equally be seen as an environment in which money is spent without being physically carried from one person to the other.

Review of Cashless Economy in Nigeria and the Challenges of Network Infrastructures

According to Dugeri (2013), a cashless economy is a society whereby credit cards, debit cards, charge cards, and direct transfer are used for making purchases. In a cashless economy, the payment for the purchases done is through the use of electronic cards or bank transfers.

Cashless economy is cost effective, growth friendly, business friendly and pro-financial inclusion. It aims at reducing the amount of physical cash circulating in the Nigeria economy and thereby encouraging more electronic–based transactions. This is in line with CBN Policy document of 2011, which states that the cashless policy is expected to reduce cost incurred in maintaining cash-based economy by 90% upon its full implementation in Nigeria.

Information Communication Technology (ICT)

The future of all businesses especially those in the service industries lie in Information Technology. ICT has changed the ways in which companies and banks compete. ICT which Stands for Information and Communication Technology refers to those technologies that provide access to information through telecommunications (Christensson, 2010).

Salihu et al. (2013) define ICT as the automation of processes, controls, and information production using computers, telecommunications, software and other gadget that ensure smooth and efficient running of activities. It is a term that largely covers the coupling of electronic technology for the information needs of a business at all levels. In the past few decades, ICTs have provided society with a vast array of new communication capabilities. Modern information and communication technologies have created a "global village," in which people can communicate with others across the world as if they were next door neighbours. For this reason, ICT is often studied in the context of how modern communication technologies affect society.

ICT has more recently been used to describe the convergence of several technologies and the use of common transmission technique carrying very diverse data and communication types and formats. Converging technologies that exemplify ICT include the merging of audiovisual, telephone and computer networks through a common cabling system or wireless technique.

The deployment of Information Communication Technologies (ICTs) facilities in the Nigerian banking industry has brought about fundamental changes in the content and quality of banking businesses in the country.

Computer Network Infrastructure

Network Infrastructure is the hardware and software resources of an entire network that enable network connectivity, communication, operations and management of an enterprise network. It is a category of information technology that is used to provide network services which allow devices to connect and communicate (spacey, 2018). Network infrastructure provides the communication path and services between users, processes, applications, services and external networks/the internet. Examples of network infrastructure include Routers, switches, hubs, bridges, servers, wireless access points to mention but a few.

Network Infrastructure is a vital component of modern business operations which ensures that businesses have effective connectivity, communication and management between users, equipment and external networks. It has become an inevitable avenue and failure to have an effective ICT network infrastructure in place can lead to dramatic inefficiencies for the businesses down the road. Therefore, having a network that supports business operations and technical goal requirements should be one of the top priorities and concern of financial sector and service industries like the commercial banks.

Cashless Transaction Channels

Cashless transactions are conducted through any of the under listed Channels:

Electronic Cards (E-Cards): These are cards that contain integrated circuits (ICs), which can process data and are used for conducting financial obligations. Electronic cards could be debit or credit cards. The difference between debit and credit cards is; debit cards are used for payment of purchases made and the money comes from the customer's account directly. On the other hand, payment for goods or service using the credit card is based on borrowing (Adigwe & Nwani, 2015). The most preferred debit cards used by Nigerians are the master and visa cards.

 Globally, there has been an increase in adoption of contactless and real time payments through the use of electronic cards and other e-channels as the market share of cheques decline yearly. According to Nigeria Inter Bank Settlement System (NIBSS), there was a 22% decrease in total number of cheques returned in 2018 as compared to 2017. It further noted that the Asian-Pacific (APAC), China, South Korea and Australia recorded a 20% drop in cheque usage although India recorded a 10.1% increase in usage due majorly to her Government demonetization Policy. And in the US, cheque remains a Government backed phenomenon as it contributed a whopping 73.5% of global volume. The same source equally revealed that Nigeria Cheque transactions have continued on a downward spiral from its peak volume of 15.3m in 2014 to 9m in 2018. This is a -10% compound annual growth rate (CAGR) over the five year period; with a growth rate of -17% when compared to 2017, the source further reveals. Although, the volume of cheque transaction is decreasing, it is fair to say that its use is relevant, especially among larger value transactions, Bill Payments, and Payroll transactions. However, it is not pointless to say that this decline has been propelled by market forces amid growing availability of electronic cards and other e-channels and consumer's preference for faster payments, which can only be achieved through cashless economy.

Review of Cashless Economy in Nigeria and the Challenges of Network Infrastructures

Automated Teller Machine (ATM):

An ATM is an electronic banking outlet that allows customers to complete basic transactions without the aid of a branch representative or teller (Kagan, 2019). An ATM is operated with an electronic card. Therefore, anyone with a credit card or debit card can access it. Some of the services offered by an ATM include withdrawal of funds, account balance inquiry, transfer of funds, and top-up on airtime for mobile phones etc. Each card has a Personal Identification Number (PIN) which gives access to the account owner of the card. The first ATM that was offered to the public was in 1969 at the chemical bank in Rockville Centre, New York. ATMS were introduced into Nigeria in the year 1989. It was installed by national cash registers (NCR) for the Society General Bank of Nigeria. Since its introduction, many Nigerian banks have installed ATM in compliance with CBN Policy on cashless economy. A study conducted by Mohammed et al. (2014) reveals that ATM network availability contributes immensely to failed transactions by debiting customers' account without dispensing the cash. We also agree that one of the major problems of ATM failed transactions is often caused by poorly designed network and method of data transmission. Solving this problem, therefore, requires Network designers to always involve their potential customers and obtain their needs in terms of technical goals such as scalability, availability, network performance, security, manageability, adaptability, usability, and affordability

Mobile Banking:

Mobile banking is also called 'motion banking'. This form of E-Banking involves using mobile phones to carry out banking transactions. Mobile banking, according to Ayodele (2015) as cited in Ikefan et al. (2018) allows the customer to perform banking transactions at any time as long as a mobile phone is present. Mobile banking system offers information and other bank services to customers. This kind of e-channel does not require internet or data bundle for transactions to be conducted-meaning no form of data subscription is needed and are usually carried out using a certain code peculiar to ones bank. It is, however, not as secure as internet banking and transactions are subject to daily limits. Some of the services which are provided through mobile banking include account balance inquiry, payment of bills, short message service (SMS). It enables transactions to be done anywhere in the world and at the customer's convenience.

Internet/ Online Banking: This is a form of E-Banking whereby the internet is used for dissemination of information and also allows customers perform banking transactions (Ikefan et al., 2018). Programmable electronic devices such as computers and mobile phones that have access to the Internet are used for this process. It can also be seen as an electronic payment system that enables customers of a bank or other financial institutions to conduct a range of financial transactions through the financial institution's website or through mobile apps of a given bank, where usage of mobile phones are involved. When conducting E-Banking, customers' instructions are taken and then attended to via the same platform. One of the advantages of the Internet banking is that it helps reduce the cost of operations for banks, unlike traditional banks but could result to unemployment when the issues relating to network failures are fully resolved. Internet banking is mainly driven by either wired or wireless network technologies and transactions can be made via mobile phones, Point of Sales (POS) e.tc. It is more secure in comparison to mobile banking and amount of transactions per day are unlimited. However, transactions are mostly hindered by availability of network which often results to connectivity problems, delayed and failed transactions.

Point of sale (POS): This is a form of e-payment that handles balance inquiry, payment for goods and service, electronic fund transfer at a specific point of sale (Ikefan et al., 2018). Through insertion of electronic card, the device allows customers to make payment for goods and services purchased without the physical use of cash. Since it is an inter bank mode of payment system, internet connectivity is required for a successful transaction to take place. At POS terminals, when a customer slots in his card into the POS, he inputs his details and in the case of payment for goods or services, his account is debited at that point resulting in a transfer of funds to the service provider's account.

A report from NIBSS shows that Lagos state remains the top destination for POS transactions; accounting for 53% of total volume, Rivers State and FCT has witnessed marginal gains in 2018 when compared to 2017. On POS failed transactions, 15% of transactions failed in 2018 owing to network availability and other factors. While this figure is quite high based on regulatory, it is worth noting that 63% of these transactions were caused directly or indirectly by customer errors. According the same source, this errors span from customers selecting the wrong account option to debit to insufficient funds in the chosen account type. The organization noted that 46% of the total failed transaction was caused by the error "No sufficient Funds" '. This logically concludes that the remaining 54% was probably due unavailability of network.

Near Field Communication (NFC): NFC is a set of communication protocols that enables two electronic devices, one of which is usually a portable device such as a smart phone to establish communication by bringing them within 4cm (1 ½ in) of each other (Ortiz, 2008). Therefore, all NFC transactions take place within a very small area (anywhere from a touch to 4cm). NFC creates a new and universal interface to existing devices through simple touch interaction. It bridges the gap between existing technologies and devices to enable new applications/services. NFC is able to replace the pairing of Bluetooth enabled devices or the configuration of a Wi-Fi network through pins and keys by simply touching the two devices to be paired. NFC enables users to quickly and easily transfer information (contacts, photos, videos or files.) between devices with a simple touch.

Review of Cashless Economy in Nigeria and the Challenges of Network Infrastructures

Electronic wallet (e-wallet): E-wallet, also known as digital wallet refers to an electronic device or online service that allows an individual to make electronic transactions with the use of a computer or smart phones. An e-wallet needs to be linked with the individual's bank account to make payments. It can also be seen as a type of pre-paid account in which the user can store his/her money for any future online transaction and it is usually protected with a password. With the help of an e-wallet, one can make payments for groceries, online purchases and flight tickets, among others. This actually minimizes the chances of your bank account being hacked online because your credit or debit card details are not required during such transactions. Many banks now offer e-wallets for customers to make payments in one click, using their mobile phones. It is a safe, secure and convenient mode of making payments to service providers.

BENEFITS OF CASHLESS ECONOMY

The benefits of a cashless economy is enormous and financial experts have repeatedly pointed out the monumental gains in the cashless bank policy and notably among them is the idea that it will enhance the quality of life amongst the populace thereby driving economic development. They also believe that it will lead to the following:

i. Faster transactions – reducing queues at point of sales and banking halls

ii. Improve hygiene – through elimination of bacteria spread which comes from handling of mutilated bank notes. Just in September 2019 and as part of drive by the CBN to improve the overall quality of the naira notes in circulation, a clean note policy and banknotes fitness guidelines was introduced. This aims at mopping up mutilated and over-circulated banknotes to improve hygiene on sites.

iii. Simplify cash collection- time spent in collecting, counting and sorting of cash and vault balancing is eliminated

iv. Dependency on cash will be much reduced and people need not worry about theft- Extortion and bank robbery will also decline.

v. When transactions are digitalized, the details of income can be traced and thus income tax payments become mandatory. Thus, Cashless Economy helps in increasing revenue to the Government and eradicating financial leakages from various Government Agencies. This is also being strengthened by Treasury Single Account (TSA) initiative by the Federal Government of Nigeria.

vi. Electronic payment system ensures that people do not use counterfeit currencies. This reduces the chances of the economy being affected due to the circulation of large fake currencies.

vii. Also, the need for large denomination currencies does not arise if the people switch to electronic payments in large transactions. For the small transaction, coins and smaller currency notes serve the purpose. This reduces the burden on the government to print new currencies.

Given the above therefore, the CBN believes that, with the cashless system, there would be economic development in the country that would greatly enhance the extermination of corrupt practices, check money laundering and the security of cash in transit (Ochei, 2013). Also noted is the perceived impact on the naira where it is believed that the system will drastically reduce the pressure on the naira and cost of printing new notes which currently stands at four naira (N4) per note. So, every one billion naira printed attracts a whooping sum of four billion naira printing cost. Ezumba (2011) as cited in Ochei (2013) views CBN assertion from a different dimension and opines that the envisaged pressure on naira is only possible if there is effective and standard cross-border electronic transmittal system (. The aforementioned option is not off the table as Economic Community of West Africa States (ECOWAS) is thinking towards single currency which makes Ezumba's assertion valid.

Before the introduction of cashless policy in 2011, a number of researchers equally believed that the cashless system will reduce transfer/processing fees or bank charges, increase processing/transaction time, and offer multiple payments options and gives immediate notification on all transactions on customers account. According to Akhalumeh and Ohiokha (2012), bank merchants are major benefactors as the system ensures large customer coverage, international products and services, promotion and branding, increase in customer satisfaction and personalized relationship with customers, and easier documentation and transactions tracking. The idea of cashless transaction it was also believed will bring about greater interest in modern banking culture especially in a society where over 60 percent of banking populace are still enmeshed in the traditional mode of banking (Ochei,2013). This position was supported by Nonor (2011) when he asserted that cashless economy will nurture the culture of savings in the unbanked majority in the country. This study, however, is completely not in agreement with Nonor's perception because a close observation reveals that many, from the group of customers referred to above, have contrary views about savings when it comes to cashless transaction by their refusal to own ATM cards to avoid the temptation of regular withdrawals of their savings. Akhalumeh and Ohiokha (2012) toed the same line of thought as Ochei (2013) when they argued that most Nigerians are still unbanked and so a large proportion of the citizenry are not subjected to such monetary policy instruments as used in the banking system, and that this development will make CBN's policy tools more effective for achieving economic development and stability goals. The researcher is of the view that all the above research outputs have been witnessed but network challenges (failed transactions) have remained a major issue of concern and hence there is a gap that needs to be addressed.

While it is obvious that cashless policy might drive the economy positively, the researcher belong to that school of thought who believe that the relevant necessary conditions such as Five-nines percent (99.999%)network availability needed for sustainability of the policy is not yet on ground for some reasons. This evidently affects the policy as there have been cases of failed and delayed

transactions which often lead to mental stress and financial loses. According to another school of thought, the CBN attempt was akin to placing the cart before the horse. This again throws up the question of what are the conditions necessary for the sustainability and improved services if Nigerians are to optimally maximise the benefits of this viable ICT driven economic model. What could be done to technically resolve the issue of network failures in banking transactions? The answer to the question is simple. Five nines percent (99.999%) availability of network is the way to go but it is often expensive to achieve.

E-CHANNELS RELATED CHALLENGES
There are a number of challenges associated with a cashless society, and until they can be overcome, a 100 percent cash-free economy will still be a mirage. These challenges include:

1. POS Problems at Pay Points
The idea of using POS machines at pay points can be ruined when the POS machine, for instance, doesn't work, charge you twice, poor network or a faulty machine. All these and many more are serious cashless problems because what would you do when you picked all your items in a store and it's time to pay and they tell you, sorry our POS machine is not working. This is disappointing because you solely relied on POS, you didn't bring any cash with you. There are situations where you would be glad you went to a place with cash because you had encountered "our POS machine is not working" situation. Why? Because there is no network.

2. ATM malfunctions
ATM malfunctions is another common problem in Nigeria, which did not begin today. A lot of things can malfunction with an ATM withdrawal but the common ones are lack of service, a stuck card, ATM doesn't dispense cash but a debit alert was sent to you, a 'temporarily unable to dispense cash' feedback. ATM problems range from technical to operating system multitasking issues, which often lead to system deadlock, live lock or starvation. However, the most common hiccup remains availability of Network.

3. Telecom challenges
These are the challenges brought by telecommunication companies in charge of internet connectivity and communications or Internet service providers (ISP). In Nigeria, we have MTN, Airtel, GLO, 9Mobile, NTel, Swift, Smile, Spectranet, CobraNet, and MainOne to mention a few. Most issues on POS machines come from telecommunication companies because most of the excuses or reasons store owners/ attendants give is there's no network. If that's the case then we should blame telecom companies for that.

4. Poor network connectivity
Nigeria is not known to be one of the countries with the fastest internet connections. According to Speedtest Global Index for January 2018, Nigerian ranked 103 in the World with 10.28 Mbps (mega bytes per seconds) download speed. However, there is a green light at the end of a tunnel. Internet services are expected to improve in no distance time with introduction of fibre optics by GLO, an indigenous telecommunication company. This is known as marine one which is expected to provide fastest network backbone to other internet service providers like MTN Nigeria, Airtel and a host of other giant telecommunication firms in Nigeria.

5. Poor power infrastructure
This challenge is linked to poor power supply or poor facilities. Cashless payments are dependent on Internet connectivity which also depends on electricity so in a country with poor power infrastructure, cashless payment becomes challenging.

6. Security and trust issues
Cashless payments are gaining widespread popularity in Nigeria and beyond, but people are deeply concerned about the security risks associated with it. In recent years, glaring holes have been discovered in typical methods (Data encryption techniques) used for network security with respect to authentication mechanisms and data privacy. Given the above, some people are still sceptical or afraid of cashless payments such as online buying and selling, mobile banking, internet banking and so on. Some feel it is all a scam; they have so much fear that they don't even collect their ATM cards; they don't enrol in internet or mobile banking but prefer to go to banking halls, pick up a withdrawal and deposit slips, and wait in queue to collect or deposit their cash. The fact, however, remains that multilayered strategies, procedures, and implementations that provide security defence in depth are constantly being developed to strengthen emerging online security threats.

What are the Solutions to Network Challenges?
Technically speaking, it is quite evident that network failures have become a reoccurring issue as observed in all the e-channels challenges identified above. Cashless economy demands good network infrastructures but certain techniques are required while analyzing a customer's (in this case the banking sector) technical goals for a sound network design. This analysis helps network designers to confidently recommend technologies that will perform to the customer's expectations (Oppenheimer, 2006). The fundamental technical goals include scalability, availability, network performance, security, manageability, adaptability, usability, and affordability. The outlined technical goals come with tradeoffs. For example, meeting strict requirements for performance can make it difficult to attain the affordability goals. In other words, the issues associated with transaction delays and failures have

solutions but could be very expensive to achieve. Some of the solutions revolve around involving organizations whose businesses are driven by network to state their technical goals during Network design phase and those technical goals are as follows:

Scalability

This simply means how much growth a network design must support. There is every tendency of adding new users or customers, applications, additional sites, and external network connections at unprecedented rate. As part of having an effective and efficient cashless driven economy, the banks should be able to help their Internet service providers (ISP) understand how much the network will expand in the next couple of years or provide an insight for the network growth in the next 5 years as this will help in the area of network performance in terms of service delivery. According to Oppenheimer (2006), networking books and training taught 80/20 rule for capacity planning: 80 percent of traffic stays local in departmental Local Area Network (LANs) and 20 percent of traffic designated for external networks. However, this rule has become obsolete as many banks now own centralized servers. In addition, many banks increasingly implement intranet that enable employees to access centralized World Wide Web using Internet Protocol (IP) technologies. These web servers are centrally located, which breaks the classic 80/20 rules.

As good as the idea of scalability might sound, it is important to keep in mind that there are impediments or constraints to scalability inherent in networking technologies. Choosing technologies that can meet client's scalability goal is a complex process with significant ramifications if not done correctly. The problem lies on choice of network topology. A flat network topology with layer two switches can cause problems as the number of users scales, especially if the users' applications or network protocol send numerous broadcast frames to all connected segments. This, however, is not the case with mesh topology with alternative nodes for connectivity.

Availability

Availability is the amount of time a network is available to users and it is an important technical goal to be considered when thinking of solution to the issues surrounding failed and delayed transactions with regards to the cashless policy. Availability means how much time the network is operational. It is linked to reliability, but has a more specific meaning than reliability. Availability can be expressed as a percent uptime per year, month, day, or hour compared to the total time in that period. For example, in a network that offers 24-hours, seven days -a –week service, if the network is up for 165hours in 168-hours week, then the availability is 98. 21% (165/168 x 100). Consider the table below for further illustration.

Table 1

Uptime hours per week	Down time per week	Availability (%)
164.993	179 mins	98.21%
167.496	30 mins	99.70%
167.664	20mins	99.80%
167.916	5 mins	99.95%
167.998	0.1 mins	99.999%

From the table above, it is observed that the difference between an uptime of 99.70 percent and that of 99.95 percent is quite significant. An uptime of 99.70 percent means the network is down 30 minutes per week, which is not acceptable to many Financial Institutions, an uptime of 99.95 means the network is down 5 minutes per week, which may be acceptable. To ensure optimal performance, availability requirement should be specified with at least two digits following the decimal point. Five Nines availability (99.999%) is actually what is required to solve the challenges of network failures identified by many studies as a major bottleneck in cashless transactions. Five nines availability is extremely hard to achieve and this level of achievement requires redundant equipment, special network topology (mesh topology to be precise), and extremely reliable hardware and software. An uptime of 99.999 percent means that a network is unavailable for only 0.1 minute per week.

Mesh Topology

In order to meet availability requirements and improve network performance, network designers often recommend a mesh topology. In full mesh topology, every router or switch is connected to every other router or switch. It provides complete redundancy and offers good performance because every router has two or more links between any two sites. If one link is down, transmission of data will be routed through another link.

Although mesh networks feature good reliability, they have some drawbacks if they are not carefully designed. Mesh network can be expensive to deploy and maintain. It can also be hard to optimize, troubleshoot, and upgrade, unless they are designed using a simple hierarchical model. In non-hierarchical mesh topology, internetworking devices are not optimized for specific functions. Resolving network problems becomes difficult because of the lack of modularity.

Security

Security design is one of the most important aspects of network design and should be taken serious for countries considering cashless economy. Increased threats and vulnerabilities from both inside and outside an organization's network require the most up-to-date

security rules and technologies (Oppenheimer, 2006). An overall goal common to all banks on cashless policy drive is that security issues should not disrupt their ability to conduct businesses and offer services. Oppenheimer (2006) is of the view that a network should be designed in such way to offer assurances and protection against business data and other assets getting compromised or accessed inappropriately. Poor security implementations can upset users, causing them to think of ways to get security policies. It can also affect the redundancy of network design if all traffic must pass through encryption devices. A practical goal here is to ensure that the cost to implement security does not exceed the cost to recover from security incidents. In securing cashless transactions, one of the biggest risks that must be managed is the risk that a hacker can undermine the security of a network device such as router, server, or firewall. When a network device is compromised, the following threats emerge:

(i) Data flowing through the network can be intercepted, analyzed, modified, or deleted, thereby compromising integrity and confidentiality of data in transmission.

(ii) Additional and related network services, which relay on trust among network devices, can be compromised.

(iii) Authentication tokens like usernames and passwords can be compromised and used for further intrusions and perhaps to reach out and lunch attack on other networks.

(iv) Configuration of devices can be modified to allow unauthorised connections that shouldn't be allowed or to disallow legitimate connections.

Given the above therefore, many bank customers are probably scared of embracing cashless transactions because they are worried about hackers using protocol analyzers to sniff packets and reveal passwords, credit card numbers, or secret codes (Adigwe, 2018). This fear is yet to be erased from the minds of bank customers. They actually fail to understand that Credit and debit card numbers always sent via the internet are encrypted, using technologies such as the Secure Socket Layer (SSL) protocol. Authentication token such as passwords are also sent encrypted and are often good for only one use, where one-time passwords (OTP) are involved. Research equally revealed that even when passwords or electronic cards are not encrypted; it is extremely difficult to find these minute pieces of data in the midst of millions of sniffed packets. Also, to steal relevant packets, a hacker needs to physically and not remotely access a link that carries relevant traffic or needs to have compromised a switch that supports port monitoring.

In addition to attacks by hackers, network can also be compromised by activities of inadvertent user errors, including the downloading of software from illegitimate sites that introduce Trojan horses. Attacks may also come from malicious acts by internal users, including employees disgruntled by cost cuts, employees who become greedy during tough economic meltdown, as witnessed in Nigeria a couple of years back, and employees with a political agenda (Oppenheimer, 2006). The solution to all these manners of attack is for organizations involve in cashless policy business to have information security training and awareness programs to mitigate the risk of internal user attacks.

CONCLUSION

In conclusion, saying that the number of cashless transactions has increased drastically is to state the obvious because study by NIBSS reveals that there was a 22% decrease in total number of cheques returned in 2018 as compared to 2017 which extensively shows that Nigeria populace are beginning to key in to cashless transactions. There is no doubt that Nigerians are beginning to reap the benefits of Cashless Economy as it is a common sight nowadays to observe Nigerians using electronic means to make payments and this has even created jobs as every knock and cranny of the country are gradually dominated by POS Merchants. Cashless economy has come to stay and will gradually drive the economy but achieving vision 2020 was not feasible. Nigeria Government is found of always shifting the goal post and has abandoned vision 2020 after failed attempt and now dreams of Agenda 2050.

However, Challenges of network availability leading to increase in number of delayed or failed transactions, epileptic or poor power infrastructures, Cyber security issues amongst others are some the factors to contend with while sustaining the gains made so far in pursuit of cashless economy. Having critically taken a look at the noble idea of cashless economy policy and the banking sector, it is contention of this paper that the policy is highly noble and commendable. Solutions have also been proffered on the best way to deal with the common challenges of Network availability and cyber security issues, which have become a clog on the wheel of progress of electronic driven transactions in Nigeria. There is also an urgent need to fast track enactment of cyber security bill before the floor of National assembly to tame information and communication technology propelled financial crimes.

RECOMMENDATIONS

(1) This study and many other studies repeatedly revealed delayed and failed transactions as one of the major challenges affecting cashless economy, which was introduced by CBN in 2011. It is actually attributed to poor network infrastructures and the study recommends that banks as entities should be given opportunities to make their technical goals known to computer network designers. The technical goals involve scalability, availability, network performance, security, manageability, adaptability, usability, and affordability.

(2) Also noted as the way forward is to have Five- Nines percent (99.999%) network availability, which if often very expensive. An uptime of 99.999% simply means that network is down for only 0.1 minutes per week, which definitely eliminates the issue of network failures, provided that power is constant.

(3) For redundancy and reliability purpose, a wireless Mesh network topology design is also recommended. The mesh network topology is that which provides multiple paths between network nodes to ensure quick network recovery. And when one link is down, transmission of data continues through other routes.

(4) On the issue of Security, both Legislative and Executive arms of the Government have roles to play. The Executive, through the CBN, should involve cashless policy business to have information security training and awareness programs by commercial banks to mitigate the risk of internal user attacks. The National Assembly, as matter of urgency, needs to enact a stiff legislation to tame information technology propelled financial crimes.

REFERENCES

1) Adigwe, A.I. (2018). The Role of Network Traffic Analysis Tools in Education & Cybercrime Fight: Journal of Education and Emerging Issues (JEEI), 1(1): 34- 42

2) Adigwe, A.I. & Nwani, E.C. (2015): Introductory Computer and Basic Operations, Emuban Resources

3) Agabonifo, C. O., Adeola, S. O.& Oluwadare, S. (2012). An Assessment of the Role of ICTin the Readiness of Nigerian Bank Customers for the Introduction of Cashless Transactions. International Journal of Computing and ICT Research: https://www.researchgate.net/publication/286450909_An_Assessment_of_the_Role_o

4) Akhalumeh, P. & Ohiokha, F. (2012). "Nigeria's Economy: The Imperatives." International Journal of Management & Business Studies 2(2): 4-6

5) Ochei, V.O. (2013): Cashless Economy and the Nigerian Banking System, a Lecture Delivered at the CBN-Delta State Banker's Clearing House Award Ceremony.

6) Central Bank of Nigeria (2011). Towards a Cashless Nigeria: Tools & Strategies. Nigerian Journal of Economy, 3(2), 344 – 350.

7) Christensson, P. (2010). ICT Definition. Retrieved from https://techterms.com

8) Dugari, M. (2013). Cashless economy in Nigeria:Issues, Challenges and Prospects. https://mikedugeri.wordpress.com/2013/03/21/cashless-economy-in-nigeria/

9) Ikpefan, O. A., Akpan, E., Godswill, O. O., Grace E., & Chisom,N. (2018). Electronic Banking and Cashless Policy in Nigeria. International Journal of Civil Engineering and Technology (IJCIET), 9(10), 718–731. http://www.iaeme.com/IJCIET/issues.asp?JType=IJCIET&VType=9&IType=10

10) Kagan, J. (2019). Automated Teller Machine (ATM). Retrieved from https://www.investopedia.com/terms/a/atm.asp

11) Mohammed, M., Mohammed, A. & Aghoyone, A.S.(2014). The Effects of Customers Experience on ATM Refund System for Failed Bank Transactions: A Study of Deposit Money Banks in Maiduguri, Borno State, Nigeria. International *Journal of Business and Management (IJBM), 11(16), 50-67*

12) Muyiwa, O., Tunmibi, S. &Afaha, J. (2013). Impact of Cashless Economy in Nigeria. Greener Journal of Internet, Information and Communication Systems.2 (3), 40-43. https:/10.15580/GJIICS.2013.2.020713436.

13) Nonor, D. (2011). Ghana Airtel Leads Drive towards Cashless Economy, Retrieved From https://www.1q4news.com

14) Omotoso, K. & Adelowo, C.M. (2014).Prospects of Nigeria's ICT Infrastructure for E-Commerce and Cashless Economy. https://www.researchgate.net/publication/268808036_Prospects_of_Nigeria's_ICT_Infrastructure_for_E-Commerce_and_Cashless_Economy

15) Omotunde, M., Sunday, T. & John-Dewole, A.T. (2013). Impact of Cashless Economy in Nigeria. Greener Journal of Internet, Information and Communication Systems, 1 (2), 040-043.

16) Oppenheimer, P. (2006). Top-Down Network Design Second Edition, Cisco Press

17) Ortiz, C. E. (2008). An introduction to near field communication and the contactless communication API: https://www.oracle.com/technetwork/articles/javame/nfc-

18) Prateek, A. (2019). Economic Growth and Development. Retrieved on August 13, 2019 from https://www.intelligenteconomist.om

19) Salihus, A., Mustapha, K., Ajayi, I. H. & Binitie, A. P. (2013). The Impacts of Information Technology in a Cashless Economy in Nigeria. The International Journal of Engineering and Science (IJES), 2(10), 80-86.

20) Spacey (2018). What is network infrastructure. https://www.google.com/amp/s/simplicable.com/amp/network-infrastructure
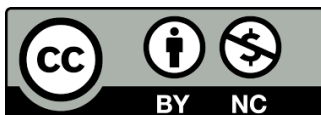
Exploring Secondary Schools Science Teachers Cognizance on TPACK in Technology Enhanced Learning during the 3rd Wave of Covid-19

Nelson Cyril[1], Khar Thoe Ng[2], Deva Nanthini[3], Sivaranjini Sinniah[4], Sharfuddin Shukor[5]

[1,2,3,4,5] Training and Research Division SEAMEO RECSAM Penang, Malaysia

ABSTRACT: Technology in education has become an important tool for teachers to disseminate or share their knowledge with students. Incorporating Content, Pedagogy and Knowledge (TPACK) skills can benefit teachers and studenrs in increasing their teaching and learning in this classroom. There were many studies done on teachers TPACK and their categorization but very few in the Malaysian context. This study aimed to explore the Malaysian context, in particular the state of Penang of Teachers TPACK on Technology Enhanced Learning (TEL) during the 3rd wave of the Covid-19 pandemic. This study employed a qualitative exploratory research design with sample of five teachers. The results indicated that TPACK on TEL discovered attributes that teachers revealed to enhance their teaching and learning processes and serves as an indicator on the types and use of technology in the classroom. The study could also provide information on teachers' TPACK attributes in improving students grasping of science concepts. In the future these attributes can be extended and compared with pre-service teachers to give a better overview on teachers' TPACK and their use of technology in education.

KEYWORDS: TPACK, Technology, Science Education, Covid-19, Technology Enhanced Learning

INTRODUCTION

Internationally all countries want a scientifically literate population with scientific knowledge and an understanding of the nature of science and scientific inquiry. This is because the world is increasingly becoming a scientific and technological world dominated by consistent developments. One approach in gaining this is through the education sector. Teachers in the education sector need to equip themselves with technological tools to help their students grasping of the content knowledge. Such tools need to be incorporated with pedagogy skills and may be a hindrance to them. This is because teachers themselves need to strike a balance between technological, content and pedagogy skills also called the Technology, Pedagogy and Content Knowledge Skills or TPACK.

One main challenge of teachers' TPACK involved engaging students with lesson materials and consequential lessons more so during the Covid-19 pandemic. The first wave of Covid-19 was experienced from 25 January to 16 February 2020, the second wave from 27 February 2020 to 30 June 2020 and the third wave started from 8 September 2020 (Rampal & Liew, 2021) . Face to face secondary schools sessions were closed from 9th November 2020 to 5th April 2021 during the 3rd wave of Covid-19. On 20th January 2021 school resumed but only online classes were allowed (The Straits Times, 2021). For almost three months into 2021 students had to learn online. By this time most parents were out to work and for many children depending on parents' devices posed much difficulties for online learning.

Despite these challenges, educators continued to hold online classes and develop their online TPACK skills and presence. Educators need to play dual roles when executing online classes i.e., constructors and actors. Constructors in designing tasks, lesson plans and resources while actors when facilitating their online presence.(Rapanta et al., 2020)

BACKGROUND AND RATIONALE

Technology has become embedded in education and the results indicate positive impacts on teaching and learning processes in a classroom (Pierson, 2001). Lessons that are supported by technology will lead to more innovative forms of teaching and learning (Shapley et al., 2011). This is because the use of technology comprise solutions to real-world problems, dissemination of current informational resources, active simulations of concepts, and continuous communication with professionals in the field. Learning to use technology is believed to complement the traditional forms of pedagogical methods (Yasak et al., 2010). Aligned with the use of technology and pedagogy, the purpose of this study is then to explore science teachers' Technological Pedagogical and Content

Exploring Secondary Schools Science Teachers Cognizance on TPACK in Technology Enhanced Learning during the 3rd Wave of Covid-19

Knowledge (TPACK) on the use of Technology Enhanced Learning in science education. It is known that the integration of technology in the classroom enhances students' grasping of science concepts worldwide and local.

Generally, teachers are known as the curriculum implementers in a school setting. Therefore, teachers not only have to adapt and well-equipped themselves with pedagogy and content skills but also digital skills in order to integrate the use of technology in a classroom. According to (Neumann et al., 2011), the integration of technology will provide a means to enhance students' learning and engagement in a classroom. Especially, during the Covid-19 pandemic the learning and engagement may be compromised. Thus, this study looks into teachers TPACK skills in using technology enhanced learning tools in their online presence and the attributes it revealed.

Research Questions
1. What are the attributes of teachers TPACK in a science classroom?
2. What are teachers perception of TPACK in the science classroom?

Limitations
Teachers content knowledge for this study is considered equal as the researcher posits that all science teachers are equipped with science knowledge based on their qualifications, a pre-requisite criteria to be a science teacher.

LITERATURE REVIEW
Technology Pedagogical and Content Knowledge term is derived from pedagogy, content, and knowledge (PCK). Assimilating technologies with subject content knowledge and pedagogy or TPACK is thus essential in assisting students' grasping of particularly, science knowledge in schools (Koehler & Mishra, 2009). TPACK was introduced to comprehend teachers' knowledge requiring integration of technology in the classroom. The TPACK framework builds on Shulman's construct of Pedagogical Content Knowledge (PCK) encompassing the integration of technology in the teaching and learning process (Schmidt et al., 2009). In addition. the TPACK framework introduces the relationships between all components of pedagogical, technology and content knowledge. Seven components of TPACK were derived within this framework as displayed in Table 2.1

Table 1. Technological Pedagogical And Content Knowledge Framework

Components	Description
Technological Knowledge (TK)	The knowledge and skills necessary for using technology such as program installations, word processors, spreadsheets, the internet etc. (Mishra and Koehler, 2006)
Content Knowledge (CK)	The knowledge of a teacher about the concepts and theories related to specific subject-matter; for instance, a chemistry teacher should have adequate chemistry knowledge (Mishra and Koehler, 2006)
Pedagogical Knowledge (PK)	The collection of knowledge about general pedagogy such as classroom management, the way students learn and student assessment that is necessary in any class irrespective of specific subject (Mishra and Koehler, 2006; Koehler and Mishra, 2009).
Technological and Content Knowledge (TCK)	The knowledge about the application of technology to teach specific content, such as simulation to teach gases in chemistry or allowing students to figure out the factors affecting chemical reactions via data logging (Mishra and Koehler, 2006).
Technological and Pedagogical Knowledge (TPK)	The knowledge about how technology can be used in teaching; e.g., how smart boards or animations can be used in teaching and learning settings (Koehler and Mishra, 2009).
Pedagogical Content Knowledge (PCK)	The blending of content and pedagogy knowledge. This is related to the application of general pedagogical knowledge within specific content; such as finding the best way to organize the radioactivity concepts in chemistry or applying instructional strategies to teach electrochemistry (Mishra and Koehler, 2006; Koehler and Mishra, 2009
Technological Pedagogical And Content Knowledge (TPCK)	The combination of knowledge of content, technology, and pedagogy, e.g., the use of appropriate technology to assess students' understanding in electrochemistry or detecting students' prior knowledge via simulations for effectively teaching acids and bases in chemistry (Mishra and Koehler, 2006; Koehler and Mishra, 2009).

Koehler and Mishra (2009) developed the TPACK model in 2009 and Mishra (2018) improved on the model by addition of the Contextual knowledge representing constraints experienced by teachers in shaping their TPACK skill in Figure 1.
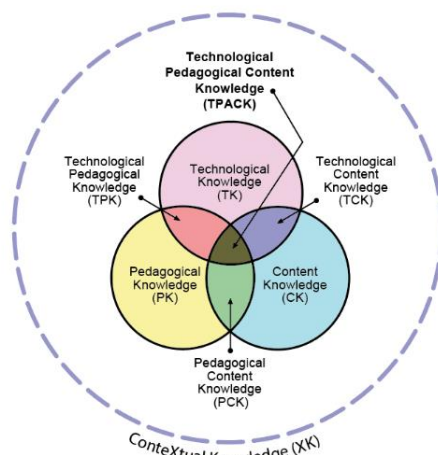
Exploring Secondary Schools Science Teachers Cognizance on TPACK in Technology Enhanced Learning during the 3rd Wave of Covid-19

Figure 1. Technological Pedagogical and Content Knowledge model

Such constraints include classroom management, meetings and more. Schmidt et al. (2009), also observed the framework as a measurement of the technological integration level for in-service teachers. Additionally, the framework also give insights to relevant factors that can be included in the training and professional development for in-service and pre-service teachers (Koehler & Mishra, 2005, 2009).

Technology has become embedded in education and the results indicate positive impacts on teaching and learning processes in a classroom (Pierson, 2001). Lessons that are supported by technology will lead to more innovative forms of teaching and learning (Shapley et al., 2011). Other studies supporting the strength of technology have shown the importance of integrating technology and face to face instructions may augment students' engagement in their learning (Cetin-Dindar et al., 2018; Neumann et al., 2011).

- The use of ICT in education sector especially in public schools is inevitable, aligned with the 21st century learning encompassing attitudes, and aspirations in line with global wave of modernization in education (Zainal & Zainuddin, 2020). They elaborated that in Malaysia the use of ICT in education started in 1997 as part of the Multimedia Super Corridor's Flagship Applications with the introduction of smart school project, implemented to develop and equip students with skills to face challenges of the 21st century before entering the workforce. Align with this, the government came to realize of its importance and heavily invested on the 1BestariNet initiative via a learning management system called the Frog Virtual Learning Environment (VLE) that could bridge thousands of primary and secondary schools in Malaysia in a cloud based platform later. Since 1997, the use of technology increased and a study by Ebrahimi (2018) revealed that 76 % of schools in Malaysia use ICT for education, 57% of teachers in Malaysia use ICT for education and 72% of students in Malaysia use ICT for education

The numbers indicated that Malaysian schools have integrated the use of technology in education but their use in schools remains low. Ebrahimi (2018) also uncovered that an average of 2 minutes 46 seconds per hour use of ICT in secondary schools is quite worrying as oppose to an increasing trend use of technologies globally. Therefore, advances in technologies was necessary to meet the increasing trend and coherently increases a higher demand for the use of various technologies in Malaysia's education environment.

However, the advances is more challenging with the presence of Covid-19 pandemic. Covid-19 has changed society's way of life. In an educational institution where the norm mode of teaching is via face to face, the pandemic impacted classroom teaching and learning process. Creating a lesson online formed many difficulties especially for teachers who are not well versed with the use of technology (Wyres & Taylor, 2020).

In light of these challenges many Malaysian educators naturally needed to adapt to technologies to create an online content. Many students from the first wave of covid-19 were unable to continue their education online. Hence, teachers had to device many approaches to capture majority of the students attending their classes (Yates et al., 2020). Generally, online teaching involves a plethora of tools that educators can use in their online classes. These tools or Technology Enhanced Learning (TEL) helped to narrow the gap between the educator and the students where the students is at a distance from the educators (Rapanta et al., 2020).

TEL is a term used describing the amalgamation of digital technology and teaching within an educational setting. TEL is also about educators constantly renewing ways to improve method of delivering content to students (Goodchild & Speed, 2018). The authors go on to say that TEL should be viewed as a social force constructed within a pedagogy realm. Such social force may pose difficulties in an online class especially with educators lack of technology skills in operating an online class.

The conceptual framework for this study is presented below in Figure 2.2.
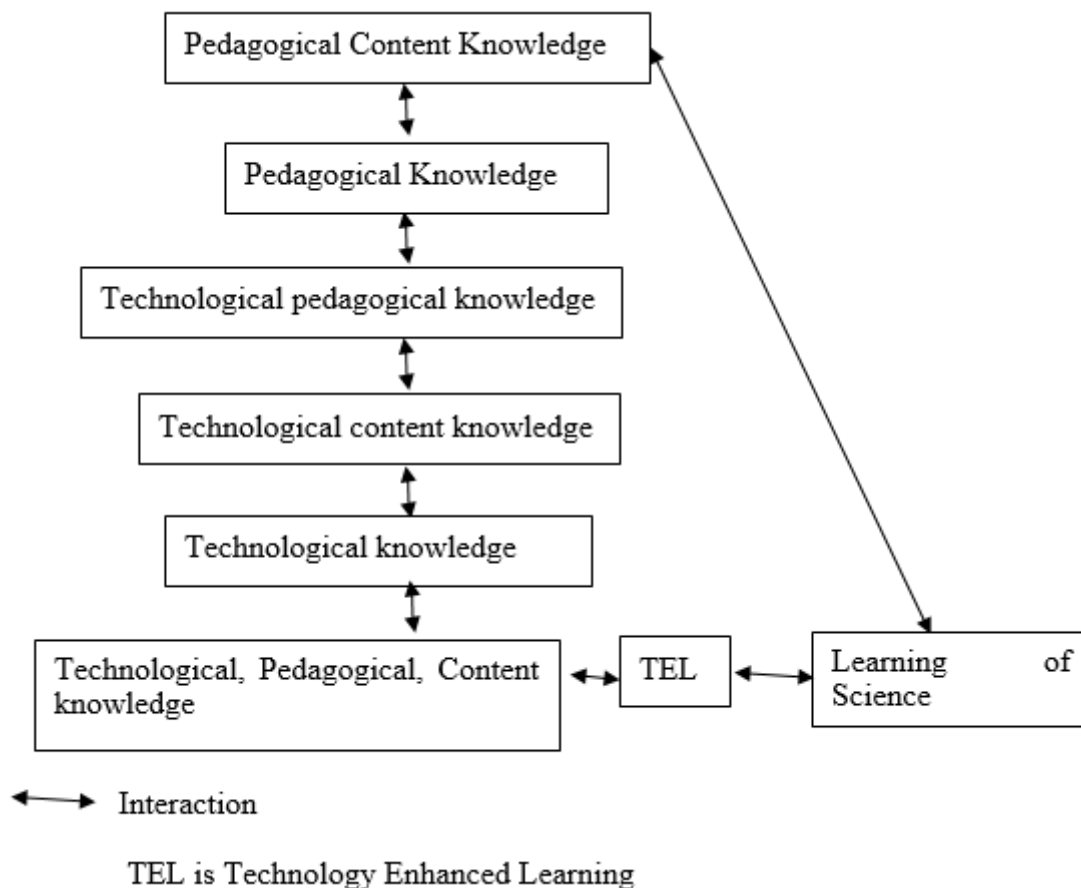
Figure 2. Conceptual Framework for the study on TPACK and AR

Figure 2 displayed the conceptual framework for this study looking into the interactions with teachers' pedagogical content knowledge, pedagogical knowledge, technological pedagogical knowledge, technological content knowledge, content knowledge, and technological knowledge. These 6 individual knowledge will blend and form one entity called TPACK and with the inclusion of TEL may assist in students learning of science. The learning of science also depends on the components of TPACK forming a cyclic process. The success in the learning of science using TEL will depend on teachers TPACK level. Learning to use technology is believed to complement the traditional forms of pedagogical methods (Yasak et al., 2010). It is known that the integration of technology in the classroom enhances students' grasping of science concepts worldwide and local. The level of teachers' level of technology may pose some difficulties especially when we categorize teachers' with levels of TPACK and factors related to it. A review by Malik et al., (2019) identified knowledge of technology alone does not reveal effective technology integration in learning. Malik et al., argued that the content and pedagogy skills are also important in ensuring a successful teaching and learning session. In contrast, another study by Young (2012) characterized pre-service teachers have a stable foundation and were able to integrate knowledge and skills with technology. Educators were seen to reveal certain traits or attributes when running online classes. Thus, this study then focuses on teachers' TPACK in Technology Enhanced Leaning specifically investigating teachers attributes when using technology in the classroom.

METHODOLOGY
a.   Research Design
A research design is aimed to research problems in answering research questions. For this study a qualitative exploratory research design is undertaken as an approach for exploration (Creswell & Creswell, 2018). This choice of exploratory approach was made because the study seeks to investigate characteristics of science teachers TPACK on TEL.

b.   Sampling
For this study, a purposive sampling procedure is adhered. According to Cohen (2018) for a qualititaive research purposive sampling will ensure the quality of the research. Thus, five science teachers from the state of Penang, Malaysia were selected. A few of the interview questions were modified and adapted from literature and others were constructed by the researcher.

Exploring Secondary Schools Science Teachers Cognizance on TPACK in Technology Enhanced Learning during the 3rd Wave of Covid-19

The interviews were performed via phone and prior to that an Informed Consent Letter was given with a brief explanation on the research topics and confidentiality of data. The interviews were conducted from 25th of January 2021 to end of February 2021.

c. Data analysis

For analysis, transcripts were converted into a table format and initial es for coding was performed by examining their respons indications of their understanding of the selected acid-base chemistry concepts. For the purpose of analysing, the researcher used the La) Pelle2004) method of qualitative data analysis. In this method La Pelle used the Microsoft Word Table as a software tool in order to analyse qualitative data gathered from interviews with students and teachers. In the first phase, the gathered participants' responses were formatted into a layout The second phase involved the development of the .e inpresented as an examplcodebook A codebook is a Microsoft Word table format that contained three levels of themes, and their respective numbers created by the researcher.

Table 2. Analysis codebook

Level 1	Level 2	Level 3	Themes
2.000			Topics learn
	2.050		Acids and bases
		2.055	How to test for acids and bases?

For example, in level 1, the code 2.000 is assigned for 'topics learnt '. In level 2 'acids and bases is assigned the code 2.050 while 'How to test for acids and bases ' is assigned the code 2.055.

In the third phase, the participants' responses were assigned with number codes obtained from the codebook. The process of assigning the numbers is called the coding process.

Table 3. Data table for transcribed interviews with assigned numerical

Participant Name	Theme Code	Researcher Question/Participant Response	Sequence#
Researcher	1.000	Q1. What apps do you use?	1
T3	3.60	Holoviewer	2
T3	3.65	Pear deck	3

Table 3uttered by T was "Holoviewer" shows that the phrase 3and assigned the "holoviewer" because the response 3.060 code was identical 'holoviewer' with the theme in the codebook

This process is repeated for all In ad .interviews 5 responses fromdition, the # st shown in the la (sequence ,.e.i)column of Table shows the order of utterances as theinterview progressed according to questions and responses. The coding sequences provide a systematics response f'way to identify each participantor reference purposes.

Ideally, coding and recoding are necessary to ensure consistency and coverage of codes and data (Cohen, Manion, & Morrison, 2011). This step enabled retrieval and categorization to be consistent. Emergent themes were continuously compared for similarities and differences, which led to themes that emerged naturally from the data (Marshall & Rossman, 2011). In addition, the researcher constantly checked the data to ensure it fitted the conceptual framework.

RESEARCH FINDINGS

This study entailed science teachers TPACK in the use of technology enhanced learning (TEL)

The emergent themes arising from this research are explained based on the components of TPACK in Table 2.1.

Technological Knowledge

Creator.

This attributes looks into teachers who create applications based on their knowledge. As an example T3 stated that he is able to use Augmented Reality (AR) markers during his teaching and learning in a face to face session with the following statement.

> *What I create is an Augmented Reality (AR) marker. When we scan the marker on the object, images, moving objects, will appear. All my AR apps has markers.*

Similarly, T2 used hologram to attract students in his science lessons during the Covid-19 MCO. He was only able to introduce the applications to his students and could not fully utilized the apps functionalities. He remarked the statement below as evidence.

I use the topic on animals for students Year 1,2, and 3. I created this hologram to attract them to lessons. Unfortunately, during the MCO its quite difficult.

User.

This 'User' attribute displayed teachers as users of technology such as AR apps. They acquired their use of apps from a third party or development programmes. For example, T4 learned his AR apps from his kids and decided to be a user. He exemplified the *user* attribute when he stated:

I have found AR in my kid's Form 1 science text book because his teacher told him to see it. So I installed the app and use it quite frequent.

Trivial User.

The 'trivial' attribute are not too keen in using the technology. This is because they are not inclined towards technology and believed technology is something difficult. However, during the pandemic this category of teachers used to taking pictures in their lesson and posting it in their whatsapp application as they are used to it.

T1 showed this trait when she stated:

I am not so keen using advance technology . I am used to using whatsapp and telegram. I take pictures and post it on whatsapp

The attribute *'trivial user'* is also shown by T4 when he indicated:

Various ways to make questions through FB. I use telegram to send messages, and pictures because it does not download using the phone memory. The pictures are kept on the cloud In whatsapp if there are too many pictures they will start to delete. With telegram its permanently kept on the cloud

Pedagogical Knowledge
Constructivist.

The use of Inquiry Based Science Education or the constructivist approach attribute was prominent in teachers. However, during the Covid-19 times they were unable to execute such learning.

T4 commented he used IBSE regularly and for the topic of Space and Constellation, he will ask them to do a search and share their findings in an online class. He commented:

"Certain topics like space and constellations I use inquiry based science learning. Usually they just read from the book but I asked them to go and construct their ideas for the meaning of constellations and then we share".

T3 also displayed this attribute when he said

"I asked students to search for a particular science concept on their own especially when their internet is very slow to present slides or videos. Then in the next class we share the findings".

Collaborative.

The social feature of the collaborative attribute was revealed when students were asked to study with their friends and present their findings. T2 was seen displaying this attribute when he stated:

I use a self directed method for the first topic which is Introduction to science or Introduction and rules of the science labs since it is repeatedly discussed every year. Students were asked to collaboratively find information with their partners and share them in the next class.

Similarly T5 shared the same attribute as T4 when he stated:

" I will ask students to communicate with their partner and in the next lesson try to share their findings"

Mix and Match.

The teachers with the *mix and match* attribute usually delivers their content in one way and less of interaction. This lecture method seemed to work for them and they are heavily attached to this method. T5 seemed to demonstrate this attribute when he said.

I wouldnt describe myself using any of those methods (collaborative, constructivism) because I feel like is too rigid. My style is like mix and match looking at the content and students' capabilities.

Exploring Secondary Schools Science Teachers Cognizance on TPACK in Technology Enhanced Learning during the 3ʳᵈ Wave of Covid-19

Technological Content Knowledge

Feature based.

This attribute looked into new applications integrated into the teaching and learning of science. The video and writing features of the applications seemed to engage students. T4 displayed this attribute when he mentioned:

> "*I use Tik Tok in teaching science particularly science topics with easy understanding. Tik Tok features like video and filters are popular with students".*

T3 seemed to be using this attribute too when he used the app 'pear deck' app. He remarked

> " *I use pear deck in zoom where there is a feature in the app that enables students to write their answers for certain science topics in real time".*

Slides.

The '*slide'* attribute is defined as teachers who mostly used the powerpoint presentation. These teachers are used to using powerpoint in their presentation and felt that it was not necessary to use other apps.

T5 commented his preference in his statement:

> *I will show them how to write a science report in the slide. These slides must consist of the scientific principles involved .*

Indicatively, T1 used the powerpoint occasionaly in his class when he stated:

> *"Sometimes I use powerpoint slides too"*

Videos.

A few of the teachers adopted using the 'videos' attribute. This particular attribute uses courseware purchased by school in their presentation. However, during this pandemic they were unable to use it and instead opted to use youtube videos. T4 showed this attribute when he stated:

> *So I use videos on youtube and share them with my students but they don't quite like it if the video is more than 5 minutes. When I share the video they would not watch it and I could not discuss it in class.So if there are two or three short videos on the same topic I would search for the shortest and effective one.*

The attribute *'Videos'* was also seen in T1 remarks:

> *Basically in experiments and then I will show them you tube videos For better understanding*

Technological Pedagogical Knowledge

Gamification.

Gamification is another approach used by teachers to attract students interest in the science subject.

For example, during the pandemic, T2 used games-type lesson in his teaching and learning. He stated that:

> *I use kahoot game. Also, I made quizzes using google form during the mco (Movement control order) which I get from telegram groups*

Evaluation Applications.

Teachers with the '*evaluation application'* used the google form feature the most in this pandemic because the content for the forms were readily available and he was able to obtain prompt results. In addition T1 showed similarity with T4 when he used google form to know their results instantaneously

He depicted this clearly when he stated:

> *During covid I used google form and instantly we can know the results.Many teachers share their google form. So I was able to use them…T4*

> *I use google form and provide a link in the whatsapp. The activity will let me know the results quickly…T1.*

Conventional.

The attribute 'conventional' observed teachers who are used to using whiteboard. These teachers will show a video of them in an application without using the app such as the Whiteboard feature in the room. The teacher cast a physical whiteboard in their homes for teaching and learning. T1 seemed to show this attribute and typified this in his response:

> *Well I don't show myself in zoom but I just showed the whiteboard behind me*

T5 agreed with T1 and showed the '*conventional*' attribute

> *I am used to whiteboard in school. I have one (whiteboard) at home that I used to teach.*

Pedagogical Content Knowledge
Creative.

T1 used same setup like the TV show 'Family Feud' to create excitement in her face to face teaching but had to device new approaches during the Covid-19 pandemic.

The use of this attribute was shown by T1 when he commented:

> *I use quiz. Something like in the TV where they use the buzzers to answers. There are two groups and I will ask one rep from each group to stand in front the class who are also another rep in a different group. So I will ask a question and the first person who answered correctly wins. If he or she cannot answer then he asked another rep from the same to answer. The children would be so excited.*

Additionally, T5 too displayed the "*creative*" attribute when he commented:

> *Basically taking two paper cups and painting them black. Remove the bottom and replacing it with tracing paper. The other cup prick it with a pin so I taught them the basic to build a pinhole camera in a video. So I guide them during Covid-19 to do this activity at home using whatsapp or others tools.. This is one lesson where students can be creative even during the pandemic.*

Transformative.

The *transformative* attribute were observed with teachers who designed a learning session from selected topics in science. For example, T2 exhibited this attribute when he transformed the science concept of density into a water rocket activity.

> *Yes I used project based learning. In Year 5 pupils are exposed to water rocket from their science concept of density. So in my lesson I transformed the techniques of making a water rocket in videos how I did this*

Another teacher, T1 appeared to use this attribute when he affirmed:

> *Yes the other day I asked students to make compost. We shared on disposable items. I showed them how to put one layer of waste and one layer of soil to make compost. This way the disposables can be transformed to something useful by sharing pictures on whatsapp.*

Integrative.

The 'integrative' characteristic featured teachers used to activities during school and continued this method in their online class. For example T1 integrated a song when teaching. He stated this trait:

> *Yes. My students will collaboratively sing a song on photosynthesis and we tried this online too.*

Similarly, T5 signified the use of the 'integrative' attribute when he remarked:

> *I use youtube in face to face class but now during Conditional Movement Control Order (CMCO) I share the penjerukan (pickling) video that I made via telegram. I will ask students individually with their parents to do pickling and share their video with the class.*

Technological Pedagogical Content Knowledge
Motivational.

The teachers using this attribute demonstrated teaching online using apps that he developed. T3 aspired his students and motivated them to study science with the jomsains or 'lets go apps' at each schooling level.

> *I use games in the form of quizzes. So during Movement Control Order (MCO) I asked students to answer quiz using jomsains app for the topic of animals. For example in the app there is a picture of a tiger. Question asked may be "What does this animal eat". "What is the food habits of the animal in the picture above"?*
> *I sort the questions according to students level of study and to motivate them.*

Appropriate.

The teachers using the *'appropriate'* attribute seemed to choose the proper technology for their teaching and learning. For example, T1

Yes. For example for the pickled fruits hands on activities which is a project based learning I used youtube videos to teach Food Preservation which is pickling (penjerukan) I find it very appropriate to use youtube for this home activity.

T2 seemed to have comparable attribute with T1 when he stated:
Yes. For example for the pickled fruits hands on activities which is a project based learning. I used youtube videos to teach Food Preservation which is pickling (penjerukan). I think youtube is best for activity like this.

Acceptable.

The '*acceptable*' attribute depicted teachers very occasionally using technology. Most of these group of teachers use whatsapp or telegram because they are very familiar using these two apps. T4 showed this attribute when he remarked:

I use telegram to send messages, and pictures because it does not download using the phone memory. I will ask students to do work in pairs or group and get back to me in the next lesson.

The acceptable attribute was also revealed when T1 commented:

Because these activities I do it in class not online. For the students to be able to access the online material in class is limited. So I resort to capturing picture and pasting it whatsapp. Also, I mark my papers using whatsapp.

As a note, when the researcher analysed the transcribed interviews it was found that the teachers were able to convey their CK or content knowledge well. Thus, for this study the researcher adopted the notion that all teachers are equally proficient based on their academic qualifications suitable for teaching science.

DISCUSSION

From the findings, results indicated that there are certain attributes of teachers' TPACK on TEL for science teachers. Taken together, there are 21 attributes of teachers from this study. These attributes ranges from types of technology that teachers used to their pedagogical skills. This study agrees with the review by Malik et al (2019) that technology alone could not translate to teachers effective use of the technology. Teachers need to equip themselves with exemplary attributes as above to ensure an integration of pedagogy, content, and technology skills.

This study is then differed with other studies in that teachers' TPACK could be categorized into 21 attributes compared to the study by lee and Tsai (2010). The 2010 study categorized TPCK-W or TPACK-Website into six categories i.e., (a) Web-general (i.e. web-related tools), (b) Web-communicative, (c) Web-pedagogical knowledge (WPK), (d) Web-content knowledge (WCK), (e) Web-pedagogical-content knowledge (WPCK), and 6) attitudes toward web-based instruction. These categories are limited to only websites but this study observed that Penang teachers using applications is more popular with their students.

Based on the data that there are teachers with over 20 years of teaching experiences and many would argue that the these group of teachers occasionally used technology based on their years of experience teaching may impacted their use of technology. However, a study by Jwaifell (2019) observed that Jordanese teachers with more than 10 years experience in teaching did not result in a significant difference in their readiness to integrate technology. The 2019 study evidenced that teachers TPACK has no correlation with number of teaching experiences. Similarly, there are teachers who are over 15 years of teaching were found to explore applications in their online class then teachers with less than five years of service.

IMPLICATIONS

The attributes of TPACK in TEL will enable science teachers to know where they fit and would pose as a brief guidelines of their future planning for a better TPACK skills in the teaching of science in the classroom. The TPACK in TEL attributes that teachers have will enhance teachers teaching and learning in the classroom. Many teachers may try to improve their use of learning applications from the *creator* and *users* attributes seemingly using advance technology such as Augmented Reality technology.

This study could also be expanded to pre-service science teachers. The universities and teachers' training institute will be able to qualitatively measure teachers' TPACK in TEL based on their TPACK component skills and modifying the curriculum to improve teachers TPACK in TEL.

CONCLUSION

The categories and attributes of science teachers TPACK plays an important qualitative measurement of teachers TPACK in TEL. The teachers acquiring good TPACK skills in TEL are known to improve teaching and learning. The transformation of teachers face to face classes to online classes has forced teachers to learn new things and equip themselves with skills that were alien to them before. Many of these teachers have used many ways and this paper serve as a point of reference for teachers as to what attributes of teachers that were revealed during these online classes as well as the many applications they used.

Exploring Secondary Schools Science Teachers Cognizance on TPACK in Technology Enhanced Learning during the 3rd Wave of Covid-19

REFERENCES

1) Cetin-Dindar, A., Boz, Y., Sonmez, D. Y., & Celep, N. D. (2018). Development of pre-service chemistry teachers' technological pedagogical content knowledge. *Chemistry Education Research and Practice*, *19*(1), 167–183. https://doi.org/10.1039/C7RP00175D

2) Cohen, L., Manion, L., & Morrison, K. (2018). *Research methods in Education* (8th ed.). Routledge.

3) Creswell, J. W., & Creswell, D. J. (2018). *Research Design* (5th ed.). Sage.

4) Ebrahimi, S., & Jiar, Y. K. (2018). The use of technology at Malaysian public high schools. *Journal of Education and Review*, *6*(3), 54–60.

5) Goodchild, T., & Speed, E. (2018). Technology enhanced learning as transformative innovation: a note on the enduring myth of TEL. *Teaching in Higher Education*.

6) Jwaifell, M. (2019). In-Service Science Teachers' Readiness of Integrating Augmented Reality. *Journal of Curriculum and Teaching*, *8*(2), 43–53.

7) Koehler, M. J., & Mishra, P. (2005). What Happens When Teachers Design Educational Technology? The Development of Technological Pedagogical Content Knowledge. *Journal of Educational Computing Research*, *32*(2), 131–152. https://doi.org/10.2190/0EW7-01WB-BKHL-QDYV

8) Koehler, M. J., & Mishra, P. (2009). What is Technological Pedagogical Content Knowledge (TPACK)? *Contemporary Issues in Technology and Teacher Education*, *9*(1), 60–70.

9) Lee, M.-H., & Tsai, C.-C. (2010). Exploring teachers' perceived self efficacy and technological pedagogical content knowledge with respect to educational use of the World Wide Web. *Instructional Science*, *38*(1), 1–21. https://doi.org/10.1007/s11251-008-9075-4

10) Malik, S., Rohendi, D., & Widiaty, I. (2019). *Technological pedagogical content knowledge (TPACK) with information and communication technology (ICT) integration: A literature review*. 498–503.

11) Mishra, P. (2018). *Revised version of TPACK image. Retrieved from https://punyamishra.com/2018/09/10/the-tpack-diagram-gets-an-upgrade/*.

12) Neumann, D. L., Neumann, M. M., & Hood, M. (2011). Evaluating computer-based simulations, multimedia and animations that help integrate blended learning with lectures in first year statistics. *Australasian Journal of Educational Technology*, *27*(2), Article 2. https://doi.org/10.14742/ajet.970

13) Pierson, M. E. (2001). Technology integration practice as a function of pedagogical expertise. *Journal of Research on Computing in Education*, *33*(4), 413–430. https://doi.org/10.1080/08886504.2001.10782325

14) Rampal L, Liew B.S. (2021) Malaysia's third COVID-19 wave - a paradigm shift required. *Medical Journal of Malaysia*. 76(1):1-4.

15) Rapanta, C., Botturi, L., Goodyear, P., Guàrdia, L., & Koole, M. (2020). Online University Teaching During and After the Covid-19 Crisis: Refocusing Teacher Presence and Learning Activity. *Postdigital Science and Education*, *2*(3), 923–945. https://doi.org/10.1007/s42438-020-00155-y

16) Schmidt, D. A., Baran, E., Thompson, A. D., Mishra, P., Koehler, M. J., & Shin, T. S. (2009). Technological pedagogical content knowledge (TPACK) the development and validation of an assessment instrument for preservice teachers. *Journal of Research on Technology in Education*, *42*(2), 123–149.

17) Shapley, K., Sheehan, D., Maloney, C., & Caranikas-Walker, F. (2011). Effects of Technology Immersion on Middle School Students' Learning Opportunities and Achievement. *The Journal of Educational Research*, *104*(5), 299–315. https://doi.org/10.1080/00220671003767615

18) The Straits Times. (2021, April 5). *All 5m students in Malaysia back to school for first time since Covid-19 outbreak.* https://www.straitstimes.com/asia/se-asia/all-students-in-malaysia-back-to-school-for-first-time-since-covid-19-outbreak

19) Wyres, M., & Taylor, N. (2020). *Covid-19: using simulation and technology-enhanced learning to negotiate and adapt to the ongoing challenges in UK healthcare education*. BMJ Specialist Journals.

20) Yasak, Z., Yamhari, S., & Esa, A. (2010). Penggunaan teknologi dalam mengajar sains di sekolah rendah. *Seminar Majlis Dekan Pendidikan IPTA 2010*, 1–7. http://eprints.uthm.edu.my/id/eprint/445/

21) Yates, A., Starkey, L., Egerton, B., & Flueggen, F. (2020). High school students' experience of online learning during Covid-19: the influence of technology and pedagogy. *Technology, Pedagogy and Education*, 1–15.

22) Zainal, A. Z., & Zainuddin, S. Z. (2020). Technology adoption in Malaysian schools: An analysis of national ICT in education policy initiatives. *Digital Education Review*, *0*(37), 172–194. https://doi.org/10.1344/der.2020.37.172-194
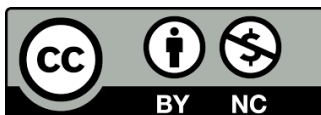
Ecopreneur-Based Biology Learning Module Development For Class XI Students SMA Negeri 11 Kerinci

Pahrizul[1], Lufri[2]

[1,2] Master of Biology Edcation, Padang State Ubiversity, Padang, Indonesia

ABSTRACT: The purpose of this development research is to produce ecopreneur-based learning modules that are used as teaching materials for students on Biology subjects. This research was motivated by the lack of availability of teaching materials at Sma Negeri 11 Kerinci and the lack of student ability in solving environmental problems and environmental conservation efforts and students had difficulty in analyzing environmental change data. This type of research is Research and Development research. The development model used in this research is the ADDIE model. The ecopreneur-based Biology learning module for class XI students consists of 5 stages including analysis (analyze), design (design), development (develop), implementation (implementation), and assessment (evaluate). Ecopreneur-based Biology learning modules for class XI students are validated by media, material and language experts. Media validation of the developed module obtains a final value (percentage) with a score of 80% with a valid category. Furthermore, the material expert gave a score of 92% with a very valid category and the linguist validation gave a score of 93.3% with a very valid category. The results of the practicality of modules by teachers towards ecopreneur-based Biology learning modules for class XI students obtained an overall average score of 90% with a very practical category. While the results of practicality by students obtained an overall score of 92.8% with a very practical category. The ecopreneur-based Biology learning modules of class XI students reviewed from the learning results scored 79.5% with a very effective category. Thus, ecopreneur-based Biology learning modules for class XI students can be used in Biology learning in High School (SMA) or equivalent.

KEYWORDS: Biology, Ecopreneur, Modules

I. INTRODUCTION

Education is a means of communication, because in the educational process there are communicators, communication and messages. Communication contains the understanding of informing information, thoughts and values with the intention of arousing participation so that the things that are told are in accordance with the target (Rosyada, 2008: 3). One of the subjects in schools that function in informing information, thoughts and values is biology.

Biology is a science related to nature. Biology Learning aims to inform information, thoughts and values that contain facts, concepts, and processes that occur in nature so that students are able to understand the environment. To support students' understanding of biology, a good teaching material is needed so that learning is more effective and efficient and improves learning according to needs.

Based on the results of interviews with Biology teachers at Sma Negeri 11 Kerinci, information was obtained that during the Biology learning process students had difficulty in understanding Biology learning because biology learning teaching materials were limited in the school library, the use of learning modules was small, the learning outcomes of Biology subject students were still low.

The right teaching material used is the learning module. According to Trianto (2009: 98) modules are a set of learning materials / substances that are arranged systematically, reflecting the competencies that students will master in learning activities.

According to Wiyanto and Mustakim (2012: 42) the module is equipped with a variety of complete and detailed instructions so that students can use the modules in teaching themselves. Modules are also a medium for self-study because in it has been equipped with instructions for self-study, teaching modules make students more active self-study without the presence of direct teachers (Chomsin et al., 2008: 43).

Learning using learning modules urgently needs to be applied. Teaching materials in the form of modules help students in self-study because they are equipped with instructions, and teaching materials in the modules can be adjusted to students' needs.

Through biology learning, students are expected to be able to develop competencies, find out and act based on direct experience. One of the interesting natural phenomena for students to learn is about waste. Waste material consists of

understanding waste, grouping waste based on the type of compound and waste management. Through waste materials, students can get information about the concept of waste, the types of waste and the correct way of waste management, which can later be applied to daily life.

To find out the level of students' understanding of waste, the researcher gave questionnaires to class XI students in the Department of Mathematics and Natural Sciences (MIA) at Sma Negeri 11 Kerinci. Based on the questionnaires distributed obtained by the results of the questionnaire, 70% of students do not understand the impact and environmental changes on waste, 68% of students find it difficult to learn material about the concept of waste. 75% of students also do not know how to process waste properly and correctly. In basic competencies 3.10 students must be able to analyze data on environmental changes, and causes, and the impact of these changes on life.

Then the researchers also made direct observations to the 11 Kerinci State High School school, obtained data that around the school environment, garbage such as food waste, plastic is still widely available around the environment. Around the canteen there are still many garbage, sometimes after eating samaph that the plastic used is not thrown in the trash. This can lead to problems that are school environment, hence the need for proper processing in addressing these problems. Students must be able to solve environmental problems by creating waste recycling product designs and environmental preservation efforts.

In order to overcome these problems, it is necessary for Biology learning modules that are expected to provide ideas or foster a made attitude, one of which is an ecopreneur-based module. Ecopreneaur-based modules can benefit students to solve environmental problems and environmental conservation efforts. According to Murniningtyas (2014: 102) ecopreneur activities are entrepreneurs who care about environmental issues or environmental sustainability. The attitude of ecopreneurs can change the mindset of people to care more about the environment and process it into an entrepreneur (Mcewew, 2013: 264).

The focus of ecopreneurs is on greening and solving problems in society caused by the environment (Ivanko and Kivirist, 2008). Ecopreneurs are businesses that not only care about business profits, but also pay more attention to the underlying green values (Kirkwood and Walton, 2010). Pastakia (1998) explains with ecopreneurs people who show concern for the environment through awareness and consistency in environmental friendliness. With ecopreneur students can improve the ability to think creatively and innovatively by entrepreneurship that cares about environmental issues or environmental sustainability.

II. METHOD

The development model used in this research is the ADDIE model which consists of analysis, design, development, implementation and evaluations. Product trials consist of teachers and students. The instruments used in collecting data in this study are validity test questionnaires, teacher practicality questionnaires, student practicality questionnaires and learning outcome tests.

III. RESULTS AND DISCUSSION

1. Validity

After the module design stage is completed and discussed with the supervisor. Furthermore, the ecopreneur-based Biology learning module is validated by experts and education practitioners in accordance with its field of study consisting of 3 expert validators.

Validation results and improvement suggestions provided by validators are used to revise modules. Based on these suggestions the module was revised and re-discussed with the validator. From the results of the discussion, the validator agreed that the ecopreneur-based Biology learning module could be tested on students of class XI MIA SMA Negeri 11 Kerinci. Validation results consist of expert validation of media, language and material.

There are 3 (three) aspects observed in media expert validation, namely module validity, module cover design and module content design. Validation results from three aspects can be seen in Table 1.

Table 1. Validation value from media experts

No.	Aspects	Value (%)
1.	Validity of graphicness	80
2.	Module cover design	80
3.	Module fill design	80
Average of all aspects		80
Criterion		Very Valid

Based on Table 1, it can be known that there is 80% validation of the validity of the graph, the cover design of the module is 80% and the design of the contents of the module is 80%. The average of all aspects is 80% with valid categories.

Ecopreneur-Based Biology Learning Module Development For Class XI Students SMA Negeri 11 Kerinci

There are 5 (five) aspects observed in linguist validation, namely straightforward, communicative, dialogical and interactive, conformity with the development of learners and conformity to language rules. Validation results from five aspects can be seen in table 2 below.

Table 2. Validation value from linguists

No.	Aspects	Value (%)
1.	Businesslike	93,3
2.	Communicative	100
3.	Dialogical and Interactive	100
4.	Conformity with the development of learners	80
5.	Conformity with the rules of language	100
Average of all aspects		93,3
Criterion		Very Valid

Based on Table 2, it can be known that the validation of straightforward aspects is 93.3%, communicative 1005, dialogical and Interactive 100%, conformity with the development of learners 80%, and Conformity with the 100% language rule. The average of all aspects is 93.3% with a very valid category.

There are 3 (three) aspects observed in material expert validation, namely the validity of content, the validity of presentation and ecopreneur. Validation results from three aspects can be seen in Table 3.

Table 3. Validation value from material expert

No.	Aspects	Value (%)
1.	Validity of content	93,3
2.	Validity of presentation	91,4
3.	*Ecopreneur*	90
Average of all aspects		92
Criterion		Very Valid

Based on Table 3, it can be known the validation value of material experts consisting of the validity of the contents of 93.3%, the validity of the presentation of 91.4% and the ecopreneur of 90%. The average of all aspects is 92% with very valid categories.

Validation of modules aims to see the validity of modules ranging from cover design, content design, content validity, presentation, ecopreneur and grammar in the module. Validation is carried out by three validators consisting of expert media, language and material expert validators.

Media expert validation scored 95.3% with a very valid category. Furthermore, the material expert got a score of 92.5% with a very valid category and the validation of the linguist got a score of 89% with a very valid category. With the validation results, the ecopreneur-based Biology learning module can be tested on students of class XI MIA SMA Negeri 11 Kerinci.

The modules developed are in accordance with the graphing, the cover design and the fill design also display the shape, font size, space (space), attractiveness and consistency that is compatible. Modules should also pay attention to module quality elements which include format, attractiveness, shape, font size, space (space) and consistency (Daryanto, 2013:13).

The ecopreneur-based Biology learning module developed is also in accordance with the characteristics of students, where according to Haryanto (2011: 87) explained that in adolescence 12-21, students already have independence, responsibility, intellectual skills and concepts to help students in learning.

According to Richey et al, (2011: 3) module design should meet the components of learning design which include:
a. Student characteristics
b. Adjusting the material to the circumstances or needs of students
c. Learning strategies
d. Media and how it is used
e. Designer and design process

Ecopreneur-based Biology learning modules have fulfilled all five components where in the module there are media, learning strategies, materials that are dreamed, matching designs and characteristic arrangements for students.

Based on expert validation of product materials conducted by material experts, it was obtained that the materials in the ecopreneur-based Biology learning modules already met the criteria and in accordance with the needs of students. The criteria and needs of the student in question are materials that are in accordance with the expected learning competencies of class XI.

The modules developed have associated the content of the material with the curriculum used in biology learning, in the modules also contain activities that students must do so as to cause student interaction with teachers, or with students themselves. The language used in the module is also simple and easy to understand.

Modules also feature assignments that encourage students to display skills in the classroom and outside the classroom. This is in accordance with tomlinson's opinion (2007: 109) explaining 6 principles in designing learning materials, namely: (1) The material must be clearly related to the curriculum used, (2) the Material must be authentic in terms of text and assignment. (3) The material must stimulate interaction. (4) The material should allow students to focus more on the formal aspects of the language. (5) The material should encourage students to develop skills in learning. (6) Materials should encourage students to develop skills outside the classroom.

2. Practicality

To see the practicality of ecopreneur-based modules, a trial was conducted at SMA Negeri 11 Kerinci. Practicality involves teachers and students.

Judging from the practicality of the modules by the teacher towards the modules developed obtained an overall average score of 90% with a very practical category. While the results of practicality by students obtained an overall score of 92.8% with a very practical category.

The modules developed are very practical, the images displayed in the module are also clear and use simple language that is easy to understand and has a more efficient time. Modules are also presented according to the circumstances or life of the student. According to Suprijono (2009: 80) explained that learning conducted contextually can help students understand the meaning of learning materials with their own life context in the social and cultural environment of society.

The modules presented contain images and examples that are easy for students to understand so that students find it helpful in understanding Biologu materials, the module also displays ecopreneurs who can increase creativity and innovation from students by utilizing waste or the student environment so as to produce something of economic value.

Students are interested in using ecopreneur-based Biology learning modules in Biology. The modules presented on the cover of the image, the shape and size are compatible. The content of the module can stimulate student interest because it displays interesting illustrations, the use of letters, slashes and matching colors. This is in line with the opinion of Daryanto (2013: 14) who explains that the learning module must be able to play its function and role in effective learning, namely the attractiveness of the module itself.

3. Module effectiveness

Learning outcomes are abilities that students have after they experience their learning practice. This learning experience is in the form of effective learning activities and can realize diverse learning goals or outcomes. The purpose of the assessment of learning outcomes is to measure how far the success rate of the learning process has been implemented. The learning outcome test is used to determine the effectiveness of the learning process using ecopreneur-based Biology learning modules.

The test results of students in the Biology subject experiment class were 79.5% with a very effective category while in the control class got a score of 71.5% with the effective category. In the module is packed with training questions, answer keys along with answer evaluation so as to help students in venting their learning achievements. According to Riyanto (2009), a person can be said to learn if he can do something by means of exercises so that the person concerned becomes changed. In line with the results of Wahyuningsih research (2011) the use of teaching materials in learning can improve student learning outcomes.

CONCLUSIONS

Based on data analysis and discussion, it can be concluded as follows. The ecopreneur-based Biology learning module for class XI students consists of 5 stages including analysis (analyze), design (design), development (develop), implementation (implementation), and assessment (evaluate). . Ecopreneur-based Biology learning modules for class XI students validated by media experts give the final score (percentage) with a score of 80% with a valid category. Furthermore, the material expert gave a score of 92% with a very valid category and the linguist validation gave a score of 93.3% with a very valid category. The results of the practicality of modules by teachers towards ecopreneur-based Biology learning modules for class XI students obtained an overall average score of 90% with a very practical category. While the results of practicality by students obtained an overall score of 92.8% with a very practical category. The ecopreneur-based Biology learning modules of class XI students reviewed from the learning results scored 79.5% with a very effective category.

REFERENCES

1) Chomsin S, Widodo, dan Jasmadi. 2008. *Panduan Menyusun Bahan Ajar.* Jakarta: Gramedia.
2) Daryanto. 2013. *Menyusun Modul (Bahan Ajar untuk Persiapan Guru dalam mengajar)*. Yogyakarta: Gava Media
3) Ivanko and Kivirist. 2008. *ECOpreneuring: putting purpose and the planet before profits*. New Society Publisher

4) Kirkwood and Walton. 2010. What motivates ecopreneurs to start businesses? *International Journal of Entrepreneurial Behaviour & Research*, Vol. 16 No. 3, pp. 204-228

5) Mcewen, Thaddeus. 2013. Ecopreneur as a Solution to Environmental Problems. *International Journal of Academic Research in Business and Social Sciences.* 3(5): 264-280.

6) Murniningtyas, Endah. 2014. *Prakarsa Strategi Pengembangan Konsep Green Economy*. Jakarta: DEPUTI Sumber Daya Alam dan Lingkungan

7) Pastakia, Astad.1998. Grassroots ecopreneurs: change agents for a sustainable society. *Journal of Organizational Change Management*, Vol. 11 No. 2, pp. 157 – 173

8) Riyanto, Yatim. 2012. *Paradigma Baru Pembelajaran: Sebagai Referensi Bagi Pendidikan Dalam Implementasi Pembelajaran Yang Efektif Dan Berkualitas.*Jakarta: Kencana.

9) Sudijono, Anas. 2005. *Pengantar Statistik Pendidikan*. Jakarta: RajaGrafindo Persada.

10) Sudjana, N. 2005. *Penilaian Hasil Proses Belajar Mengajar*. Remaja Rosda Karya: Bandung.

11) Suprijono, A. 2009. Cooperative Learning: Teori dan Aplikasi PAIKEM. Yogyakarta: Pustaka Belajar.

12) Tomlinson, B. 2007. *Developing Material For Language Teaching*. Lonodon: Gromwell Press.

13) Trianto. 2009. *Model Pembelajaran Terpadu: Konsep, Strategi dan Implementasinya dalam KTSP*. Jakarta: Bumi Aksara.urnal of Teacher Education. 36(1). 36-49.

14) Wahyuningsih, A. N. 2011. Pengembangan Media Komik Bergambar Materi Sistem Saraf Untuk Pembelajaran yang Menggunakan Strategi PQ4R. *Jurnal PP.*
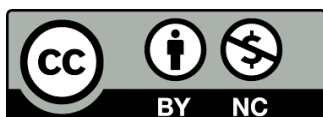
Effectiveness of the Recognition and Enforcement of the OHADA`S Arbitral Award

JUVELIN Rezara

PhD candidate, School of International Law of Southwest University of political science and Law, China

ABSTRACT: OHADA is amongst an international organization consists of arbitral tribunal within regions in Africa to deal with international disputes on investment and commercial related. Henceforth, the purpose of the study examines the effectivity of arbitral awards enforcement under the perspectives of OHADA arbitration rules. The study axed through qualitative approach by interpreting legal rules, analyzing cases and commenting the weakness of the charter in terms of enforcement and recognition of arbitral awards. The decision of OHADA arbitral tribunal shall contain intrinsically legal effect to country members, however it leads problematics as the enforcement and recognition rules may be different in every country involved. Hence, the study interpreted the legal rules concerning enforcement and recognition of arbitral awards, effectiveness of the rules. In addition it exerted also the challenges and significant recommendation for improving the arbitration rules on enforcement of arbitral awards. It is found the weakness of the arbitral awards locates on refusal of concerned State to enforce the awards under the domestic law for undefinable conflict of interest.

KEYWORDS: Enforcement, Arbitral award, OHADA, res judicata and exequatur

1   INTRODUCTION

Arbitration mechanism has been an effective alternative dispute settlement mechanism on investment or commercial matters, whereby formed through the compromise of disputing parties and submit the dispute to arbitrators chosen by the parties or arranged by the arbitration institution. Historical the Geneva protocol in 1923 was a first international convention which contributed to international arbitration among country members,[1] and mostly important the enforcement of arbitral awards as legally binding among country members.[2] This protocol was amended in 1927 which is almost considered as superseded by the New York Convention.[3] As the arbitration deemed as very efficient, impartial and reliable alternative commercial dispute settlement mechanism, many international,[4] regional arbitration institutions were born,[5] and even in commercial and investment domestic disputes bias on arbitration as the investors perceive it more flexible.

Indeed, arbitration mechanism is different from the court [6]as it is constituted by the arbitrators chosen initiatively by the parties in disputes or appointed by the organization on behalf of the disputing parties. The arbitration is maybe formed by the one arbitrator, three or more in comply with arbitration institution rules chosen by the disputing parties, nevertheless the arbitral awards constitutes legal effect to parties. This is the reason why this research examines the enforcement of arbitral awards in the perspectives of OHADA arbitration rules. The Arbitral award is defined by the New Yok convention of enforcement arbitral award as decision from

---

[1] See, Serhat Eskyoruk, "harmonization on the performance of international Arbitral Awards." Ankara Bar Review, Vol.3, no.2, July 2010, p.61-74.

[2] See, Ibid

[3] See, Ibid

[4] By the influence of the Geneva Convention, the New York convention, Washington convention and other international were established in order to settle occurred disputes through arbitration mechanism by willingness of disputing parties. Recently the increase of business environment through investment and commerce, and especially the implication of private persons and private companies made the trend of regional countries to establishing an ad hoc institution to facilitate settlement of disputes between them.

[5] After the international conventions on arbitration, many regions in every continent have established a regional arbitration institution in order to facilitate dispute settlement mechanism among them, such in America, EU, Asia and Africa. The law and institution on commercial and investment arbitration is aimed at facilitating the matters occurred between contracting persons, and in addition to attract foreign investment as the more there is reliable alternative disputes settlement institutions, the more the private persons are attracting to invest because their rights are guaranteed by the existing institutions, the risk of losses is low during operation of business to foreign countries.

[6] State national or international court with permanent judges, rather than arbitration

arbitral tribunal, "it shall not include only awards made by arbitrators appointed for each case but also those made by permanent arbitral bodies to which the parties have submitted" whereas OHADA defined. in its article 1 "The OHADA treaty[7] is generally a regional commercial arbitration institutions in West and Central Africa initiative to harmonize business law which is target at finding alternative institutions to lack of economic growth in sub-Saharan Africa[8], the institution is targeted at facilitating and promoting both domestic and foreign investment in the signatory states through setting aside of Uniform act[9] and common court of justice and arbitration law.[10] Except OHADA there are also many regional institutions in Africa handling investment and commercial issues among country members, but to in this excerpt of research, the enforcement of OHADA arbitral award is the main focused.

In the perspectives of OHADA, the decision of the court has its powers in its signatory States, every country has commitment to respect and enforce the deliberation rendered by the arbitral tribunal.[11] Consequently, whichever a country involved in OHADA has rights and commitment on enforcement and recognition of arbitral award deliberated by the arbitrators. The OHADA institution is constituted by the Council of Ministers, Secretary General and judges. The decision in the arbitration tribunal is taken through the deliberation from permanent body or appointed arbitrators.[12] And it binds immediately the disputing parties or if one of them refuses to be bond, the one party shall apply the exequatur to CCJA. Nonetheless the decision can be also annulated by regardless of prerequisite requirement for constitution of the tribunal, irregularity, public policy or immunity of State.

Consequently, this research demands to evoke the mechanism of enforcing the arbitral award under OHADA treaty, the enforcement of decision is accordingly applied in direct way by volunteer of disputing parties. By all means the enforcement can be easily applied while the parties accept to be abiding by the deliberation. In the event of one party does not accept directly the arbitral awards, the party can apply the exequatur in order to deal with enforcement of arbitral award rendered by the arbitral tribunal to national court. In other hand, the effectivity of enforcing arbitral wards constitutes an important part of this research in which the power of decision and features of the arbitral award are evoked. Meanwhile the deliberation from OHADA arbitral tribunal is not subject of recourse, because it is deemed as final instance of dispute settlement, and once decision is rendered, it contains legal effect to parties. However, the award is susceptible of recourse for refusal whether it is against the regularity determined by CCJA rules,[13] and last not least, this study examines further the challenges of OHADA arbitral award.

2   METHODS

This study is a sort of qualitative research; the main points are focused on analysis of the legal rules stipulated in the OHADA which are the Uniform act rules and CCJA arbitration rules. These rules comprise all the procedure relating to dispute settlement before OHADA arbitration. The problematic of this research lay down on the analysis of cases, the effectivity of the arbitral award remains challenging commitment of states parties, every country members have different perspectives on the legality of arbitral awards, because the enforcement requirement legal compliance with national law of States members. Hereinafter the study described the common rules under the OHADA, interpreted scrupulously its applicability to country members. In other words, the study pointed out comparatively the fulfilment of commitment in enforcing arbitral award in the OHADA, and fulfillment of commitment under New York convention on enforcement of arbitral wards because most of OHADA countries are signatory of convention. Through those afore-said methods the research found the extent of the challenges in the OHADA, therefore it incites recommendation for reforms that ought to adjust existing arbitration rules of OHADA.

3   DISCUSSION
1.   Procedures of enforcing arbitral award under OHADA treaty
   1.1. Disputing Parties` consents

---

[7] See,hhttps://www.international-arbitration-attorney.com/wp-content/uploads/arbitrationlaw2001018482.pf

[8] 17 countries have signed and ratified the OHADA treaty in Africa; most of members are French colonies countries. In appearance the structures of OHADA is typically drawn from French legal system law especially the legal structures from French civil law. The country members are Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Comoros, cote d`voire, Democratic republic of Congo, Equatorial Guinea, Gabon, Guinea, Guinea-Bissau, Mali, Niger, Republic of the Congo, Senegal and Togo.

[9] OHADA was established in 1993 and its acts were drafted in 1999 which includes several validated acts as stated in article 2 in the OHADA amended treaty on the harmonization of business law in Africa: General commercial Law, Commercial companies Law and Economic interest Groups, secured transactions Law, debt resolution law, insolvency law, arbitration law, harmonization of corporate Accounting, contracts for the carriage of Goods, cooperative companies law etc.

[10] Legal framework added Uniform act, governs the proceeding towards arbitration mechanism of OHADA in which the arrangement of settlement dispute, designation, formality of awards and other important perquisite of arbitration are set out. In addition the OHADA text was created in 1999 and revised in 2016.

[11] Stated in UAA and CCJA law, available at http://arbitrationblog.kluwerarbitration.com/2018/03/30/new-ohada-arbitration-text-enters-into-force/

[12] In the event of disputes occur among country members, and a country where the seat of the UAA is intended to apply to any arbitration where the seat of the tribunal is in one of the State Parties.

[13] See article 29 of CCJA

Effectiveness of the Recognition and Enforcement of the OHADA`S Arbitral Award

In settlement of international commercial disputes before CCJA, the consent of disputing parties plays paramount condition for constituting the arbitral tribunal, while the parties[14] are willing to resolve dispute before the OHADA arbitral tribunal, they have to agree each other at first and inform the Secretary General upon.[15] By all means, the constitution of arbitral tribunal is generating from willingness of the parties in accordance with the rules of arbitration, as result the arbitration is dependent to parties, once they agreed to recourse through; they have to respect the conditions set aside and the arbitral awards, shall accept the conduct of arbitral proceedings such as an obligation of speed, loyalty and also refrain any assumption from dilatory tactics. Normally the disputing parties while processing to Arbitration they are under the effect of deliberation rendered. Expressly, the consent of the parties for enforcement regular and legal arbitral shall be formed at beginning of the request for arbitration tribunal, as a result parties shall not fail to appear at the hearing on produce reliable burden of proof, the tribunal may continue the proceedings and decide on the basis of the evidence at its dispositions,[16] yet the rules provide flexible way for the disputing parties, there is no disposition of agreement compel any party to consent the binding of the decision rendered, even though the when it is deemed regular, it effects the party directly or through enforcement to national court. The disputing party can consent the award by themselves without any pressure from CCJA or national court.[17] In practice to international arbitration,[18] the consent of the disputing parties is facilitating the procedures since its beginning and especially upon the award is rendered, because every procedures after deliberation of arbitral award are done while the parties voluntarily accept the decision whatever it is if seen regular.

   1.2. Process of Exequatur

In the principle of international arbitration law, exequatur is defined as enforcement of foreign jurisdiction decision by the national court. The court of contracting state, when seized of an action in a matter in respect of which the parties have made an agreement, shall at the request of the parties, refer to the parties to arbitration, unless it perceives the said agreement is null and void. In international rules on exequatur, it is not easy to enforce decision from another country or international or regional jurisdiction in national state of losing party since the decision has to be conformed with the public policy, in addition the enforcement of the award still face challenges by the fact that State members of OHADA have luck of uniformity of procedures specifically in the OHADA rules in Exequatur do not enshrine the uniform exequatur to all Member state so that procedure will be similar and easy to comply with.[19] And furtherly, it is also difficult to deal with designation of competent Judge because some members of OHADA have not designated any competent Judge to deal with exequatur. To enforce the arbitral award, the competent Judge` States hall issue an order of exequatur, convert the arbitration deliberation into an order enforceable in the state of disputing countries. In absence of volunteer of party to agree each other on the award, they shall request to CCJA for order granting enforcement of the awards to national court of losing party. The order is timely limited, so the national court has to examine the enforcement of the award once the order for an exequatur is stated by. Indeed, every international arbitration institution has its own rule on the exequatur time-limit, such OHADA, the competent state courts are imposed within strict time-limits on recognition and enforcement of the awards. Namely, the competent State court shall rule on request for recognition within period that may not be beyond fifteen days from its referral,[20] however, it is practically challenging to reach sometimes the said time limit since even some member countries have not set out in their national law the time limit for enforcement of arbitral award.[21]

In comparing to other international or regional arbitration rules, this period is deemed short as some other rules state in several months.[22] If the National court of party fails to handle its decision for enforcing or rejecting the arbitral award within the time-limit afore-said, the award will be deemed to be recognized by, assumption which is more radical remedies.[23] However, in processing to revised rules, CCJA shall rule on a request for enforcement within 15 days,[24] and for the decision on provisional or protective measures in the context of proceeding shall be taken in only 3 days.[25] Furtherly, competent courts shall rule on annulment requests

---

[14] The parties in arbitral tribunal shall not restrain to disputing parties, the revised OHADA rules on arbitration set out voluntary intervention of third party for its interest involved in the dispute. In addition even non-voluntary intervention is admissible although the rules of arbitration do not define it if is necessary for constitution of arbitral tribunal.

[15] See, article 5 of UAA, any party wishing to have recourse to the arbitration shall submit his request to S-G for arbitration of the court in respective of terms and conditions laid down in the rules.

[16] See Section 14 of UAA.

[17] See, article 20 of CCJA rules

[18] See, Peine Lalive 'EnforcingAwards, International Arbitration, 60 Years of ICC Arbitration A Look att Futue' 9CC publishing, Paris, 1984) p, 11

[19] The reason might be, every country has different internal rules and public policy, therefore the OHADA has to respect this underlined in order to avoid infringement of arbitration jurisdiction to state immunity.

[20] See, article 31 of the arbitration Act.

[21] Example the case Cameroon, there is no time limit for application of enforcement in National competent judicial organization

[22] See, as examples ICSID and UNCTRAL rules.

[23] See, Ibid [n17]

[24] See, article 30.2 of the CCJA rules.

[25] See, Ibid

---

within three months of the date of receipt of the application,[26] but if this time limit is not reached, the challenge of the award might be brought before the CCJA, which, in addition, is calculated to render its decision within six months.[27] Nevertheless, a six month time limit will most likely be a challenge for the CCJA, which has tended in the past to take one or two years to render its decisions, and in addition because of lack sanction for the CCJA`s failure to meet six-month time limit, it is likely inclined to ineffectiveness of practicing the arbitration rules.

Comparatively, since almost all states in OHADA are signatory of New York convention on recognition and enforcement of arbitral awards, they are also bond by this convention. While international conventions, particularly the New York Convention of 1958, aims to make uniform the recognition and enforcement of international arbitration awards, it seems that there are still gaps left for national laws. Apart from the various applications of the New York Convention rules and the grounds for refusal of arbitration awards, there are different applications on enforcement procedures. Article 3 of the Convention states: "Each Contracting State shall recognize arbitral awards as binding and enforce them in accordance with the rules of procedure of the territory where the award is relied upon." Therefore, the procedure of recognition and enforcement in a forum state will be under the procedural rules of that state. There are detailed forms of procedures for the recognition and enforcement of arbitral awards which may vary from country to country. Some of the countries adopt the New York Convention directly; some of them require additional procedural steps. It is argued that one of the main shortcomings of the New York Convention is "the obvious lack of an efficient, universal enforcement procedure. Therefore, the parties of the arbitration should cautiously consider the forum country and international conventions. There are solutions offered to the referred lack of harmonization on the enforcement of arbitration awards. It has been argued that there can be a model law on implementing the New York Convention relating to the enforcement procedure of an arbitral award 96 or a supplementary convention to the New York Convention or a fresh convention. It should be noted that a new convention for the recognition and enforcement of international awards or a supplementary convention will need to be signed and ratified by the countries, which might be problematic in practice.[28]

2. Insusceptibility of recourse

The specificity of OHADA arbitral award is that the CCJA`s decision considered as final, there is no possible recourse to highest instance for an opposition of award. But for the case of dispute settled from good office, conciliation or mediation before the OHADA, in this event, after failing through, the disputing parties could apply Arbitration judgement, meanwhile the arbitration in this case is considered as court of appeal, However in the event that disputing parties directly apply for arbitration, the possibility for appeal is limited except for the case of refusal of the award set aside thereafter. According to rules governing arbitration mechanism in the OHADA, the arbitral award from CCJA is final; it is no possibility for recourse to highest level, by means the award is immediately applied to disputing parties when its regularity is ascertained. But remedies for irregularity of procedures are granted by the said rules by demand of applicant, implicated that reexamination of the dispute is susceptible second times to the CCJA with legal acceptable burden of proof provided by the applicant.

3. Annulation of arbitral awards

3.1. Legal reasons for refusal of the award.

In principal of international arbitration law, the award shall be implemented without any delay, nevertheless when National court deems it null and void; it may be refused at the request of the losing party against whom it is invoked, only if that party furnishes to the competent authority where the recognition and enforcement is sought. In the rules of OHADA arbitration law, the refusal may be targeted by one of disputing parties, may be from the national court of losing party and may be also by third party to whom its interest is hindered by the award rendered by the court by enforcement of award. Therefore, these persons have rights to refuse the enforcement of the award through different groups of grounds by which the enforcement and recognition of the award may be revoked. The first reason is procedural grounds, and is related to the right of the losing party to a fair arbitration. The second is burden of proof is on the party who claims procedural irregularity. And third might be drawn from State immunity. As a result, the CCJA rules set aside the requirement of proof of the grounds for refusal from the party who opposes the enforcement under the arbitration rules in OHADA.

Expressly the State court may decide not to enforce an arbitral award in exceptional event which the deliberated award is rather defective to State or in its irregularity, therefore it is possible for refusal while it figures some incapacity, invalid under the law of national state of subject party; the party against whom the award is invoked was not given proper notice of the appointment of the arbitrator or of the arbitration proceedings or was otherwise unable to present his case meanwhile the lack of contradictory rights in front the CCJA; the award deals with a difference not contemplated by or not falling within the terms of the submission to arbitration,

---

[26] See article art 27 of the Arbitration Act, this time limit is newly adopted in the revised act of OHADA so that the procedure of enforcement of arbitral award would be quick into national court of party. It also looks very ambitious in comparing to other such Paris Court appeal take on average 12-18 months.

[27] See, art 27 of arbitration act.

[28] See, [n1]

or it contains decisions on matters beyond the scope of the submission to arbitration; the composition of the arbitral authority or the arbitral procedure was not in accordance with the agreement of the parties or the agreement is not in accordance with the law of country; the award has not yet become binding of the parties, or has been set aside or suspended by a competent authority of the country under the law of which the award was made.

In further the award also may be refused in the competent authority in the country of where recognition and enforcement is sought finds the subject matter of the difference is not capable of settlement by arbitration under the law of the country; or the recognition of the award is contrary to public policy[29] of the alleged State. When reason for refusal is about the irregularity of procedures, reexamination of dispute can be requested before the CCJA, however when it is contrary to law of the country or the public policy, the national court can handle the refusal of the award, therefore the refusal of awards for unconformity with law of country and public policy may not be similar because country members or country involved in arbitration tribunal before OHADA may have different legal system and policy. Talking only about OHADA country, some are common law and some are civil law system, consequently the system might be different. More detailed, the reasons for refusing the award might be vast; it is still challenges for strict enforcement the arbitral award issued by the CCJA.

As matter of fact, there is no legal basis for refusal based on state immunity, but the issue occurs occasionally on enforcement of international arbitration as CCJA. The immunity may be stated through jurisdiction power means the claimant may object the national court to access to arbitral tribunal, but the CCJA rules allow freely the claimant to access to arbitral jurisdiction by written agreement. In other hand, Immunity from execution of the award when defendant is State agency who is not willing to abide by voluntarily, however the New York convention mentioned that each contracting state has to accept and execute the enforcement of the award, meanwhile whichever the defendant is, the award always has an effect to be enforced.

4. Effectivity of implementation of arbitral awards

4.1. Legal binding decision

The tribunal arbitral is amongst a method of disputes resolution constituting legal binding; the aim of arbitration is to provide a final and binding award for the parties in dispute. Once the arbitral award is deliberated, the parties are at once bond, and as the arbitration process has term, therefore any delay for enforcement of the decision are figured out. The rules of procedure are typically drawn from the influence of New York convention and International commercial arbitration.[30] Accordingly, each contracting State shall recognize an agreement in writing under which the parties undertake to submit to may arise between them in respect of a defined legal relationship, whether contractual or not, concerning a subject matter capable of settlement arbitration.[31] However, not every arbitration institution deal with the enforcement of arbitral award, some only grant that decision rendered shall be implemented without any undue delay.[32] Indeed any arbitration body does guarantee that disputing parties will carry out the legal effect of arbitral award, yet if a party does not respect it voluntarily, the court assistance may be requested in order to covert the arbitral award into a judgment.[33] Consequently as OHADA is a regional arbitral tribunal, it has its rules drafted in Uniform Act of Arbitration law and Common Court of Justice and Arbitration law. Accordingly, upon adoption, all AHODA rules are automatically applicable to all members included arbitral award rendered. In the arbitration before OHADA, CCJA handles the ad hoc and charges the arbitration under its auspices in complies with its rules of Arbitration.[34] The arbitral award shall be in following with the requirement asserted by the rules of procedures so that it fulfills the requisite to have legal effect to disputing parties, any regardless of the procedures may affect the enforcement it to disputing parties.[35] For an arbitral tribunal constituted by more than 03 arbitrators, decision is rendered by the majority of them; in the event of absent majority the president of arbitral tribunal alone takes the decision. In the case of minority of arbitrators refuse to sign the arbitral, the majority can sign and the refusal of the minority to sign does not affect the validity of awards.[36] While the award is deliberated, it has force and made pursuant to the provisions of the said rules shall have

---

[29] The violation of public policy has long been a ground for refusing recognition or enforcement of awards. The concept of public policy may differ from state to state and from time to time, reflecting the changing values of society. For instance, public policy is defined as essential to the moral, political or economic. The public policy exception to enforcement is an acknowledgement of the right of the court's ultimate control over the arbitral process. There is conflict between national interests and the finality of foreign awards.

[30] See, arbitration rules in New York convention, see also arbitration rules of the United Nations Commissions on International Trade Law (Adopted by the General Assembly on December 15,1976) (UNICTRAL Arbitration Rules), International Chamber of Commerce Arbitration Rules in 1998 (ICC Arbitration Rules)
[31] See, Article II.2 of New York Convention
[32] See, London Court of International Arbitration rules in its article 26.9
[33] See, Serhat Eskyoruk [n1] P.63-64
[34] See, article 11 of CCJA rules
[35] See, article 19 of UAA
[36] See article.22.3 CCJA law

the final force in the territory of each State Party, in the same manner as decisions made by the courts of the State, it may be subject to enforcement in the territory of one any of the States Parties.[37]Stipulated in the UAA that the arbitral shall contains full names of arbitrator(s) who made the award; the date of the award; the seat of arbitral award; the full names or company name of the parties as well as, their residence or registered office; where applicable, full names of counsel or any person who presented or assisted the parties and summary of the respective claims and defenses of the parties, their submissions as well as the stages of proceedings.[38] The form of arbitral award has to contain these afore-mentioned requirements so that it follows the formality and has effect immediately to disputing parties, and once it is rendered, it has force of *res judicata* effect with respect to dispute which it decides.[39] The proof and reasons ascertained the regularity of award shall be set aside so that its legal effect is accepted by the party or national court of the losing party. In other hand, further conditions are required for arbitral award; principle of impartiality has to be respected in arbitral tribunal, the time limit and any others. Almost 20 years of establishment of OHADA arbitration institutions, many international affairs have been submitted, most of disputing affairs were settled under the auspices of CCJA and the parties accepted to be bounded by the arbitral awards.[40] However the court cannot constrain any party to be bound by the decision, the party who does not honor decision may be discourage from its business or some advantages in its international operation among countries in OHADA.[41] Further, for maintaining the legal binding of the arbitral award, the process to join national court is also required in order to guarantee the interest of the party.

5. Challenges of enforcement of OHADA arbitral award in comparing with international arbitral tribunal in country members
There are several investment disputes settlement body in Africa but in this research the most utilized in the country members are cited in this comparison sight, as result to compare the efficiency of OHADA arbitral awards with UNCITRAL and ICSID as they are common use in almost countries around the world, most of country in OHADA have agreed those afore mentioned international institutions in parallel and as alternative disputes settlement body for issues. And further, it is necessary also to point either those institutions are interdependent in its decisions. In terms of rending decision before CCJA despite the arbitration process is so speed, yet the arbitrators appointed by the court are private judges, by consequence the risk on partiality and confidentiality is unexpected.[42] Practically the enforcement of arbitral award face incredibly a difficulty, and despite the time limit is theoretically asserted short, yet it takes time to enforce the award in the national state because State judge may not agree with decision taken by arbitrators, they may even take revenge act to against the arbitrators when the issue comes to state agency, however the concept of tacit exequatur deems to waive this trend.[43]

Furtherly, CCJA judiciary consists of seven judges elected, and the lists of candidates are nominated by OHADA member States. This factor could hamper the arbitration proceedings by the fact that a State disqualifies its judicial representative from the CCJA court, therefore s State judicial presentative may preside over proceedings brought by the State to annul an award rendered against his country.

Even to determine arbitration fees is sometimes engender a conflict of interest in the OHADA arbitration, the international arbitrators perceive that the more the fees is lower, the more they have no incentives to join an arbitration tribunal appointment in the CCJA. However when the arbitration fees are lower, the disputing parties may be incited to bring their case in the OHADA instead.

As follows is an example of challenging award rendered by the CCJA:

"The case of *Getma v Guinea* (19 November 2015) provides an example of all of these concerns playing out. In this case, on the application of the Republic of Guinea (an OHADA Member State) the CCJA annulled a US$42.2 million award against Guinea in favour of Getma (a subsidiary of a French group). The ground for annulment was that the arbitrators had exceeded their mandate by entering a side agreement with the parties to increase the tribunal's fees to US$250,000, exceeding the US$66,000 cap imposed by the CCJA in its supervisory capacity. There have been a number of concerns raised over this decision. It is considered a draconian response and unfairly prejudicial to parties who had spent a significant amount of money conducting the arbitration. In ignoring that Guinea and Getma had agreed to the fee arrangement, it fails to respect party autonomy – a principle on which international arbitration is founded. The cap the CCJA imposed on the arbitrators' fees is viewed as very low. Also of concern is the tribunal's claim that when it was appointed, it had received

---

[37] See Ibid. article 27

[38] See, Ibid. article 20

[39] See, Ibid. article 21, see also article 22.2 of CCJA law

[40] recourse N.003/2008/PC/ du 06 Fevrier 2008, issue between « Banque D`Antlatique de Cote D`Ivoire So-called BACI vs Banque Internationale pour le commerce et l`Industrie de la cote d`Ivoire so-called BICICI » http://biblio.ohada.org/pmb/opac_css/doc_num.php?explnum_id=3772

[41] See Serhat Eskyoruk [n1], the way used to in order to enforce the arbitral awards as it is legal binding in the event of one party refuse to abide by arbitration rules.

[42] https://www.ohada.com/actualite/2413/serious-dangers-of-arbitration-for-the-states-wwwohadacom-makes-its-recommendations.html?langue=en

[43] https://www.dentons.com/en/insights/newsletters/2018/may/31/south-africa-newsletter/south-africa-newsletter-may/enforceability-of-arbitral-awards-within-the-ohada-area

assurances from the CCJA in its supervisory capacity that the tribunal would be able to adjust its fees. Last but not least, Guinea's judicial representative sat on the CCJA panel that heard Guinea's application to set aside the award *against it."* Furtherly, the transparency of the award is further challenges to arbitration rules in CCJA. In the view of international arbitration rules, United Nations conventions on transparency in arbitration[44] deemed as legal tools to assure to the transparency of award in arbitration handling between country members by the fact that the convention binds all signatory states to honor transparency of arbitration proceedings and decisions rendered. Nonetheless not all member states in OHADA have signed the said agreement; only four countries have agreed it[45]`````

4   CONCLUSION

Conclusion, the effectivity of enforcement of OHADA arbitral award is rather reliable by the revised rules of arbitration in 2018. Theoretically, perceived that country members in OHADA seek to standardize the rules of procedures in order to promote a reliable tribunal in settling disputes occurred along the operation of business among country members or country members with other which intend or rely on OHADA arbitration rules as an efficient dispute settlement body.[46] Due to application for arbitration tribunal before the CCJA, the parties willing to apply the arbitration have to agree a written agreement forward to Secretary General for arrangement of proceedings includes appointment of arbitrators.[47] Enforcement of arbitral award depends generally to disputing parties; it may be easier and speed in the event the losing party accept it directly as regular award, adversely, it may takes time or overpass the time limit of enforcement determined by the rules in the event of a losing party refuses to be abide by at once, means the process of exequatur in the national court may takes time by the fact the national court may reexamine the regularity of the award with accord to rules in OHADA and its national rules specifically public policy or its interest as sovereign State. When then award is deemed regular, it has legal effect to disputing parties and consists of final instance for dispute resolution body, nevertheless the OHADA rules granted grounds of refusal of the award which is rendered erratically.[48]

In other hand, enforcement of arbitral award may face challenges in terms of its proceedings itself because of lacking clear process of exequatur and even determinations of some terms such "State competent Judge"[49] to handle enforcement arbitral award. The exequatur may be delayed or dismissed by away of National court may defend its interest especially when state agency is involved in, it is basically trend of every State to defend its interest, it may consider the award as against their public policy in the objective for dismissing its effect over. In the event of losing party refuse to be bond and his national court also does not consider the effect of the award for reason stating the irregularity, the award may not be enforced in spite of the rules set aside the enforcement, because the OHADA arbitration tribunal could not punish directly a party refusing unless the national court does not support it.

In addition, looking at OHADA rules on enforcement of Award, almost its members have signed the New York convention on recognition and enforcement of arbitral award, and some are signatories of United nations in transparency of arbitral award, yet it is still challenging to enforce it because every state involved shall comply with its national law, should consider and abide by the arbitral decision, and the OHADA should set an Uniform rules for an exequatur with country members. When parties chose to settle disputes before CCJA for arbitration, they shall put in mind to be bound by the arbitral award, means it requires altogether with comfort that the local judiciary will actively support or not to interfere with arbitral process or the decision. And last not least, the importance of respecting enforcement of the arbitral awards, it may assure and incentivize foreign investors to invest and contribute to economic development in country members, because it the event a dispute happens, the investors may rely on the OHADA arbitration rules for defending its rights.

---

[44] The convention on transparency was adopted on December 10, 2014 and entered into force on October 18, 2017, it applies to arbitration between Host state and Investor based on agreed treaty.

[45] Benin, Cameroon, Gabon and Congo

[46] China is amongst a country out of the agreement but support its existence by the fact Chinese investors invest more in the territory of OHADA countries, so in the event a dispute happens, the OHADA grants the settlement of disputes in favor of the parties with effective proceeding and affordable fees.

[47] See note above, mechanism of appointing arbitrators in according to AUU rules on arbitration.

[48] See, note above, grounds of refusal of arbitral awards in the OHADA rules, New York convention on enforcement of arbitral awards.

[49] See, CHAZAI+PARTNERS, Independent law firm based in Cameroon "focus on the OHADA reform of arbitration law" analysis on OHADA arbitration rules.

Rigidity of Caste System in India and the History of Religious Conversion: A Step Taken by the Sufferers in Order to Protect Their Self-Honour

Dr. Sarita Sahay

Former Academic Counsellor, Indira Gandhi National Open University,   SIRD, Ranchi - 834005, Jharkhand, India

ABSTRACT: This article tries to explore and analyse the sensibility and rigidity of caste system which is embedded deep into people's psyche in India and has proved to be the stumbling block of social justice and human rights. The article also attempts to review the work of some of the scholars, which shows how opting for another religion gave the sufferers a chance of fair deal and opportunity to live with honour and self respect.

KEY-WORDS: caste system, social justice, human rights, self respect, people's psyche.

INTRODUCTION

In Indian religious tradition, religious conversion has become a routine. In May 27, 2007 about fifty thousand low-caste Hindus and nomadic tribe people converted to Buddhism (Reuters 2007). To change one's religion is to change one's world because religion is just not an idea about supernatural. It constitutes a theory of the world, a way of constructing reality that seems uniquely real to those who experience it (Buckser and Glazier 2003). In this condition one can think that what could prompt an individual to choose new religion and go for an abrupt transformation. In hope of escaping the rigidity of the Hindu caste system and finding a life of dignity many people opts for another religion in India as claimed by those who convert. Though Indian constitution forbids caste discrimination, *Dalits* (low-caste/untouchable) are still often beaten or killed if they worship at a temple reserved for upper caste or if they dare to marry with upper caste girls (Das 1970). While Spectacular economic success and exposure to western culture have remoulded many social paradigms, the caste system has persisted especially in village.

Casteism in India has been equated with apartheid in South Africa, racialism in the U. S. A., ethnicism in Zaire and communalism in almost all the countries of the world, arising out a universal fall of humanity (Pannikar 1955). Besides other problems they pose danger to the security, the basic need for survival, of all men, women, and children in any society.

India is considered to be one of the most stratified of all known societies in human history with its unique and peculiar form of caste system ((Bugle 1958; Gould 1988; Hutton 1961; Leach 1960; Srinivas 1962). The 'unique' elements of the Indian caste system are its complexity, its relation to Hindu religious beliefs and rituals and the degrees to which the castes are cohesive and self-regulating group (Nanda 1987). The Hindu religious belief provides justification for the ordering and ranking of castes—serving to rationalize and stabilize the system (Howard 1986). This system is 'peculiar' in the sense that it is one of the greatest separating forces that have been used to divide human beings, mainly into two categories: 'Higher Castes' and 'Lower Castes'. This simple division is backed by certain religious sanctions, which yield to what social scientists term 'purity' and 'pollution' concepts. The division of the Hindu society into such groups was originally attributed to divine will (Aggarwal 1971; Bugle 1971; Weber 1958). Traditionally the lower castes are prohibited by the threat of supernatural punishment and by force, if necessary, from performing tasks not regarded as befitting to their caste status (Freed and Freed 1972; Gough 1971; Khare 1970; Mahar 1972; Sinha 1967). The religious sanctions made redress of the Indian caste system difficult even though it was challenged throughout the course of history. The intellectual moral as well as religious support that has been given to the caste system relentlessly violates the Universal Declaration of Human Rights (UDHR) 1948.

This caste system can be blamed for the continuation of many discriminative and unequal practices in the Indian society (Mishra 1975; Mishra 1979; Sachchidananda 1977; Vidyarthi and Mishra 1975).

This article tries to further explore and analyse the sensibility (rather, lack of it) and the rigidity of the institution of caste system, which has embedded deep into the people's psyche and has proved to be one of the major obstacles to practice the social justice and human rights. Besides, an attempt has also been made to review the work of some of the scholars, which shows how, as well as, up to what extent, opting for another religion has given the sufferers a fair deal to live with honour and self-respect.

Rigidity of Caste System in India and the History of Religious Conversion: A Step Taken by the Sufferers in Order to Protect Their Self-Honour

INDIA: THE LAND OF CASTES

The castes have been defined as hereditary endogamous groups with fixed traditional occupations, observing commensal prohibitions and social restrictions on interaction. It is believed that there are 3000 castes in the country. These castes are groped as upper castes (Brahmin, Rajput, Baniya, and Kayastha), intermediate castes (Ahir, Sunar, and Kurmi) and lower castes (Dhobi and Nai). There are untouchable castes also (Bhangi and Raigar). These castes are linked with four *Varnas* (Brahmins, Kashtriyas, Vaisyas and Shudras) for determining the status in ritual hierarchy (Ahuja 1993).

In the initial phases of human civilization, all societies were organized on the patterns of equality in the economic, political and social fields (Discochers 1993). The social stratification appears to have emerged recently relatively in human history. This conclusion is based on archaeological evidences and on the fact that a number of other cultural features associated with stratification relatively developed recently (Ember and Ember 1995).

Mantras of the Rig-Veda indicate that health, wealth, prosperity and power were the chief and almost sole factors concerning the Aryans, and to them the religion was a means of acquiring these elements. By the end of the Rig-Veda period, society was divided into four major classes. Religious sanction laid the foundation of this four-fold division which was the looked on as fundamentals. The four classes or *Varnas* consisting of Priest (Brahmins), Warrior (Kashtriyas), Peasants (Vaisya) and Serf (Shudras) which were evolving throughout the period of the Rig-Veda have survived up to the present day (Basham 1967). With the passage of time these *Varnas* got divided as well as transformed into many castes and sub castes. To the present day the life of the lower orders is much more affected by the castes than by the *Varnas*. It is not by being a Vaisya or Shudras, which matters but by being an Ahir, Kayastha or Sunar, it matters. Almost invariably, cooperate feelings are associated with the caste group in all the regions, professions and religions in this country.

It is believed by some authors that during Pushyamitra Sunga's rule (187 B.C.) the Brahmins were given the higher status in the society (Rao 1989; Thaper 1988). Several inhuman and unethical laws were codified against the 'Shudras' and they were treated as untouchables. The term 'Scheduled Caste' was coined by the 'Simon Commission in 1935 which came to be used for the described as untouchables. According to Ambedkar (Ambedkar 1946), in early India, they were known as 'broken men' or 'out castes'. The British described them as 'depressed classes. In 1931 Census, they were classified as 'exterior caste'. Mahatma Gandhi (Gandhi 1954) designated that class as 'Harijans'—the children of God. The educated persons among the untouchable castes did not take to this nomenclature gladly as they thought that singling them out as the children of God merely was an attempt to make their conditions tolerable rather than destroy the system, which bred inequality (RoyBurman 1977). The Hindu scriptures treat them as the 'Chandals', the 'Unclean Castes', and the 'Exterior Castes' (Mishra 1979).

The caste system with its numerous variations of superordination and subordination, rites and rituals, social professions, vices and dogmas still exits in all the regions of India with different degree of rigidity.

CASTE SYSTEM: AN INSTRUMENT FOR PRACTICE OF DISCRIMINATION AND UNEQUALITY IN THE SOCIETY

Although the caste system has been theoretically and judicially abolished by the constitution of India, its significance in the day to day life and its influence on the configuration of power structure in economic, political, social and cultural fields do not stand ruled out. The ancient *'Dharmashastra'* of the 'Hindus imposed a series of social, political, economic and religious restrictions on the lower caste making the untouchables completely dependent for their livelihood on those above them. As a result of which they have lived a life of physical degradation, insults and personal and social humiliation for a very long time. Of late as early part of the 20th century the untouchables had no access to public facilities such as wells, rivers, roads, schools, and market (Galanter 1984). They were compelled to tie an earthen pot around their neck so that their sputum should not fall on the earth and cause pollution to the others, to tie a broom-stick behind them so that their foot prints would be erased before others set their eyes on them (Dangle 1992). All these rigid conditions made the untouchables destitute, deprived and the most depressed section of the human society for ages.

It has been found that most of the controlling positions in economic, administration and cultural pursuits are monopolized by a few castes all over India. In fact, a few castes controlled the destiny of all the people of the country, leading to caste and regional tensions and social unrest. This unrest causes keep alive a bitter competitive struggle among the privileged groups as well as under privileged groups. This has a detrimental effect on the development of healthy national economy (Desai 1959; Meynand 1963; Singh 1993). Today the untouchables are socially frail, economically needy, and politically powerless.

As a chief architect of the Indian constitution Ambedkar worked hard for a new constitutional order based on equality and social justice. Ironically, however his dream has not materialized even after fifty years of the working of constitution. The various kinds of torture perpetrated today on the untouchables are its testimonials (Baisantry 1991).

It is a bitter truth that as a part of its ancient culture, India has also inherited an ignoble and inhuman system of division of society in the name of caste and treats a significant number of people as out castes and untouchables. Even though a smaller section of them has become well to do under government patronage and has moved up economically and professionally, but

Rigidity of Caste System in India and the History of Religious Conversion: A Step Taken by the Sufferers in Order to Protect Their Self-Honour

socially they remained downgraded and unaccepted. When lower castes people endeavour to rise up in the social scale, they are too often brutally crushed by the upper castes people. Their oppressors resort to mob-raids, murder and arson and even rape (Das 2004; Kumar 2000; Louis 2003).

Perpetuation of caste system is, in general, ensured by the upper castes holding self-assumed traditional belief in their superiority on one hand, and positions of power in the society on the other. They derive three main advantages from their position: economic gain, gain in prestige, and sexual gain (Ember and Ember 1995). Therefore these people have no scruples in continuing this system.

Mahatma Gandhi justified caste system for the efficiency of 'allotted' work. In fact, 'efficacy of socially allotted work' has been used as an argument for idealization and justification of the caste system in India. In reality, however, this allotted work is not carried out without some resentment.

The caste system has created inter caste conflicts and had brought rift between the higher and the untouchable castes (Ahuja 1993). In most villages, they continue to suffer residential segregation. Those who have changed their traditional occupation face less status disabilities. In some cases, however, they suffer because of conspicuousness of their hereditary identity (Sachchidananda 1977).

The caste system is one of the important impediments to development efforts. This system also creates factionalism problems (Dube 1988; Madan 1965; Singer 1959; Singh 1977). Any project that apparently, aids people of one caste is opposed by the people of several other castes who are jealous of the position of the beneficiary in the society. They wish to defend their own position at every one else's expense. Like caste factions, the inter-caste factions also act as barrier in social change (Bose 1944; Kapp 1963). Kapp has pointed out that the Hindu culture and the Hindu social organizations are determining factors in India's low rate of development. However, Milton Singer (Singer and Bernardcohn 1968) does not accept this viewpoint that the Hindu culture and caste system have had any dampening effect on India's development.

Dominance of some castes over others, exploitation of lower castes by higher castes, barriers in mobility and achievement of political power, competition for economic opportunities and acquisition of symbols of higher status are the results of practicing caste system (Beteille 1965; Ghurey 1969; Gould 1987; Srinivas 1952). This system also thwarts political unity (Bugle 1971) and is held responsible for low status of women (Ahuja 1993).

Caste system guides and mentally influences the people in entering into certain vocation (Sahay 1993; Sahay 2002) and thereby creates obstacles in the healthy economic development of the society, the age-old impact of caste system can also be gauged from their frequent occurrence in our folk-tales (Sahay 2000). Dependence of all the castes over some other can not be ignored in the performance pf important rituals of life as well as death (Lourdusamy and Sahay 1996).

Low castes in India resist the status accorded to them with its concomitant disabilities and discrimination, and strive for higher accord status and its attendant advantages. Higher castes attempt to prevent such striving. In this conflict of interests lies the explosive potential of all the castes of the society (Berreman 1966).

The report of the National Commission on Scheduled Castes and Scheduled Tribes has been regularly pointing out an increase in the animosity against the scheduled castes. Many scheduled caste and scheduled tribe women become the victims of rape by upper caste men while working for them in fields, factories and houses. The scheduled caste men, on the other hand, are exploited by usurpation of their lands, payment of low wages and as bonded labourers (Report 1979). The increase in the number of crimes against the scheduled castes recorded by the police is also evidence. As regards the atrocities and murder against the scheduled castes, the incidence of Belchi village in Bihar in May 1977 can not be forgotten. Similar cases were reported in Uttar Pradesh, Rajasthan, Bihar, and Madhya Pradesh in between 1978 and 1992. Because of these atrocities, the cases of proselytization of Harijans into Islam and Christianity are also reported from time to time. Such conversion of religion was reported in city Meenakshipuram in Tamil Nadu (India) in February 1981 in which about 1,000 Harijans were converted into Islam (Ahuja 1993).

The caste system equates Indian tradition with Hinduism. Thus the Hinduism in general and the caste system in particular have held down 106.23 million (2001 Census) people at the bottom of the society in indescribable ignorance, dirt and degradation on the ground that they are so foul to be unfit for ordinary human intercourse. According to the orthodox theory, every man born among these people is a soul, which in former lives lived so viciously that this present degradation is the just punishment for his former sin. What sort of national danger this mass of crushed humanity is to India, one can realize readily. These people belong to many different races, and are found in every part of India, sometimes in small, sometimes in large groups. Their poverty is, in most cases, pitiable (Farquhar 1977). Caste system has made the basis of inequality in India both socio-cultural and psychological, and not entirely economical.

Rigidity of Caste System in India and the History of Religious Conversion: A Step Taken by the Sufferers in Order to Protect Their Self-Honour

CASTE SYSTEM AND HUMAN RIGHTS

Human rights are those minimal rights which every individual must have by virtue of being a 'member of human family', irrespective of any other consideration. They are based on man kind's demand for a life which the inherent dignity of the human being will receive respect and consideration (Kang 1995).

We shall see below how practicing of caste system violates some of the article of Human Rights:

Article 1:

All human beings are born free and equal in dignity and human rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Commonly prevalent attitude of inequality and contempt by the upper caste people towards those born in lower castes violates this article.

Article 2:

Every one is entitled to all rights and freedoms set forth in this declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other options, national or social origins, property, birth or other status.

The categorization of status of people by caste, and in turn by birth, which is an integral part of the caste system and which has religious sanctions (from *Manusmriti* and the Bhagvad Gita) violates this article. The conception of hereditary occupation of caste system is exactly the opposite to the idea of open opportunities, free competition, increasing specialization and individual mobility with a dynamic industrial economy.

Article 5

No one shall be subjected to trouble or to cruel, inhuman or degrading treatment or punishment.

'*Dhor Gawar Shudra Pasu Nari Sakal Tadana Ke Adhikari'* prescribed by Tulsidas in the Ram-Charitra Manas' often misguides the action of higher caste people, in violation of this.

Article 13 (1)

Every one has the right to freedom of movement and residence within the borders of each state.

People belonging to scheduled castes who are forced to live in the outskirts of villages are deprived of the right mentioned above.

Article 16 (1)

Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and its dissolution.

Practice of caste system brings about compulsion too of marriage within the caste, thereby denying the above right.

Article 18

Every one has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Caste system ensures ownership and control of places of worship (temples) to be restricted to only the Brahmins. A lower caste Hindu can never become a priest.

Article 23 (1)

Every one has the right to work, to free choice of employment, to just and favourable condition to work and to protection against unemployment.

Caste based system of occupation and its prescription violates this rule.

Article 26 (1)

Every one has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory.

The practice of caste system has resulted in denial of opportunity of education to lower castes.

Openly and clearly, the caste system violates the UDHR. The caste system has erected impregnable walls among the group of human beings.

The caste system is not merely a division of labour but division of labourers. It is a hierarchy in which the division of labourers is graded one above the other. This division of labour is based on neither natural aptitude nor choice of the individual concerned (Ambedkar 1948; Rawat 2005; Singh and Gadkar 2004). It violets the rule that freedom, equality, and fraternity, are the very basis of human rights.

OPTING FOR ANOTHER RELIGION OR SECT: AN ALTERNATIVE STRATEGY

The use of the term 'alternative strategy' implies that when direct strategies of change, without recourse to change of religion or sect, fail in achieving the desired objective of eradication of discriminatory and unequal practices in the society, change of religion or sect offer an alternative. As we find, use of this alternative or opting for another religion or sect has a very old history in this

Rigidity of Caste System in India and the History of Religious Conversion: A Step Taken by the Sufferers in Order to Protect Their Self-Honour

country. In fact, that is in the root of the multitude of sects and sub-sects of the Hindu religion. The different, diverse and conflicting or contradictory system of beliefs, prevalent in the composite Hindu religion and philosophy, as it exists today, bear a testimony to this, often overlooked, fact. Beginning with the Vedic religion and practices, which also gave birth to the four *Varnas* and subsequently numerous castes and sub-castes, the advent of the Jainism, the Buddhism, the Atheism (Charvak philosophy), Bhakti-movement, and more recently, sects of Kabir, Raidas etc. were not academic exercises in the development or evolution of religion. These were vibrant and brave attempts, as well as instruments, of social changes. Every new sect or school of thought, which was founded, made a large population, belonging to then mainstream Hindu religion, opt for a change of religion or sect, with the motivation for this change being, more often than not, some discriminatory or unacceptable practices. That the founder of these religions and sects faced stiff resistance especially from the caretakers of the Hindu religion is well known.

Both the Buddhism and the Jainism (~500BC) offered respite the discrimination and inequality faced by the people of lower caste (Hardon 1968) and therefore attracted 'religious conversion'. These were the early examples of religious conversions in the true sense of term, since they involved certain rites and rituals at the time of entry into this religion, and prescribed conduct for day to day life associated with the different system of belief, as compared to the then Hindu religion. These conversions were opposed more because they set free the oppressed sections of society from the clutches of the caretakers of the then Hindu religion, who could not anymore exploit them. The Buddhism and the Jainism were about equality of all men by birth: a concept, totally unacceptable to Brahmins and other upper caste Hindus.

Annihilation of Buddhism, mass conversion of Buddhists back to Hinduism, and integration of both the Buddhism and the Jainism into the Hindu religion and philosophy, destroyed one of the basic tents of these religions, namely 'equality of men by birth' at the social level and established once again the hierarchy of caste.

The Atheism, independent of the Buddhism and the Jainism also developed separately with several sects and sub-sects in India (Thaper 1988). Headed by the famous materialistic philosopher Charvaka the movement revolted against the slave-system, caste-exploitation and existence of God (Barlov 1984). Ajit Keshkambalin was another important exponent of this sect. These men did not believe in the survival of any soul after death, and most importantly, believed in the 'quality of men by birth'. They offered an 'alternative religion'.

The mass-appeal of the Bhakti-cult developed by Alwars and Nayanars in 600 AD in south India lied in the philosophy which had no consideration for caste or creed and offered a religion which did not distinguish men on the basis of their origin of birth. Again in the medieval period the most of the poets, singers and saints of the Bhakti-cults challenged the *Varna* system. Namdev (1270-1350 A.D.), Chokamela (13th -14th century), Kabir (1398-1498 A.D.), Raidas (a contemporary to Kabir), Tukaram (1608 A. D.), all of them opposed the caste system.

However, with the Buddhism being an exception, the process of proselytization was never on an organized scale. Only some of the so called lower castes willingly embraced another religion, attracted by their democratic structure and fraternal approach.

The spread of the Islam during Muslim rules, and that of the Christianity, hundred of years ago, in one of the Indian states Kerala, the nearby areas, and Goa, are not being included for analysis in this article for lack of details from 'the perspective' which forms the theme of this article. But a note worthy feature of both these religions is 'equality of men by birth'.

In the recent times, we find two important organized efforts of proselytization: the first being those by the Christian missionaries after the arrival of The British in India and the second by Ambedkar, Phule and others. We shall examine these two in some details:

During British rule certain remarkable changes in the lives of all the castes took place. It was during this time that old power and prerogatives were abolished; old occupations and learning were rendered obsolete or marginal; new opportunities for gain and advancement were introduced; power and access to it were distributed. It was on this background that India went through a reform movement (Galanter 1984). The spread of western system of education, the so many inventions of the west, not designed for use in a society divided into watertight compartments, growing national sentiments, and the intensive propaganda of enlightened leaders brought about definite changes in the society.

Against this backdrop whatever success the Christian missionaries have achieved in proselytization should come as a surprise to us. But it does not surprise us especially in the light of the second organized effort that by Ambedkar, Phule and others, undertaken after India became Independent: it just shows that the caste-based discriminatory and unequal practices prevalent in the Hindu society refuse to die.

The Christian missionaries introduced a number of welfare measure among the so far neglected and exploited communities in India (Dhan 1967; Sahay 1976; Sandhawar 1973; Sen 1960) and thus improved their social and economic conditions (Corringe 2005; Sahay 1975; Seenarine 2004). Evangelization was supported by various welfare schemes for the coverts. Opening of schools, dispensaries, hospitals, orphanages, vocational Centres, and other measures for eradicating the miseries and providing material redress went almost side by side (Elvin 1960; O'Malley 1938; Singh 1944; Thomas and Taylor 1965). For the people facing discrimination because of their birth in lower castes of the Hindu religion, and the adoption of the

Rigidity of Caste System in India and the History of Religious Conversion: A Step Taken by the Sufferers in Order to Protect Their Self-Honour

Christianity just meant an option to live with a sense of dignity. They and their posterity were at once free from the shame of being born as scheduled castes or primitive tribes. The economic upliftment was associated with emotional and psychological healing too.

Next we examine the second important organized efforts of religious conversion: those by Ambedkar, Phule, Ramabai, Tarabaishinde who rejected the Hinduism and chose Buddhism for themselves and the oppressed sections of the society which were suffering under the dominance of Brahmanic cult for so many centuries (Kosambi 1992; Shinde 1992). Phule felt the need to establish a religious alternative. He attacked the Hinduism at every point, challenging its legitimacy and questioning its existence. To him the Hinduism is superstition, a bag of tricks, a weapon of domination (Phule 1991). Understanding the evil and pernicious effects of the caste system on the certain section of society Ambedkar said, 'caste is the monster that crosses your path. You can not have political reform; you can not have economy unless you kill this monster'. He also felt that good things of this earth do not fall from heaven. Every progress has its bill to cost and only those who pay for it will have that progress (in 'Ambedkar and Social Justice'). He and thousands of his followers embraced the Buddhism, which he felt was purely scientific and free from caste-discrimination.

The above examples show clearly and elaborately that change of religion has always constituted an alternative strategy for eradication of discriminatory and unequal practices in the Indian society. It may be wrong to believe that change of religion will continue to be an option of respite for those facing discriminatory situations. It is true that the caste stigma is so strong in Indian society that in spite of their adaptation of new identity and desire to become an ideal group, the converts often carry the label of their original caste (Ram 1988). Caste-group exists among Muslims (Basham 1967; Kessing 1958), Christian (Clarke 1998; Samuel 1999; Tharamangalam 1966), Mahar Buddhists (Issac 1965) and Sikhs (Basham 1967).

CONCLUSION

Every human being, given favourable conditions, is capable of developing unlimited powers of intellect and will, and those conditions have not yet been created for those who need them the most. Lower caste communities are extremely heterogeneous groups divided into hundreds of castes and sub-castes. They are spread all over India. Despite the differences in language, religious practices and life-style they share one thing in common: they all suffer from oppression based on caste inequalities. The problems of many discriminating practices in the name of caste are linked to cultural, religious, economic and social aspect. It is a deep and complex problem and mere legal measures can not provide solution. Although the Indian constitution is not based on the laws of Manu and Bhagwad Geeta, and has abolished untouchability (the Untouchability Offences Act passed in 1955 followed by the Protection of Civil Rights (PCR) Act in 1976) the effects of caste discrimination continue. With the upper caste people having all the powers in their hands, the low caste communities are continuing to be subordinated. These communities have opted for other religions as an alternative strategy to overcome their problems in the past, and this may continue in future if the society as a whole does not give up discriminatory and unequal practices in the name of caste.

REFERENCES

1) Aggarwal, P. 1971 Caste, Religion and Power: An Indian Case Study. New Delhi: Shriram Centre For International Relation.
2) Ahuja, Ram 1993 Indian Social System. New Delhi: Rawat Publication.
3) Ambedkar, B. R. 1946 Who Were The Sudras? Bombay: Thacker & Co.
4) — 1948 The Untouchables. New Delhi: Amrit Book & Co.
5) Baisantry, D. K. 1991 Ambedkar; Total Revolution. New Delhi: Segment Book Distributors.
6) Barlov, V. 1984 Indian Philosophy In Modern time. Moscow: Progressive Publishers.
7) Basham, A. L. 1967 The Wonder That Was India. Calcutta: Rupa & Co.
8) Berreman, Gerlad D. 1966 Castes In Cross-culture Perspective. Berkeley: Berkeley.
9) Beteille, Andre 1965 Caste, Class & Power. Berkeley: California Press.
10) Bose, P. N. 1944 History Of Hindu civilization. London: Oxford University Press.
11) Buckser, Andrew, and Stephen D. Glazier 2003 The Anthropology Of Religious Conversion. INC: Rowman & Littlefield Publishers.
12) Bugle, C. 1958 The Essence & the Reality of The Caste System. Contribution To Indian sociology 2(2).
13) — 1971 Essay On Caste System. New York: Cambridge Press.
14) Clarke, S. 1998 Dalits & Christianity. New Delhi: Oxford University Press.
15) Corringe, Hugo 2005 Untouchable Citizens. New Delhi: Sage Publications.
16) Dangle, Arjun 1992 Poisoned Breed. Bombay: Orient Longman.
17) Das, K. C. 2004 Indian Dalits Voices, Visions & Politics. New Delhi: Global Vision Publishing House.

18) Das, M. S. 1970 An Exploratory Study Of Touchable-Untouchable Inter-Caste Marriage In India. Indian Journal Of Sociology 1(2):130 to 138.

19) Desai, A. R. 1959Rural Sociology. Bombay: Vora & Co.

20) Dhan, O. R. 1967 These Are My Tribes Men; The Oraon Of Ranchi Ranchi: Ranchi Press.

21) Discochers, J. 1993 Methods Of social analysis. Bangalore: C. S. Publication.

22) Dube, S. C. 1988 Modernization & Development. New Delhi: Vistaar Publication.

23) Elvin, V. 1960 Nagaland. Shillong: Research Department.

24) Ember, R. C., and M. Ember 1995 Anthropology. New Delhi: Prentice Hall Of India.

25) Farquhar, J. N. 1977 Modern Religious Movements In India. New Delhi: Munshiram Mohanlal Publisher Pvt. Ltd.

26) Freed, S., and R. Freed 1972mSome Attitude Towards Caste in a North Indian Village. Journal Of Social Science 15(2):1-17.

27) Galanter, Mark 1984 Competing Equalities. London: Oxford University Press.

28) Gandhi, M. K. 1954 The Removal Of Untouchability. Ahmedabad: Navjivan Publishing House.

29) Ghurey, G. S. 1969 Caste & Race In India

30) Bombay: Popular Prakashan.

31) Gough, K. 1971 Caste In A Tanjore Village. *In* Aspects Of Caste In India. E. Leach, ed. New York: Cambridge University Press.

32) Gould, Harold 1987 The Hindu Caste System. New Delhi: Chankya Publication.

33) — 1988 Caste Adaptation In Modernizing Indian Society. New Delhi Chankya Publication.

34) Hardon, J.A 1968religion Of The world. New York: Doubleday Image Book.

35) Howard, C. M. 1986 Contemporary Cultural Anthropology. Boston: Little Brown & Company.

36) Hutton, J. H. 1961 Caste In India: Its Nature, Function & Origin. Bombay: Oxford University Press.

37) Issac, H. R. 1965 India's Ex-Untouchable. New York: The John Day Company.

38) Kang, S. S. 1995 Forward Note. *In* Human Rights In India: Implementation & Violation. G.S. Bajwa, ed. New Delhi: Anmol Publication.

39) Kapp, William 1963 Hindu Culture. *In* Economic Development & Economic Planning In India.

40) Kessing, M. F. 1958 Cultural Anthropology: The Science Of custom. New York: Rinehart.

41) Khare, S. 1970 The Changing Brahamins: Association & Elites Among The Kanya-Kubja Of North India. Chicago: University Of Chicago press.

42) Kosambi, Meera 1992 India response To Christianity, Church & Colonialism, Case Of Pandita Ramabai. *In* Economic & Political Weekly, Vol. October.

43) Kumar, Raj 2000 Dalit Culture: A Perspective From Below. Social Action 1(50).

44) Leach, Edmond 1960 Aspects Of Castes In South India, Ceylon & North- West Pakistan. Cambridge: Cambridge University Press.

45) Louis, Prakash 2003 The Political Sociology Of Dalit Assertion. New Delhi

46) Gyan Publishing House.

47) Lourdusamy, S., and Sarita Sahay 1996 The Mythological story Of Gayasura & The Performance Of Sraddha-Yajna In Gaya: Beliefs & Behaviour Patterns Of Hindus. Folklore & Popular Religion 1(1):197-203.

48) Madan, T. N. 1965 Family & Kinship. Bombay Asia Publishing House.

49) Mahar, J. M. 1972 The Untouchable In Contemporary India. Tucson: University Of Arizona Press.

50) Meynand, J. 1963Social Change & Economic Development: UNESCO Publication.

51) Mishra, Nararyan 1975 Some Aspects of Dusadh Of Darbhanga. Indian Journal Of Social Research 28(2).

52) Mishra, Narayan 1979 Studies On The Scheduled Castes In Bihar. *In* Growth & Development Of Anthropology in Bihar. L.P. Vidyarthi, ed. New Delhi: Classical Publication.

53) Nanda, Serena 1987 Cultural Anthropology. California: Wadsworth Publishing Company.

54) O'Malley, L. S. S. 1938 Bihar District Gazetteer. Patna: Govt. Of Bihar.

55) Pannikar, K. M. 1955 Hindu society At Cross Road. Bombay: Asia Publication.

56) Phule, J. 1991 Untouchables. *In* Collected Works Of Mahatma Jotu Rao Phule

57) P.G. Patil, ed. Pp. 39-40. Bombay: Government Of Maharashtra.

58) Ram, Nandu 1988 The Mobile scheduled Castes: The Rise Of New Middle Class. New Delhi: Hindustan Publishing House.

59) Rao, R. S 1989 Caste System In India: Myth & Reality. New Delhi India Publisher.

60) Rawat, G. S. 2005 The Status Of Dalit & Human Right In India. New Delhi: Sumit Enterprises.

61) Report 1979The Community On Untouchability. New Delhi: Department Of social Welfare, Government Of India.

62) Reuters 2007 Indian Low-caste Hindus, Nomads Convert en Masse. Bombay: Monday 28 May, 2007, 11.05 AM

63) RoyBurman, B. K. 1977 The problems Of Untouchables. R. Thaper, ed. New Delhi: Tribe, Caste & Religion In India.

64) Sachchidananda 1977 The Harijan Elite. Faridabad: Thomson Press.

65) Sahay, K. N. 1975 Christianity As An agency Of Tribal Welfare In India. *In* Applied anthropology In India. L.P. Vidyarthi, ed. New Delhi Kitab Mahal.

66) —1976 Under The Shadow Of Cross. Calcutta: ISRAA.

67) Sahay, Sarita 1993 Job-Motivation & Job-Preference Of Working Women In Different White Collar Jobs At Ranchi. Bulletin Of Bihar Tribal Welfare Research Institute 32(1):39-48.

68) — 2000 Folktales Of Bihar: An Anthropological Perspective. Folklore 13, http://haldjas.folklore.ee.

69) —2002 Tribal Women In The New Profile: Anmol Publications, New Delhi.

70) Samuel, J. 1999 Religion International. London: Oxford.

71) Sandhawar, A. N. 1973 The Methods Of Christian Conversion Among The Tribals: The Korwa Of Palamu. Journal Of Social Research 16(1):87-92.

72) Seenarine, Moses 2004 Education & Empowerment Among Dalit (Untouchable) Women Of India. Lewiston: The Edwin Mellen Press.

73) Sen, Jyoti 1960   Missionaries Activities In Chotanagpur. Journal of Social Research 3(2):128-131.

74) Shinde, Tarabai 1992 Stri Purush Tulna (in Hindi). Nagpur: Asok Publication.

75) Singer, Milton 1959 Traditional India: Structure & Change. Philadelphia.

76) Singer, Milton, and Bernardcohn 1968 Structure & Change In Indian Society. Chicago.

77) Singh, I. 1944 The Gondwana & The Gonds. Lucknow: Lucknow Press.

78) Singh, Ramgopal, and Ravindra D. Gadkar 2004 Restoration Of Human Rights & Dignity To Dalits. New Delhi: Manak Publication.

79) Singh, Y. 1977 Social Stratification & social Change In India. New Delhi: Classical Publication.

80) — 1993 Modernization of Indian Tradition. Jaipur: Rawat Publication.

81) Sinha, S. 1967 Caste In India: Its Essential Pattern Of Socio-Cultural Integration. *In* Caste & Race. A.R.J. Knight, ed. Boston: Little Brown.

82) Srinivas, M. N. 1952 Religion & Society Among The Coorgs Of South India. Bombay: Oxford University Press.

83) — 1962 Caste In Modern India & Other Essays. Bombay: Media Publishers.

84) Thaper, Romilla 1988 Bharat Ka Itihas (in Hindi). New Delhi: Rajkamal Prakashan Pvt. Ltd.

85) Tharamangalam, J. 1966 Caste Among Christian In India. *In* Castes: Its Twentieth Century Avatar. M.N. Srinivas, ed. New Delhi: Viking.

86) Thomas, M. N., and R. W. Taylor 1965 Tribal Awakening. Bangalore.

87) Vidyarthi, L. P., and N. Mishra 1975 Harijan Today. New Delhi: Classical Publication.

88) Weber, M. 1958 The Religion Of India: The Sociology Of Hinduism & Buddhism. New York: Free Press.
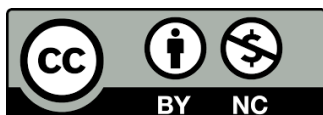
The Influence of Related Games on Improvement Teambuilding in Children with Disabilities in State SLB Sidomulyo South Lampung

Herman Tarigan[1], Amri Pardomuan Situmeang[2], Dwi Priyono[3], Rahmat Hermawan[4], Lungit Wicaksono[5], Ardian Cahyadi[6]

[1,2,3,4,5,6]Lampung University

ABSTRACT: The purpose of this study was to determine the effectiveness of the relay on improving the teambuilding of high-class students with special needs at State SLB Sidomulyo South Lampung. The author uses a pre experimental design type of one group pretest – posttest design. It is said to be a pre experimental design, because this design is not yet a real experiment. With a population of 28 high school students, consisting of 7 deaf students, 17 mild mentally retarded, and 1 quadriplegic, and 3 blind students. Covers aspects of caring, responsibility, and cooperation. After the initial test, students are given relay training in accordance with the training program that has been made, then a final test is carried out. Based on data analysis, the t-count value is 14,702 and the t-table value (n-1) = (7-1) with a two-way test, = 0.05, the t-table value = 2.447. Because t count = 14,702 > t table = 2,447 it can be concluded that "Relay with relay running game is effective in improving the teambuilding of students with special needs in high class at State SLB Sidomulyo South Lampung".

KEYWORDS: Games, Children, Disabilities

INTRODUCTION

Physical education and health is an educational process that is directed at encouraging, guiding, developing and fostering physical and spiritual abilities (Herman et al., 2020). As well as the health of students and their environment so that they grow and develop physically and develop harmoniously and optimally so that they are able to carry out their duties for himself (DePauw, 2016). Every citizen has the same rights to carry out sports activities, to obtain services in sports activities, to choose and participate in the types and branches of sports according to their talents and interests, to receive guidance, support, guidance, coaching and development in sports, and become a sports actor. This also applies to normal students and students with special needs (ABK). Children with Special Needs themselves are the successors of this nation's children who are less fortunate/with disabilities (McLoughlin et al., 2017). Children with Special Needs were formerly known as Extraordinary Children (Hanrahan, 2015).

Special education is education specifically aimed at special population groups, one of which is Children with Special Needs (Pasichnyk et al., 2021). In the field about how the physical role, especially in learning to play, students who have limitations are the same as normal children trying to use the teambuilding method which aims to form cooperation by using 4 games, namely the hose relay, cone relay, rolling ball and relay running (Mikhaylova, 2019). From the four basic dimensions of the game, everything can be connected. Namely with the existence of teambuilding, the community can cooperate by playing the game. It is building intrapersonal relationships between team members. The competencies needed are empathy, effective communication, social awareness, building relationships, leadership and team collaboration (Macdonald et al., 2016).

The following are the advantages of playing relay: 1) Can develop children in symbolic thinking, namely when counting the number of objects that have been successfully moved while playing relay, mentioning the order of the symbols of numbers 1-10 on the objects being moved, and so on. 2) Can improve cooperative attitudes in children, because in relay play children cooperate with friends in groups when moving objects from one place to another. 3) Can develop physical-motor in children when moving objects from one place to another. 4) Can improve children's language development, namely:in communicating orally both with friends in groups and with teachers. 5) Can foster a sense of enthusiasm in children, because in relay play it is packaged in the form of a competition where of course there are groups that win and lose so that children are encouraged to be enthusiastic in playing in order to win the competition.

The Influence of Related Games on Improvement Teambuilding in Children with Disabilities in State SLB Sidomulyo South Lampung

METHODS

Experimental research methods can be interpreted as research methods used to find the effect of certain treatments on others under controlled conditions. In this study, using a pre experimental design (nondesign) type One group pretest – posttest design. It is said to be a pre experimental design, because this design is not yet a real experiment. Because there are still external variables that also influence the formation of the dependent variable. So the experimental results which are the dependent variable are not solely influenced by the independent variables. This can happen, because there is no control variable and the sample is not chosen randomly.

Technique sampling of data sources is carried outin the form of primary and secondary data.Data analysis is descriptive or quantitative. Quantitative research is usually used to test a theory, to present a fact or describe statistics, to show the relationship between variables, and some are to develop concepts, The sample is part or representative of the population under study. While the size of the sample from the total population, there is actually no absolute provision, what percentage of the sample is taken from the population. The samples in this study were 28 students consisting of visually impaired, mild mentally retarded, physically handicapped, and moderate mentally retarded students.

RESULTS AND DISCUSSION

The subjects in this study were studentswith special needs at State SLB Sidomulyo South Lampung, consisting of 28 students and special needs, including mild quadriplegic, mild mentally retarded, deaf and blind. The description of the object of this research is described in the following description:

1. Gender

Based on gender, the research subjects consisted of male and female students consisting of 20 male students and 8 female students as illustrated in the following pie chart.

Figure 1. Pie Chart of Gender Distribution

Based on the pie chart above, it can be seen that the percentage of male students is 20 students (71%), the percentage of female students is 8 students (29%).

2. Special Needs

Based on the special needs of the research subjects, it was found that the special needs of the research subjects consisted of mild quadriplegic, mild mentally retarded, deaf and visually impaired and these categories are depicted in the pie chart as follows:

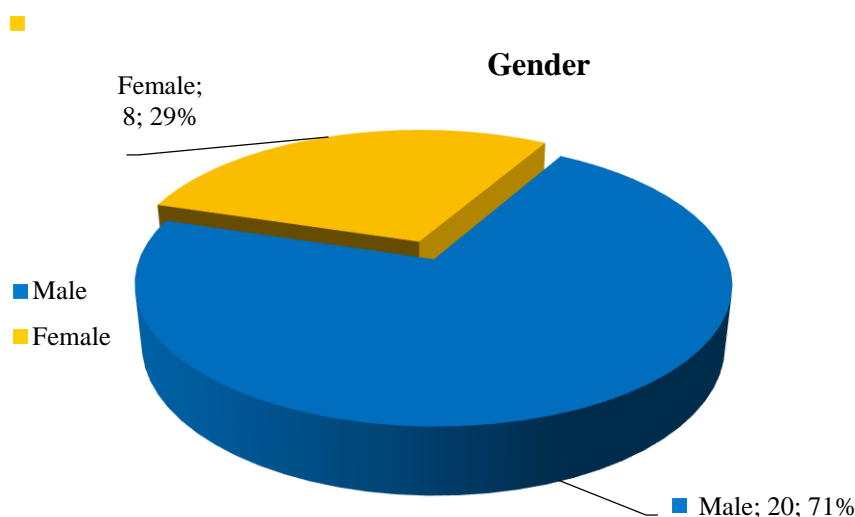**The Influence of Related Games on Improvement Teambuilding in Children with Disabilities in State SLB Sidomulyo South Lampung**
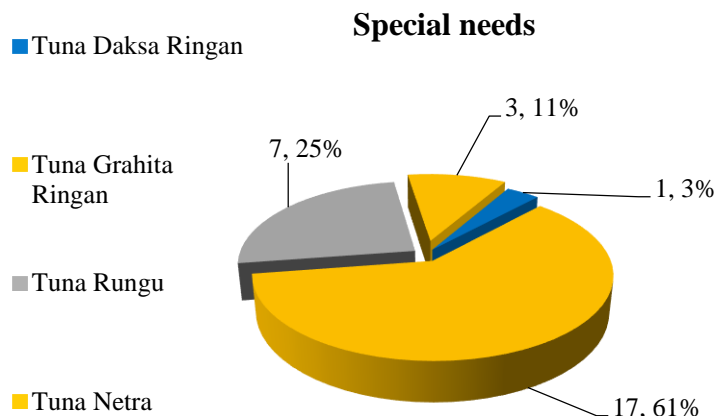

Figure 2. Pie Chart of Gender Distribution

Based on the pie chart above, it can be seen that the percentage of students with special needsmild tuna is 1 student (3%), the percentage of students with special needslight tunagrahita is 17 students (61%), percentage of students with special needsdeaf is 7 students (25%), the percentage of students with special needsblind is 3 students (11%).

3. Data Description Research Results on the Hose Relay Group

In the final test of teambuilding students with special needs at State SLB Sidomulyo South Lampung, South Lampung, the interval relay group experienced a significant increase, namely the average value was 70.71, the standard deviation is10.58, lowest value is 65, and the highest value is 95, Comparison of the initial test and the teambuilding test of students with special needs at State SLB Sidomulyo South Lampung, the intermediate relay group can be illustrated through the bar chart below:

Table 1. Data Description Research Results on the Hose Relay Group

Group	Average		SD		Min		Max	
	Pre-Test	Final Test	Pre-Test	Pre-Test	Pre-Test	Final Test	Pre-Test	Final Test
Hose Relay	45.71	70.71	10.18	10.58	35	60	65	90
Cone Relay	45.00	75.00	10.41	10.00	35	65	65	95
Rolling Ball	43.57	70.00	8.02	10.00	30	55	55	85
Relay Running	42.86	65.00	6.99	8.16	30	55	50	75

Table 2. Frequency Distribution Teambuilding Group Hose Relay Games

Interval	Criteria	Pre-Test		Final Test	
		F	%	f	%
81-100	Very well	0	0%	1	14.3%
61 – 80	Well	1	14.3%	5	71.4%
41 – 60	Currently	4	57.1%	2	28.6%
20 – 40	Not enough	2	28.6%	0	0%
	Total	**7**	**100%**	**7**	**100%**

On group final test hose relay game From the table above, it can be seen that as many as 1 student (14.3%) have teambuilding which is in the very good category, as many as 5 students (71.4%) have teambuilding who are in the good category, as many as 2 students (28.6%) have teambuilding who are in the medium category and there are no students who are in the less category. Frequency distribution and percentage criteria teambuilding depicted through a bar chart as follows:

4. Data Description Research Results on the Cone Relay Group

In the final test of teambuilding students with special needs at State SLB Sidomulyo South Lampung, South Lampung, the cone relay group experienced a significant increase, namely the average value was 75.00, the standard deviation of the teambuilding students with special needs at State SLB Sidomulyo South Lampung, the cone relay group is 10.00. The lowest score for the teambuilding of students with special needs at State SLB Sidomulyo South Lampung, the cone relay group is 65, andthe highest

value is 95.Comparison of the initial test and the teambuilding test of students with special needs at State SLB Sidomulyo South Lampung. In the final test it can be seen that as many as 1 student (14.3%) haveteam building which is in the very good category, as many as 6 students (85.7%) haveteam building who are in the good category, and there are no students who are in the medium and less category.

Table 3. Data Description Research Results on the Cone Relay Group

Interval	Criteria	Pre-Test		Final Test	
		f	%	F	%
81-100	Very well	0	0%	1	14.3%
61– 80	Well	1	14.3%	6	85.7%
41– 60	Currently	3	42.9%	0	0%
20– 40	Not enough	3	42.9%	0	0%
	Total	**7**	**100%**	**7**	**100%**

5. Data Description Research Results on the Rolling Ball Group

In the final test of teambuilding students with special needs at State SLB Sidomulyo South Lampung, the rolling ball group experienced a significant increase. Namely the average score was 70.00, the standard deviation of the teambuilding students with special needs at State SLB Sidomulyo South Lampung, the rolling ball group is 10.00. The lowest score for the team building of students with special needs at State SLB Sidomulyo South Lampung, the rolling ball group is 55, and the highest score for the team building of students with special needs at State SLB Sidomulyo South Lampung, the rolling ball group was 85. Comparison of the initial test and the teambuilding test of students with special needs at State SLB Sidomulyo South Lampung, the rolling ball group can be illustrated through the bar chart below:

Table 4. Frequency Distribution Table Teambuilding Group Rolling Ball Game

Interval	Criteria	Pre-Test		Final Test	
		F	%	F	%
81-100	Very well	0	0%	1	14.3%
61 –80	Well	0	0%	5	71.4%
41– 60	Currently	4	57.1%	1	14.3%
20– 40	Not enough	3	42.9%	0	0%
	Total	**7**	**100%**	**7**	**100%**

On the final test can see that as many as 1 student (14.3%) have teambuilding which is in the very good category, as many as 5 students (71.4%) have teambuilding which is in the good category, 1 student (14.3%) have teambuilding who are in the medium category and there are no students who are in the less category.

6. Data Description Research Results on the Relay Running Game Group

In the final test of teambuilding students with special needs at State SLB Sidomulyo South Lampung, the relay running game group experienced a significant increase, namely the average score was 65.00, the standard deviation of the teambuilding students with special needs at State SLB Sidomulyo South Lampung, the relay running game group is 8,16. The lowest score in teambuilding for students with special needs at State SLB Sidomulyo South Lampung, the relay running game group is 55, and the highest score for the teambuilding of students with special needs at State SLB Sidomulyo South Lampung, the relay running game group is 75. Comparison of the initial test and the teambuilding test of students with special needs at State SLB Sidomulyo South Lampung, the relay running game group can be illustrated through the bar chart below:

Table 5. Frequency Distribution Table Team building Group Relay Running Game

Interval	Criteria	Pre-Test		Final Test	
		f	%	F	%
81 – 100	Very well	0	0%	0	0%
61 – 80	Well	0	0%	3	42.9%
41 – 60	Currently	4	57.1%	4	57.1%

20 – 40	Not enough	3	42.9%	0	0%
	Total	**7**	**100%**	**7**	**100%**

On the final test can see that as many as 3 students (42.9%) have teambuilding who are in the good category, as many as 4 students (57.1%) have team building which in in the medium category, and there are no students who are in the less and very good category.

Based on the results of data collection at the time of the initial test, it was known that the team building of the State SLB Sidomulyo South Lampung students from 28 sample students, of which 7 were deaf. 3 visually impaired, 17 mild mentally retarded, and 1 quadriplegic, namely the majority of students have teambuilding abilities with sufficient category. At the time of the initial test of the interval relay game,1 student (14.3%) have team building which is in the category good, as many as 4 students (57.1%) have team building who are in the medium category, as many as 2 students (28.6%) have team building who are in the less category and there are no students who are in the very good category.

In the initial group testcone relay gamecan be concluded: as many as 1 student (14.3%) have team building who are in the good category, as many as 3 students (42.9%) have team building who are in the medium category, as many as 3 students (42.9%) have team building who are in the less category and there are no students who are in the very good category.

In the initial group testrolling ball gamecan be concluded: as many as 4 students (57.1%) have team building who are in the medium category, as many as 3 students (42.9%) have team building who are in the less category, and there are no students who are in the very good and good categories.

In the initial group testrelay running game can be concluded: as many as 4 students (57.1%) have team building who are in the medium category, as many as 3 students (42.9%) have team building who are in the less category, and there are no students who are in the very good and good categories.

The results of other studies, namely the analysis of effectiveness tests, also showed that the hose relay game, cone relay game, rolling ball game and relay running game were effective in improving teambuilding for children with disabilities in State SLB Sidomulyo South Lampung. There are advantages and disadvantages of each game carried out in learning for children with special needs. Likewise with relay play, there are advantages that can be felt both by children and by teachers in the learning and learning process.

CONCLUSION

Based on with data analysis and discussion on, it can be concluded that this research is as follows:
1. The relay with the interval relay game is effective in improving the teambuilding of students with special needs at State SLB Sidomulyo South Lampung
2. The relay with cone relay running game is effective in improving the teambuilding of high-class students with special needs at State SLB Sidomulyo South Lampung
3. The relay with a rolling ball game is effective in improving the teambuilding of high-class students with special needs at State SLB Sidomulyo South Lampung
4. Relays with relay running games are effective in improving the teambuilding of high-class students with special needs at State SLB Sidomulyo South Lampung

REFERENCES
1) DePauw, K. P. (2016). Research on Sport for Athletes with Disabilities. *Adapted Physical Activity Quarterly*, *3*(4), 292–299. https://doi.org/10.1123/apaq.3.4.292
2) Hanrahan, S. J. (2015). Psychological Skills Training for Athletes With Disabilities. *Australian Psychologist*, *50*(2), 102–105. https://doi.org/10.1111/ap.12083
3) Herman, H., Himawan, M., & Nawir, N. (2020). Manajemen National Paralympic Committee Of Indonesia (NPCI) Sulawesi Selatan Dalam Pembinaan Paralympian Di Sulawesi Selatan. *SPORTIVE: Journal Of Physical Education, Sport and Recreation*, *3*(2), 112–120. https://doi.org/10.26858/sportive.v3i2.17005
4) Macdonald, D. J., Beck, K., Erickson, K., & Côté, J. (2016). Understanding Sources of Knowledge for Coaches of Athletes with Intellectual Disabilities. *Journal of Applied Research in Intellectual Disabilities*, *29*(3), 242–249. https://doi.org/10.1111/jar.12174
5) McLoughlin, G., Fecske, C. W., Castaneda, Y., Gwin, C., & Graber, K. (2017). Sport participation for elite athletes with physical disabilities: Motivations, barriers, and facilitators. *Adapted Physical Activity Quarterly*, *34*(4), 421–441. https://doi.org/10.1123/apaq.2016-0127
6) Mikhaylova, I. V. (2019). Pedagogical concept of technical and tactical training of persons with disabilities in chess sport.

The Influence of Related Games on Improvement Teambuilding in Children with Disabilities in State SLB Sidomulyo South Lampung

Human Sport Medicine, *19*(4), 111–116. https://doi.org/10.14529/hsm190413

7) Pasichnyk, V., Khimenes, K., Pityn, M., Bas, O., Hlukhov, I., Hnatchuk, Y., & Drobot, K. (2021). Physical condition of preschool children with disabilities in psychological and physical development. *Journal of Physical Education and Sport*, *21*(1), 352–359. https://doi.org/10.7752/jpes.2021.01033
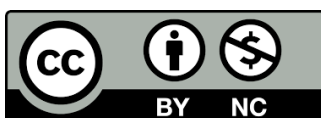
Modernity and Medicalisation of Childbirth in Arunachal Pradesh

Gora Mamu[1], Shashank Yadav[2]

[1]Ph.D Scholar, Department of Sociology, Rajiv Gandhi University, Arunachal Pradesh
[2]Assistant Professor, Department of Sociology, Rajiv Gandhi University, Arunachal Pradesh

ABSTRACT: The process of modernisation is witnessed all around the world. Modernity has impacted every aspect of human life, and this article deals with the impact of Modernity on health in general and childbirth methods in particular. Based on the data from NFHS-3, NFHS-4, and NFHS-5, there has been an increasing trend of institutional delivery and caesarean section delivery in Arunachal Pradesh. The introduction of institutional delivery has been linked with reducing Infant Mortality Rate and Maternal Mortality Ratio. Fewer women and children are dying during the childbirth process due to the introduction of institutional delivery. However, institutionalisation has inevitably resulted in the Medicalisation of childbirth. Moreover, Medicalisation has led to an increase in caesarean section surgery worldwide. The concept of institutional delivery, which is a product of Modernity, is relatively new in the tribal state of Arunachal Pradesh. This study tries to understand the changing childbirth method in the state by undertaking a qualitative study in the Doimukh and Naharlagun region of Arunachal Pradesh.

KEYWORDS: Caesarean Section, Childbirth method, Institutional Delivery, Medicalization, Modernisation

INTRODUCTION

'Modernity' and 'modernisation' refer to the interrelated series of economic, social, and political transformations that occurred in western societies during the nineteenth century. Urbanisation, industrialisation, and the spread of market capitalism were among the most salient features of these changes.

Sociologists have always been interested in Modernity and its consequences. To Emile Durkheim, modern society relates to the change in the Division of Labour. He said that there was mechanical solidarity in a traditional homogenous society that binds the society. In such a society, the division of labour was for the maintenance of joint economic and domestic tasks, which resulted in collective consciousness among people. However, as the society grows more heterogeneous as in modern society, the nature of solidarity changes to organic solidary. Social ties are changed into individual relationships governed by contracts rather than instantaneous social cooperation or compulsory responsibility. Max Weber's definition of Modernity includes three specific things- Calculability, Methodical behaviour, and Reflexive thinking. Rationality and efficiency is the key feature of modern society for Weber. According to Karl Marx, change of relation to production from agrarian to capitalist inevitably leads to the commodification of labour which ultimately leads to alienation of the working class.

Advancement in medical science is dubbed as one of the most important consequences of Modernity. Modern medicine has indeed revolutionised the health care system. For instance, the institutionalisation of childbirth has decreased both Infant Mortality Rate (IMR) and Maternal Mortality Ratio (MMR). However, many claims that the over institutionalisation of childbirth has inevitably led to its Medicalisation. Medicalisation refers to the ways in which medical jurisdiction has expanded in recent years and now encompasses many problems which hitherto were not defined as medical issues (Williams, Calnan 1996). The expansionist tendencies of medicine are primarily due to the medical profession exercising its power to define and control what constitutes health and illness in order to extend its dominance (Friedson 1970). The medical profession, as part of wider processes of industrialisation and bureaucratisation in society, has not only 'duped' the public into believing that they have an effective and valuable body of knowledge and skills but have also created a dependence through the Medicalisation of life, which has now undermined and taken away the public's right to self-determination (Illich 1976). It is also argued that this phenomenon is a means of social control that serves the interest of particular powerful groups in society, in this case, medical professionals. It has been suggested that women experience childbirth as 'alienating' not only as a consequence of the negative medical metaphors and images which pervade women's bodies and the definition of them as 'other' compared to male 'norms' but also as a consequence of being coerced into accepting the use of obstetric techniques (Doyal 1979, Scully and Bart 1978, Martin 1987).

Modernity and Medicalisation of Childbirth in Arunachal Pradesh

One of the most severe effects of the Medicalisation of childbirth has been the issue of rising cases of caesarean section births all around the world.

RISE IN CAESAREAN SECTION CASES

Caesarean section (C-section) is one of the most frequently performed operations in women; it is a surgical process to deliver a baby involving an incision in the abdomen and uterus. C-section surgery was introduced to prevent or treat any life-threatening maternal or foetal complications. It is a necessary surgical procedure in case of specific pregnancy and delivery complications. When medically justified, a caesarean section can effectively prevent maternal and perinatal mortality and morbidity (Ghosh, James, 2010). According to the World Health Organization report (WHO,2015), the population sees a decrease in newborns' and mothers' death rates until the C-section rate is between 10 to 15 per cent. After the rate exceeds 15 per cent of the total deliveries, no additional benefit accrues to the children or the mothers, 'there is no justification for any region to have a caesarean section rate higher than 10-15%' (WHO, 1985). Both its underuse and overuse have adverse impacts on the child and maternal health (Betran et al., 2015).

However, it is evident worldwide that there is a rampant rise in caesarean section, so much that Theresa Morris (2015) calls it an epidemic. The escalating Caesarean Section rate is a major public health problem because it increases the health risk for mothers and babies and the cost of health care compared with natural deliveries (Morris, 2015). This potential overuse of caesarean procedure places an additional burden on weak health systems in less developed countries with limited resources. Unnecessary caesarean section is associated with an increased risk of maternal mortality and severe outcomes for mothers and new born infants than spontaneous vaginal delivery. Studies also suggest a strong association between caesarean delivery and increased neonatal mortality in countries with low and medium caesarean section rates (Belizan *et al.,* 2007). Years of research have shown that maternal mortality and morbidity are higher after the caesarean section than after vaginal birth (Sandall *et al.*, 2018). The risks include uterine rupture, abnormal placentation, ectopic pregnancy, stillbirth, over bleeding, blood clot, infection, adhesions, hernia, and other abdominal surgery complications. Caesarean section performed late in labour is linked to a risk of preterm birth in the subsequent pregnancy. When done at second dilatation, the risk increases from 2 per cent to around 15 per cent (Mishra, Ramanathan, 2002). Possible risks to babies born via caesarean section include a higher risk of admission to the neonatal unit because they have less bacterial exposure, which alters their immunity and gut micro biome diversity. They also tend to develop childhood asthma, type 1 diabetes, allergy, and obesity. However, there is insufficient evidence to show that the caesarean section causes these conditions. The mother's health and the reason for having a caesarean section could equally cause the child's risk of a long-term condition.

Although the debate continues about quantifying the need for life-saving obstetric surgery, the WHO suggested an optimal range for caesarean section rate between 10 per cent and 15 per cent, which has endured as the reference and is almost ubiquitous as the ideal rate (Betran et al.,2015).

India's case is not an exception in the global trend of the increasing caesarean section rate. India has exceeded the WHO threshold of the optimal range for the caesarean section. There is apprehension among people whether the rapid growth trend of caesarean section is healthy for society. Unnecessary caesareans, which are medically unjustified, lead to considerable costs for families and the health system. Insufficient doctors and the turning of health care into profit-seeking businesses have been mentioned as a reason for the increasing caesarean section number (Muzaffar, Akram 2019).

The National Family Health Survey (NFHS) fact sheet indicates that there has been an increasing trend in caesarean section birth in India. According to NFHS-3 (2005-06), the total percentage of births delivered by C-section was 8.5 per cent which doubled to 17.2 per cent in NFHS-4 (2015-16), and the most recent NFHS-5 (2019-21), it is 21.5 per cent. There is also an increasing trend in the births in a Private Health Facility delivered by C-section. It was 27.7 per cent in NFHS-3, 40.9 per cent in NFHS-4 and 47.4 in NFHS-5. However, in the case of births in a Public Health Facility delivered by C-section, there was a decline to 11.9 per cent in NFHS-4 from 15.2 per cent in NFHS-3, but it again increased in NFHS-5 to 14.3 per cent. Almost half of the children delivered in Private facilities are through C-sections whereas the Public facilities are still under the WHO prescribed threshold. There is a sharp rise in the C-section deliveries in Private Facilities compared to Public Facilities. The government's promotion of institutional delivery has further increased the cases of caesarean section rates (Muzaffar et al.2019). Institutional delivery in India has indeed seen a tremendous rise over time. It was 38.7 per cent in NFHS-3 which almost doubled to 78.9 per cent in NHFS-4, which again increased to 93.8 per cent in NFHS-5.

Table 1: Delivery Care India (for birth in the five years before the survey)

Birth Place And Method	NFHS-5 (2019-21)			NFHS-4 (2015-16)			NFHS-3 (2005-06)		
	Urban	Rural	Total	Urban	Rural	Total	Urban	Rural	Total
Institutional birth (%)	93.8	86.7	88.6	88.7	75.1	78.9	NA	NA	38.7
Institutional birth in Public Facilities (%)	52.6	65.3	61.9	46.2	54.4	52.1	NA	NA	18

Births delivered by caesarean section (%)	32.3	17.6	21.5	28.2	12.8	17.2	NA	NA	8.5
Births in a private health facility that were delivered by caesarean section (%)	49.3	46.0	47.4	44.8	37.7	40.9	NA	NA	27.7
Births in a public health facility that were delivered by caesarean section (%)	22.7	11.9	14.3	19.9	9.3	11.9	NA	NA	15.2

Source: National Family Health Survey (NFHS)-3 India Fact Sheet, NFHS-4 India Fact Sheet, and NFHS-5 India Fact Sheet http://rchiips.org/nfhs/
Note: NA= Not Available

THE CASE OF ARUNACHAL PRADESH

Although the concept of institutional delivery is relatively new in Arunachal Pradesh, it has seen rapid growth in the state as in rest of the country. According to NFHS-3, the institutional birth in Arunachal Pradesh was 28.5 per cent which rose to 52.2 per cent in NFHS-4, and in the most recent NFHS-5, it is 79.2 per cent. The rural Arunachal Pradesh has witnessed a massive increase in institutional birth, from 44.1 per cent in NFHS-4 to 77.3 per cent in NFHS-5. The urban areas of the state have also witnessed a rise to 90.2 per cent in the urban area in NFHS-5 from 81.5 per cent in NFHS-4. There is an increasing trend of C-section birth in Arunachal Pradesh, from 2.9 per cent in NFHS-3 to 8.9 per cent in NHFS-4, and it is 17.1 per cent in the most recent NFHS-5.

Table 2: **Delivery Care Arunachal Pradesh (for births in the five years before the survey)**

Birth Place And Method	NFHS-5 (2019-21)			NFHS-4 (2015-16)			NFHS-3 (2005-2006)		
	Urban	Rural	Total	Urban	Rural	Total	Urban	Rural	Total
Institutional birth (%)	90.2	77.3	79.2	81.5	44.1	52.2	64.1	19.0	31.7
Institutional birth in Public Facility (%)	82.1	73.6	74.8	59.5	38.0	42.7	NA	NA	19.5
Births delivered by caesarean section (%)	17.1	14.4	14.8	20.1	5.8	8.9	NA	NA	2.9
Births in a Private Health Care Facility that were delivered by caesarean section	56.3	43.8	47.3	42.2	32.8	37.5	NA	NA	9.9
Births in a Public Health Care Facility that were delivered by caesarean section	15.0	17.4	17.0	18.1	10.0	12.5	NA	NA	10.5

Source: National Family Health Survey (NFHS)-3 Fact Sheet Arunachal Pradesh, NFHS-4 Fact Sheet Arunachal Pradesh, and NFHS-5 Fact Sheet Arunachal Pradesh http://rchiips.org/nfhs/
Note: NA= Not Available

As in the rest of the world, Arunachal Pradesh shows a similar trend of an increasing caesarean section delivery. To understand the ground reality, this study was carried out in the capital region of Arunachal Pradesh. Tomo Riba Institute of Health and Medical Science (TRIHMS) is the largest hospital in the capital region. It is a public hospital providing low-cost services to people from all over the state. Apart from TRIHMS, a few private hospitals provide health care services to people of the state, namely- Niba Hospital, Heema Hospital, and Rama Krishna Mission Hospital.

Modernity and Medicalisation of Childbirth in Arunachal Pradesh

Institutional delivery has been promoted by governments and NGOs alike to be best for both mother and child. It has indeed helped decrease the Infant Mortality Rate and Maternal Mortality Ratio. The Maternal Mortality Ratio (MMR) in India has declined to 113 per 100,000 live births in 2016-18 from 122 in 2015-17 and 130 in 2014-2016, according to the special bulletin on Maternal Mortality in India 2016-18, released by the Office of the Registrar General's Sample Registration System (SRS).

On the other hand, Infant Mortality Rate (IMR) has also seen a decline over time in India. From 79 per 1000 live births in NFHS-1 (1991-92) to 35 in the latest NFHS-5 (2019-21). The Neonatal Mortality Rate (NNMR) is even lower, at 25 per 1000 live births. This positive trend is attributed to the increasing access to institutional delivery all over the country.

Table 3: Infant Mortality Rate and Neonatal Mortality Rate per 1000 live births in India.

National Family Health Survey	Infant Mortality Rate (IMR)			Neonatal Mortality Rate (NNMR)		
	Urban	Rural	Total	Urban	Rural	Total
NFHS-1	56	85	79	NA	NA	NA
NFHS-2	47	73	68	NA	NA	NA
NFHS-3	42	62	57	NA	NA	NA
NFHS-4	29	46	41	NA	NA	29.5
NFHS-5	26.6	38.4	35.2	18.0	27.5	24.9

Source: National Family Health Survey (NFHS)-1 National Report, NFHS-2 National Report, NFHS-3 India Fact Sheet, NFHS-4 India Fact Sheet, and NFHS-5 India Fact Sheet http://rchiips.org/nfhs/
Note: NA= Not Available

The rise in institutional delivery nevertheless has been linked with the Medicalisation of childbirth, as a result of which an unprecedented rise in caesarean section deliveries is evident.

Modernity is relatively a new concept in the tribal state of Arunachal Pradesh. However, it could not stay untouched by the forces of Modernity for a very long time. People in the state have been quite welcoming towards modern fads. As a result of Modernity, the developments in medical sciences boast of providing human beings with a longer, healthier life. It has brought drastic changes in the way we view healthcare. Health care has become more institutionalised, which is accepted as a rational thing to happen as society becomes modern. Childbirth has always been an event of celebration in Arunachal society. There were many customs and rituals that were to be followed by the family and the community when a woman conceives and the period after the child is born. With the introduction and promotion of institutional births as the most appropriate, both for mother and child, childbirth have become a more private affair. It has also led to the Medicalisation of maternal care and childbirth, which resulted in many people viewing pregnancy as some sort of disease or illness that needs medical care (Ghosh, James, 2010). People seek medical care from conception until the child is born and sometimes even after birth. Medicalisation is a process by which non-medical problems become defined and treated as medical problems, usually in terms of illness or disorders. The Medicalisation of maternal care has inevitably led to a rise in C-section rates all around the world.

CHANGING CHILDBIRTH METHOD IN ARUNACHAL PRADESH: A CASE STUDY OF DOIMUKH AND NAHARLAGUN AREA OF ARUNACHAL PRADESH

Based on the problem mentioned in the earlier sections, qualitative research was undertaken to look into the case of Arunachal Pradesh. A sample of 30 women from different walks of life was interviewed for this study. These women include homemakers, teachers, medical professionals, so on. The most important criteria for selecting a sample were to identify those women who had given birth at least once either through a C-section or natural vaginal delivery not more than ten years before the study. The sample consisted of women between the ages of 19 to 45 years. The study was undertaken in the Naharlagun and Doimukh region of Papum Pare district in Arunachal Pradesh. Respondent's names were changed during report writing for privacy reasons.

The interview included questions regarding maternity care such as: what was the choice of childbirth method, what was the role of family members and doctors in decision making regarding the selection of particular childbirth methods, what were the health consequences of choosing particular childbirth methods to both mother and child, and what the women's opinion on caesarean section was.

The interview intended to get the views of those affected: those women who had given birth at least once. The main objectives of the interview were to understand what the preferred childbirth method was among the women of Doimukh and Naharlagun and the reason thereof. It also tries to understand the factors that impacted the final decision-making process and the consequences of those decisions on the health of mother and child. Furthermore, most importantly, the interview tries to understand the views of women on C-sections. An open-ended interview schedule was used to undertake this study.

The study's findings were as follows: the majority of the women, 28 out of 30, believed there is a rising trend in the cases of C-section delivery in Arunachal Pradesh. Interestingly 24 women said they preferred natural vaginal delivery over C-sections. Their main concern regarding C-section was its prolonged effect on overall health, costlier than a natural delivery, probable

complicacy in a future pregnancy, and relatively more difficult to lose weight after giving birth. Almost all the women agreed that the doctor plays the most crucial role in deciding whether a woman will undergo C-section surgery or not. Out of the total, 23 women were told to undergo C-section by their doctors at some point during their pregnancy. 16 women had given birth through C-section surgery at least once; out of this, 15 women agreed that C-section had a prolonged negative effect on their health, most commonly acute back pain and weakness.

Overall there was apprehension among the women that they were *'frightened'* by the doctors. However, because of limited knowledge on their side, the women could not question the health care provider even when they wanted to. They preferred to follow doctors' instructions unquestioned rather than putting their child's life at risk. Recommendation of caesarean section is often made at the very last moment, when the parents-to-be, out of the concern for their child's life, do as the doctors tell them. Ampu 36, a nurse by profession, said*, "it (C-section cases) has increased a lot! Doctors tell women that they have this or that problem at the last moment and ask them to have CS. I have seen such a thing happening to my patient; it just happened on December 3rd in this hospital itself... Even in the cases where normal delivery was possible, doctors perform CS."*

Sangeeta, 27, who had given birth through C-section surgery, says, *"The doctors frighten women by saying- go for CS or try giving natural birth at your own risk. The first time mother gets frightened when doctors say such things, they can never risk their child's life whom they have carried for nine months, so they go for CS."*

Liniu, 30, a mother of two, said, *"They (doctors) always try to go for caesarean section whenever they could. The doctors should not go for a caesarean section just after the onset of labour. Going into labour is a long process, so the patient should be given enough time for the natural dilation to occur; only after waiting for sufficient time should they decide whether to go for caesarean section or not."* She says the caesarean section should only be the last resort, and it should not be the first option.

The advancement in modern medicine in general and obstetric care, in particular, has contributed much to the increasing C-section cases. As Annie, an experienced nurse, aptly puts, *"Nowadays there is too much medical intervention in the childbirth process, from conception till the birth. It all starts when the women are given the Expected Delivery Date (EDD) by the doctor based on their Last Menstruation Period (LMP). Even when the date approaches and nothing happens, women, especially first-time mothers, start to panic and question the doctor. They start doubting their baby's wellbeing, like if the baby ingests meconium or is strangled by the umbilical cord. Because they start panicking in the first place, they doubt if the labour pain they experience later is natural. At the very onset of the labour pain, some women start complaining, thinking the pain is unnatural and asks for a caesarean section. In order to avoid any risk, the doctors perform a caesarean section. Their main concern is to save the mother and the child. Naturally, they will not want to be blamed if something bad happens. I believe 70 per cent of the C-section takes place because of the women's insistence. Sometimes the doctors might ask them to wait for 2-3 days after the expected delivery date, but the women ask for C-section out of fear and pain. When they make up their mind, the doctors can do nothing about it."* She further elaborates by saying that some women, especially those from the villages who are less educated, do not remember their exact last menstrual period (LMP). Most of the time, the doctors give them the expected delivery date (EDD) based on an assumed LMP, which means there are high chances of the baby not being born on the given EDD, but when this happens, the doctors suggest for caesarean section.

Many women found it difficult to understand the medical terminologies used by the professionals such as LMP, EDD, breech position, Cephalopelvic Disproportion, so on during their check-ups. They felt they had no knowledge about what the professionals talked about. Therefore, they gave the doctors the decision-making power as they did not want to take any chance with their child's life. Ampi 36, who is a mother of two girls both born via C-section, said, *".... nowadays, doctors give so many medicines, and I am not that educated; I cannot read what those medicines say on the back, so I think it is best to cooperate with the doctor... it is best to listen to the doctors."*

Medical intervention during the childbirth process is common in institutional delivery. Induced labour pain is one of the most common among such interventions. Many women during the interview claimed that medically induced labour causes so much pain that they could not bear it and opted for C-section so as to get fast relief from agonising pain. Amak, 26, who had experienced both natural and induced labour said, *"during natural labour, we feel pain, but there are times when the pain is not that severe, and we can relax a bit in that period. But the induced labour pain is just unbearable. I believe that is why most women go for caesarean section after taking the injection (induced labour)."*

Apart from the doctor's recommendation, many women said the modern lifestyle is also a reason for the increasing trend of C-sections. Some women said that although they preferred natural delivery over a caesarean section, C-section was much *"easier, faster and less painful."* Life has become much easier in modern times; women do not have to toil physically to provide for their families. Many respondents said modern women had become 'weak' and 'lazy,' and in order to avoid the pain of giving birth, they opt for surgery.

Mania 27 *"… all the new mothers that I know, be it my cousins, aunts, or sisters-in-law, have gone for C-sections. I think the main reason for this is that women become quite sensitive when they are pregnant; I mean, they seek extra care and affection from their husbands and become lazy and choose to remain idle at home; because of this, they fail to have a natural delivery.*"

Modernity and Medicalisation of Childbirth in Arunachal Pradesh

Anu, 32, who had gone against the doctor's suggestion for C-section and opted for vaginal delivery, said, *"The first time mothers nowadays cannot bear the labour pain, and they ask for it (caesarean section) by themselves, like my sister-in-law (laughs)."*

Jomba, 34, who gave birth to three boys, said, *"Young mothers nowadays are too weak and do not try to have a normal delivery. It is all about the mentality of the woman. If she makes up her mind to have a C-section without even trying to have a natural delivery, doctors cannot do anything but perform the surgery."*

Most of the women interviewed who were in the medical profession were in support of C-section delivery. Annie, a nurse by profession, believes that C-sections are a result of development in medical sciences, and there is nothing wrong with taking advantage of this new advancement. She claims that there is almost zero incident of stillbirth because of the introduction of C-sections. She strongly suggests people should not hesitate to go for a C-section when doctors prescribe it. She agreed that the C-section rate is increasing in Arunachal Pradesh *"what to do, one must go with the change (laughs). Lifestyle changes with the change in technology."*

On the other hand, a few women said they preferred natural birth but would opt for C-section nonetheless.

Yami, 45, mother of seven, said, *"natural birth is very messy, you have to be cut which needs to be stitched up, and before that, you need to be cleaned down below by the nurses; that is what I hate the most (she almost shouts when she says this), they wash it and put scissors there…cutting and stitching… I always feel like shouting out loud at that moment. It is beyond my tolerance level. I know they do it for us so that we will not get an infection, but it is the worst part of normal delivery, in my opinion. In caesarean, things are much simpler; they cut you take out the baby, and stitch you back; that is it. There is no messiness, so cleaning is also simpler."*

Another respondent, Ampu, who had given birth through both C-section and Vaginal delivery, said, *"CS was more hygienic. Although there were some complicacy and the pain remained for almost a month, it was not anything sort of unbearable. CS is also safer for the baby because there are many complications related to normal delivery. For example, the pressure exerted during birth may hurt the baby, and there are also chances of birth trauma or postpartum haemorrhage (PPH) and many other things. However, such things do not happen in CS, so it is safer than vaginal delivery."*

Ankha, 32, who is a nurse by profession, said, *"CS is safer for the baby, and it is not like we will have 10-11 children like earlier times, nowadays people mostly have two children maximum, and that is safely possible through CS, and it is also safer for the baby."*

The advancement in medical science has given people more choices. Unlike in the past, many people today make a plan before having a child. Most women these days prefer to get pregnant later in their lives, which has resulted in infertility problems. Because of this, when they conceive, they do not want to take any chance and follow whatever the doctor tells them to do. There are also more chances of birth complications for late mothers. Therefore, the modern lifestyle has given way for more medical interventions in general and caesarean section surgery in particular.

CONCLUSION

Modernity has given us many positive things. The advancement in modern medicine especially has been a boon to humanity. Today, we have treatment for many erstwhile deadly diseases such as AIDS, Tuberculosis, measles, and others. It has also provided better maternal and obstetric care with the institutionalisation of childbirth, resulting in a decrease in Infant Mortality Rate and Maternal Mortality Ratio. However, childbirth has been institutionalised to the extent that everything is monitored, from the time of early conception till the child is born. Ultrasound imaging plays a vital role in monitoring every minute detail of the foetus. This has provided more power at the hands of doctors as they now have all the data supporting them. As a result of over-monitoring, there has been an increased medicalisation of childbirth. Childbirth which is a normal biological process is now viewed as some sickness that needs medical treatment. Health has become a dominant cultural motif in which issues of 'control' and 'release' function symbolically as metaphors for late capitalist imperatives of 'production' and 'consumption' in consumer culture (Crawford 1985). This is quite evident in childbirth care. The doctors empowered with their medical knowledge have the 'control' over the lay populace.

In Peter Berger's understanding, Modernity has two types of carriers: primary and Secondary. The primary carrier includes technological advancement, which leads to rational economic gain. On the other hand, the secondary carrier includes other aspects such as cultural change, urbanisation, and so on. Modern medicine can be considered a carrier of Modernity in a specific way. The primary goal of medicine has remained the same: to cure any unhealthy person. However, modern medicine has changed its nature with the development of technology. Modern medicine has become a commodity in recent times, whereas traditional medicine was not regarded as a commodity. The technological change that has come along with modern medicine directly relates it with the modern economy with the rational calculation of profit and loss (Gallagher 1988). Modernity per se is not wrong, but not all of its consequences are worth celebrating, in this case, the commodification of health care.

Modernity and Medicalisation of Childbirth in Arunachal Pradesh

REFERENCES

1) Belizan, J.M., Althabe, F. & Cafferata, M.L.(2007). *Health Consequences of increasing Caesarean Section Rate*. Lippincolt Williams and Wilkins, 18(04),485-486. 20-04-2019. Retrieved from https://www.jstor.org/stable/20486406

2) Betran, P.B., Merialdi M, Lauer, J.A.*, et al.* (2007). *Rates of Caesarean Section: Analysis of Global, Regional and National Estimates*. National Library of Medicine, DOI 10.1111/j.1365-3016.2007.00786.

3) Crawford R. (1985). A Cultural Account of "Health": Control, Release and Social body. In *Issues in the Political Economy of Health Care* (Edited by McKinlay J.B.). Tavistock, London.

4) Doyal L. (1979) *The Political Economy of Health*, Pluto, London

5) Freidson E.(1970) *Profession of Medicine*. Dodds Mead, New York.

6) Gallagher, Eugene B. (1988) *Modernisation and Medical Care,* Sociological Perspectives, Sage Publication, Inc. Retrieved from https://www.jstor.org/stable/1388951

7) Ghosh, S. & James, KS.(2010). *Levels and Trends in Caesarean Births: Cause for Concern?* Economic and Political Weekly, 45(5),19-22. 21-04-2019. Retrieved from https://www.jstor.org/stable/25664060

8) Government of India, Ministry of Health and Family Welfare. National Family Health Survey http://rchiips.org/nfhs/

9) Illich I.(1976) *Limits to Medicine- Medical Nemesis: The Expropriation of Health*. Penguin, Harmondsworth.

10) Martin E. (1987) *The Woman in the Body,* Oxford University Press, Milton Keynes.

11) Mishra, US. & Ramanathan, M.(2002). *Delivery-related complications and determinants of caesarean section rates in India*. Health Policy and Planning, 17(1), 90-98.

12) Morris,T. (2014).*C-section Epidemic*. Contexts, 13(1),70-72, 21-04-2019 . Retrieved from https://www.jstor.org/stable/24710836

13) Muzaffar, N. & Akram, *M. Alarming rise of caesarean section deliveries: a case study of Kulgam*. Economic and Political Weekly, 24, 15 June 2019.

14) Neuman, M., Alcock, G., Azad K, et al. (2014).*Prevalence and determinants of caesarean section in private and public health facilities in underserved South Asian communities: cross-sectional analysis of data from Bangladesh, India, and Nepal*. BMJ Open.

15) Scully D. & Bart P.(1978) A funny thing happened on the way to the office: women in gynaecological textbooks. In *The Cultural Crisis of Modern Medicine*. Medical Review Publication, London.

16) William,S.J. & Calnan M. (1996) *The 'Limits' of Medicalisation?: Modern Medicine and the Lay Populace in 'Late' Modernity*. Soc. Sci. Med. Vol.42, No.12, pp1609-1620.

17) World Health Organization. (1985). *Appropriate technology for birth*. Fortaleza., Brazil Lancet 1985;2:436-437. Retrieved from https://doi.org/10.1016/S0140-6736(85)92750-3

18) World Health Organization. (2015) WHO Statement on Caesarean Section Rates. Geneva, Switzerland: Human Reproduction Programme. Retrieved from https://www.who.int/reproductivehealth/publications/maternal_perinatal_health/cs-statement/en/
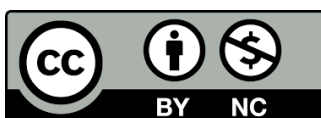
Explore your Research to the world......

"International Journal of Social Science and Human Research is a leading international journal for publication of new ideas."

Why Publish with IJSSHR ?
1) We provide full open access.
2) DOI of each published article.
3) The article will be uploaded after publication in the following indexing services: Google Scholar, Index Copernicus, DRJI, Cite Factor, ISI, Euro pub, Academia, Zenodo, Scribd etc. (Many more)
4) Fast response, peer review, and fast publication.
5) Global International knowledge sharing.
6) A digitally signed e-certificate will be provided to the author for a published article.
7) Yearly Subscription.