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The Mediating Effect of Attitude on Perception towards Impact Change after Watching Islamic Films

Saadah Wok, Nor Faridah Abdul Manaf, Rizalawati Ismail
(International Islamic University Malaysia)

Abstract: Religious films play an important role in educating the viewers, especially the youth. This study tries to explore the relationships between perception and attitude towards impact change after watching Islamic films. Specifically, it analyses the mediating effect of attitude towards Islamic films for perception on impact change on youth behavior after watching Islamic film. The results of the quasi-experimental design using questionnaire as the research instrument revealed that there are positive relationships between impact change with perception and attitude. Attitude in turn mediates the relationship between perception and impact change. Therefore, the social learning theory tested for the study holds true and the hypotheses developed were supported. In sum, based on the 141 youth studied, Islamic film, as a whole, is able to have a positive impact on them. Therefore, filmmakers, in general, and religious-based filmmakers, in particular, should take heed in producing films with positive issues toward nurturing youth in making youth to possess morally and ethically sound behavior for peace and harmony of the community and the nation.

Key words: impact change, attitude as mediator, perception on Islamic films, social learning theory, youth

1. Introduction

Recent phenomena both in Malaysia and abroad show that there is an increasing tension between groups of people based on religious misunderstanding specifically of Islam and other religions or other groups which are Islamophobic. As such, understanding and respecting each other's religion to create peace and harmony is called for. To gauge the current situation in Malaysia, a quantitative research design involving a quasi-experimental method was conducted.

Findings of the research would indicate whether or not there is a need to continue promoting religious understanding among Malaysian youth through films and/or film festivals with the intention of the need for religious understanding of the others. At the same time, it is a means of promoting faith-based film festival and Islam is chosen because it is the official religion of the country, with the largest number of followers. It was the intention of the Islamic Youth Short Film Competition to gauge the outcome of the films as a prime mover of

Saadah Wok, Ph.D., Professor, Head of Research, Kulliyah of Islamic Revealed Knowledge and Human Sciences (KIRKHS), International Islamic University Malaysia (IIUM); research areas: organizational communication, media and women studies. E-mail: wsaadah@iium.edu.my.

Nor Faridah Abdul Manaf, Ph.D., Professor, International Islamic University Malaysia; research areas: women's writing, English literature and creative writing. E-mail: nfaridah@iium.edu.my.

Rizalawati Ismail, Ph.D., Assistant Professor, International Islamic University Malaysia; research areas: media and communication studies, media education and audience analysis. E-mail: rizalawati@gmail.com.

change to the viewers, especially the youth.

The findings of this study determine support for future faith-based film festival. It is hoped that through films, we are able to promote Malaysia among tourists who may be keen to know more about religions in Malaysia. In addition, it is also hoped that religions can be seen in a kind way; able to influence and to educate others specifically young people who are so clueless of what is going around them, and who are keen to condemn without fully understanding about the “others”. The ultimate outcome is that this could become the foundation to empower youth in their quest to establish and to expand faith-based film festivals as a means to address the need for stability in multireligious and multiracial societies in Malaysia and we hope the young ones are able to ensure that peace and harmony remain as assets for the nation.

1.1 Objectives of the Study

The main objective of the study is to create a platform for Malaysian youth short filmmakers to meet and discuss ways forward to project Islam and to share information on Islamic issues through visuals, that is, films.

The specific objectives of the study are:

- (1) To find out the level of perception on Islamic films;
- (2) To determine the level of attitude towards Islamic films;
- (3) To evaluate the impact of Islamic films on viewers’ behavioral change; and
- (4) To analyze the relationship between perception and attitude towards impact change on Malaysian youth viewers of Islamic films.

2. Literature Review

2.1 Film and Religion

Every country to a certain extent has its own history on films. Lindvall (2004) highlighted the history and its criticism on religion and film with special emphasis on Christianity as the concerned religion. He states that “film scholars have noted the importance of religion in shaping the cultural landscape in which cinema emerged” (p. 7). Since religion is related to the way of life of the people and as a part of their behavior, therefore, there is a relationship between film and religion (Meyer, 2005).

In Malaysia, the history, especially the beginning, of films was elaborated by Mohd Zamberi and Aimi (2005) in a comprehensive coffee-table book. There is a special coverage on the Malay film in Singapore. Malay is associated with Islam as Islam is the religion that they worship. Earlier, Yusof (2003) highlighted the production houses for film making both in Singapore and in Malaysia. Later, Suria Hani, Mazni, Mohd Faizal and Noor Adzrah (2010) analyzed the religious theme in films. They confer that Malay films directly or indirectly serve as religious purpose. As such, “film is a powerful tool in learning process” (p. 189). They contended that promoting inter-religious film is good for the sake of unity in Malaysia where inter-cultures and inter-religions meet.

Javed Mohammed (2010, p. 3) defines Islamic cinema as “film that conforms to Islamic laws, customs and values” while “Muslim cinema is a film movement by or about Muslims”. Malaysia is the sixth top in the Muslim countries by films released in 2008, trailing behind Iran, Indonesia, Egypt, Turkey and Pakistan.

In addition, Naim (2011, p. 11) proposed that Islamic films must be based on Islamic foundation, Islamic model and Islamic culture. All of them must be based on Al-Qur’an and Al-hadith as the source of inspiration. The films must not deviate from the basic source of information; failing to do that is subjected to the Code of Conduct

under the Code of Law (Act 620, Film Censorship Act 2002). He further identified three main objectives of Islamic films. They are (a) to inculcate ethical values, (b) to encourage good deeds (*amar maaruf*) and to forbid bad deeds (*nahi mungkar*), and (c) to propagate and disseminate Islamic information (spread da'wah).

2.2 Social Learning Theory

Social Learning Theory (Bandura, 1977) states that behavior is learned from the environment through the process of observational learning. However, in modern days, the media play an important role in teaching the viewers, regardless of their age, through the actor's behavior. Television (TV) is the most important and influential medium in today's era, superseding the other media, transcending across all types of viewers; and youth is no exception. The actors are the models, whom the viewers might imitate the behavior that they observed and, thus, inculcate the culture and reinforce their beliefs.

TV is the medium that has an array of programs. One of them is film. Drama is also popular as the source of entertainment to the audience. However, film may be able to create awareness of the possible scenario in the community.

In Malaysia, all films have to undergo the censorship board so that the rights of all are protected, especially the sensitivity of other religions and races. This is underlined by the code of conduct for the filmmakers. Even though Malaysia allows other religions to be practiced by their worshippers, Islam is the official religion of Malaysia. Unlike Nigeria (Krings, 2005), it is divided according to religions, where Northern Nigeria is mainly Muslims while the Southern Nigeria comprised of Christians. Therefore, the films in each part of the country are focusing on tailoring towards its own ardent viewers.

2.3 Relationships between Perception, Attitude and Impact Change on Youth

Watching Islamic-based films containing Islamic message is seen as contributing to positive actions and behaviors (Rosmawati, Md. Salleh, Mohd. Nizam, & Muhammad Sham, 2012). They found a positive relationship between viewing Islamic-based films and the development of pro-social personality among teenaged audience. Islamic films in Malaysia are not that popular among Malaysians and the number of viewers is small. Therefore, it should be encouraged among youth themselves to produce Islamic films with their own slant and taste, as long as this benefits the young viewers.

2.4 Theoretical Framework

The theoretical framework for the impact change of Islamic-based films is presented in Figure 1, with relevant hypotheses identified, accordingly.

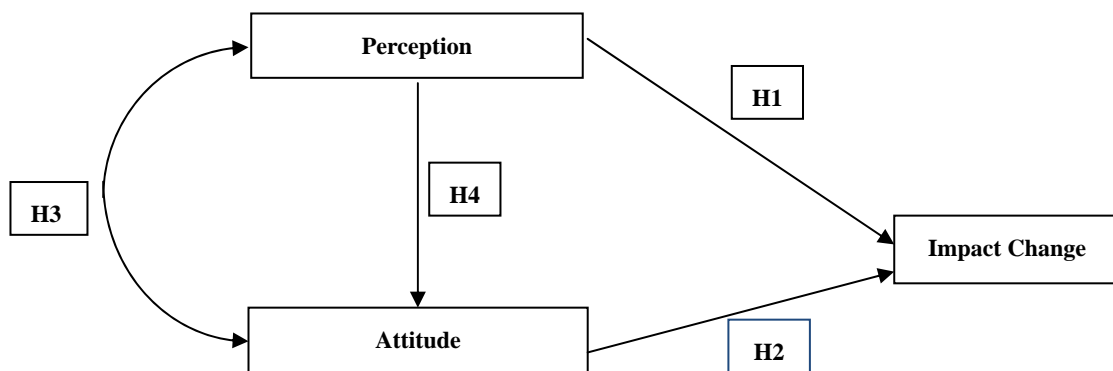


Figure 1 Theoretical Framework for Impact Change Model

2.5 Hypotheses of the Study

The hypotheses of the study are as follow:

H1: There is a positive relationship between perception on Islamic films and impact change after watching Islamic films.

H2: There is a positive relationship between attitude toward Islamic films and impact change after watching Islamic films.

H3: There is a positive relationship between perception on Islamic films and attitude toward Islamic films.

H4: Perception on Islamic films influences attitude toward Islamic films which in turn influences the impact change after watching Islamic films.

3. Methodology of the Study

3.1 Research Design

The study uses a quantitative research design. The method used is an experimental type. Specifically, it uses quasi experiment with pre-post measurement.

3.2 The Method

The experimental method adopted for the study is quasi pre- and post-test method. Two activities in this research were pre- and post-tests, without control group. The questionnaire was administered to the youth prior to the treatment given, that is, the screening of 11-minute short religious film. First, the respondents were asked to answer the first three sections of the questionnaire, involving demographic characteristics of the respondents, perception and attitude towards religious films. The pre-test is the prerequisite to assessing the post-test. The post-test experiment is to access the change as the impact of the religious film on the youth, especially on the understanding of Islam and other religions, as highlighted in the film.

The main advantage of pre- and post-test quasi experimental method is that it involves change on the same person resulting from the treatment given to the individual concerned. Nonetheless, the only disadvantage of such method is that it is not a true experiment because there is no control group.

3.3 Population of the Study

The population of the study is Malaysian youth aged from 13–40 years old, belonging to various ethnic groups, representing the Malaysian youth. They encompass both male and female with various religious backgrounds.

3.4 Sample and Sampling Procedure

The different ethnicities were selected from a university that caters for the Malays, which made up of about 90% of the population of the university concerned. The college-university institution caters for the majority of the Chinese group while a secondary school represents the Indians. Therefore, three different localities were selected. All were located in Kuala Lumpur and Selangor. At the end of the experiment, a sample of 141 respondents was gathered.

3.5 Research Instrument and Operationalization of Variables

The research instrument for collecting data is a questionnaire. The questionnaire consists of four sections:

Section 1: Demographic characteristics of the respondents — It consists of 4 items, measuring for the

race, religion, age, and gender.

Section 2: Perception on Islamic films — It consists of 10 items, addressing the perception and thought on Islamic films. Each item is measured on a 5-point Likert scale, where 1 = strongly disagree, 2 = disagree, 3 = slightly agree, 4 = agree, 5 = strongly agree. The perception construct was created for its mean, whereby the average of the ten items was created to form the overall perception on Islamic films.

Section 3: Attitude toward Islamic films — It consists of 10 items, addressing the attitude of youth on Islamic films. Each item is measured on a 5-point Likert scale, where 1 = strongly disagree, 2 = disagree, 3 = slightly agree, 4 = agree, 5 = strongly agree. The attitude construct was created for its mean, whereby the average of the ten items was created to form the overall attitude toward Islamic films.

Section 4: Impact change after watching Islamic films — It consists of 10 items, addressing the change in behavior of the youth after watching the Islamic film. Each item is measured on a 5-point Likert scale, where 1 = strongly disagree, 2 = disagree, 3 = slightly agree, 4 = agree, 5 = strongly agree. The impact change construct was created for its mean, whereby the average of the ten items was created to form the overall impact change.

The overall percentage (%) was calculated based on the mean value divided by 5 multiple by 100.

3.6 Treatment for the Experiment: Islamic Film Entitled *Catholics Only*

Catholics Only is an 11-minute short film which is written and directed by Azhar Salleh, a Media and Communication student at the National University Malaysia (UKM). The short film was one of the 50 entries received for the Islamic Youth Short Film Competition which was organised by the International Islamic University Malaysia (IIUM) in 2013.

Catholics Only depicts deep philosophical and theological thoughts of a young Muslim student in Malaysia, who is portrayed as a widely read student and reflective of what is going around him. In between classes and possibly after performing one of his 5 times a day prayer, he fell asleep in the university's praying room. He dreamt of meeting a spiritual guide who wanted him to change his faith to Judaism and Christianity of which he adamantly rejected to stay true to his Islamic faith. After waking up from such a disturbing dream, he walked to his class. While walking along a corridor, he passed by a student representative of the Catholic Church doing an awareness campaign and raising funds to rebuild a church in Indonesia after the church was destroyed in a tsunami. Because other religions are not allowed to be proselytized publicly in Malaysia, the Catholic fund-raiser representative put up a signage on her table "Catholics Only"; the young Muslim student initially walked past just like other Muslim students but he walked back to have a look at the donation box. He decided to donate his money for the new church. In his rush to his class, he left his books on Islam at the donation counter. The young Christian female student (now in awe of the young Muslim male student's unbiased charity deed) went to chase after him to return his books on Islam. There was an air of harmony between the two but the director ended the film there and left the audience to reflect on their true understanding of faith.

3.7 Validity and Reliability of Variables

Validity is the property of a test for actually measuring what it purports to measure. For this study, only the face validity is of concern. The reliability, on the other hand, is the property of a measure that consistently gives the same answer at different points in time. However, for this study, the reliability is being tested using the reliability test, where Cronbach's alpha would be tested against a known value of 0.70 as the cut-off point for assuming that the items measure the construct of interest. Statistical Package for Social Sciences (SPSS WIN 17) was used to analyze for its reliability for the scale. In addition, exploratory factor analysis (EFA) was used to

ensure that only one factor is used for the study. The Cronbach's alpha for perception is 0.755, attitude is 0.762, and impact change is 0.791. All values are above 0.70.

3.8 Data Collection

Data were collected at three different localities and at three different times, but within the month of October 2013. The researchers themselves administered the experiment. The first three sections of the questionnaire were answered first. Then, the film was screened. Later, the participants were asked to continue answering the questionnaire for section 4 — the impact change after watching the film. The respondents took approximately 20 minutes for the whole experimental process, that is, 10 minutes to answer the questionnaire and another 11 minutes to watch the short film. A total of 141 questionnaires were collected for the experimental study.

3.9 Data Analysis

The data collected were coded based on the master code developed by one of the researchers. Data were analyzed using SPSS WIN 17 for both its descriptive statistics and inferential statistics. The descriptive statistics used are frequency, percentage, mean, and standard deviation. As for the inferential statistics, one-sample t-test with a test value of 3.0, partial correlation, and hierarchical regression were used for the study to answer the objectives of the study and to test the hypotheses of the study developed based on the Social Learning Theory.

4. Findings of the Study

4.1 Respondents of the Study

A total of 141 respondents participated in the study. The respondents of the study are described in terms of the selected demographic characteristics that are thought to be useful for the study.

4.2 Demographic Profile of the Respondents

The demographic profile of the respondents is presented in Table 1. Demographic profile in this study includes race, religion, age and gender. Chinese respondents constitute almost half (49.6%) of the entire sample in this study, followed by the Indians (25.5%) and the Malays (24.8%). Buddhists are the largest religious group in this study. Four in ten of the respondents (41.1%) practice Buddhism. Almost a quarter of the respondents (24.8%) belong to Islamic faith, followed by the Hindus (23.4%). The Christians (8.5%) and those belonging to other religions (2.1%) are minimal. Seven in ten of the respondents in this study are teenagers (70.2%). More than a quarter (27.0%) belongs to the adolescent category, while young adult are the least represented age group (2.8%). More than two-thirds of the respondents (68.1%) are females compared to males (31.9%).

4.3 Level of Perception on Islamic Films

Table 2 presents respondents' perceptions and thoughts on Islamic films. Respondents generally agreed on the utility of films in general and Islamic films in particular (70.8%). Specifically, they strongly agreed that "faith-based movies are educational" (82.6%) and that "watching movies is useful" (81.2%). They also agreed to the importance of faith-based movies in multicultural country (77.4%), good values of movies (75.2%), movies created interest in knowing more about other religions (74.6%), and believe that movies reflect culture reality (72.0%). However, respondents only slightly agreed that they know much about Islam (54.2%). This means that, on the whole, youth are positive on Islamic films but caution their knowledge on Islam per se.

Table 1 Demographic Characteristics of Respondents

Demographic Characteristics	Frequency	Percentage
Race:		
Malay	35	24.8
Chinese	70	49.6
Indian	36	25.6
Total	141	100
Religion:		
Islam	35	24.8
Christian	12	8.5
Hinduism	33	23.4
Buddhism	58	41.1
Others	3	2.2
Total	141	100
Age:		
Teenage (13-19 years old)	99	70.2
Adolescence (20-25 years old)	38	27.0
Young adult (26-39 years old)	4	2.8
Total	141	100
Gender:		
Male	45	31.9
Female	96	68.1
Total	141	100

Table 2 Youth's Level of Perception on Islamic Films

Perception	Level of Agreement (%)*					Mean	SD	Overall (%)	t**	p
	1	2	3	4	5					
I think faith-based movies are educational	0.7	0.0	22.0	40.4	36.9	4.13	0.80	82.6	16.728	.000
I think watching movies is useful	0.0	1.4	17.7	54.6	26.2	4.06	0.72	81.2	17.803	.000
I think faith-based movies are needed in multicultural country	2.1	4.3	24.8	41.8	27.0	3.87	0.93	77.4	11.110	.000
I think movies provide good values	0.0	3.5	35.5	42.6	18.4	3.76	0.79	75.2	11.379	.000
I have interest in knowing more about other religions through movies	1.4	5.7	35.5	33.3	24.1	3.73	0.94	74.6	9.226	.000
I believe movies reflect culture reality	2.1	11.3	31.2	35.5	19.9	3.60	1.00	72.0	7.075	.000
I know there are enough materials to educate me about Islam and other religions in movies	7.1	9.2	42.6	29.1	12.1	3.30	1.03	66.0	3.423	.001
I have interest in knowing more about Islam through movies	6.4	21.3	31.2	29.1	12.1	3.19	1.10	63.8	2.064	.041
I know about other religions	3.5	19.1	53.2	19.1	5.0	3.03	0.84	60.6	0.395	.694
I know much about Islam	12.1	28.4	36.2	20.6	2.8	2.74	1.01	54.2	-3.080	.002
Overall perception						3.54	0.52	70.8	12.410	.000

*1 = Strongly disagree (1-20%), 2 = Disagree (21-40%), 3 = Slightly agree (41-60%), 4 = Agree (61-80%), 5 = Strongly agree (81-100%); ** test value of 3.0.

When tested using a one-sample t-test and with a test value of 3, the mean of 3.54 (SD = 0.52) shows that the overall perception on Islamic films is positive (t = 12.410, p = .000). This means that Islamic films are thought to

be positive and all the items are significantly positive except for “I know about other religions” ($t = 0.395$, $p = .694$). Another interesting finding is that youth do not know much about Islam. This is portrayed by the low mean value ($M = 2.74$, $SD = 1.01$). The result is supported by the test value ($t = -3.080$, $p = .002$). This means that youth are less knowledgeable about other religions, especially Islam. Despite the fact that Islam is the official religion in Malaysia, little is known about Islam. Therefore, the Ministry of Education should take heed about this issue so that Islam remains the official religion and is widely known to all youth as they are the future leaders, who one day are going to lead the nation. It seems that there are enough material to educate the youth on Islam and other religions, yet they claimed that they are still less knowledgeable on Islam. Nonetheless, the youth have positive perception on the possibility of Islamic films to educate them on Islam as a religion.

4.4 Level of Attitude towards Islamic Films

Overall, respondents agreed to experiencing good feelings toward movies, in general, and faith-based movies, in particular (72.2%). The results (Table 3) revealed that the respondents very strongly agreed that they love watching movies (88.2%). Respondents also agreed that “faith-based filmmaking should be fully supported by the government” (77.4%), “faith-based film festival be an annual event at the international level” (74.8%), “filmmakers should be given freedom to make faith-based movies for the general public” and “faith-based film festival be an annual event at the national level” (73.8%), “faith-based filmmaking should be financially supported by the corporate sector” (71.4%), and “prefer watching faith-based movies with friends and families” (70.0%). The lowest attitude item is “I prefer watching faith-based movies alone (57.6%).

This is a good indication that Islamic films be accepted in disseminating good information of Islam as a religion, because youth like them.

Table 3 Level of Attitude towards with Islamic Films

Attitude	Level of Agreement (%)*					Mean	SD	Overall (%)	t**	p
	1	2	3	4	5					
I love watching movies.	0.0	2.1	9.9	32.6	55.3	4.41	0.76	88.2	22.150	.000
I agree that faith-based filmmaking should be fully supported by the government.	0.0	4.3	34.8	31.2	29.8	3.87	0.87	77.4	11.464	.000
I propose that faith-based film festival be an annual event at the international level.	2.8	6.4	33.3	28.4	29.1	3.74	1.04	74.8	8.520	.000
I feel filmmakers should be given freedom to make faith-based movies for the general public.	1.4	7.1	32.6	39.0	19.9	3.69	0.92	73.8	8.888	.000
I propose that faith-based film festival be an annual event at the national level.	1.4	7.8	36.2	29.8	24.8	3.69	0.98	73.8	8.341	.000
I agree that faith-based filmmaking should be financially supported by the corporate sector.	0.7	4.3	47.5	31.9	15.6	3.57	0.83	71.4	8.218	.000
I prefer watching faith-based movies with friends and families.	5.7	9.2	31.2	37.6	16.3	3.50	1.05	70.0	5.598	.000
I feel there is too much sensitivity in making faith-based movies.	2.1	9.9	48.2	25.5	14.2	3.40	0.93	68.0	5.099	.000
I like watching faith-based movies.	4.3	12.1	41.8	30.5	11.3	3.33	0.98	66.6	3.975	.000
I prefer watching faith-based movies alone.	11.3	23.4	37.6	21.3	6.4	2.88	1.07	57.6	-1.335	.184
Overall attitude						3.61	0.54	72.2	13.467	.000

*1 = Strongly disagree (1-20%), 2 = Disagree (21-40%), 3 = Slightly agree (41-60%), 4 = Agree (61-80%), 5 = Strongly agree (81-100%); ** test value of 3.0.

When one-sample t-test was used to test the significant level of agreement to the items, using a test value of 3, findings showed that, on the whole, there is a positive attitude among the youth ($t = 13.467$, $p = .000$). This means that youth attitudes towards Islamic films are positive. However, this does not apply to all items. The item that seemed not to give a positive agreement is that “I prefer watching faith-based movies alone” ($t = -1.335$, $p = .184$). Watching faith-based movies is not favored by youth on their own; instead, they would prefer to watch it with others. Probably, they prefer explanation and discussion on the latent intent of the faith-based movies, that is, normally indirect rather than direct behavior of the actors. Generally, it can be said that youth have positive attitudes towards faith-based films and they urged that the government and the corporate bodies to sponsor faith-based films and it should be conducted, not only at the national level, but also at the international level, as well. Therefore, there is an avenue for the faith-based films to be the vehicle to promote Islam as a religion of the nation.

4.5 Level of Impact Change from Watching Islamic Films

On the whole, respondents (Table 4) agreed on the impact change after watching Islamic film (63.8%). The highest agreement goes to “I respect other religions better” (75.0%). This is followed by the statement which says “I discover that the movie makes me question a lot of issues to do with religions in this country in general” (69.4%), and “I will promote cultural and religious understanding among friends and family members” (67.6%). Respondents also agreed that they “enjoy watching faith-based movies” (66.2%). Nonetheless, respondents slightly agreed that “faith in own religion is challenged after watching the movie” (55.8%), “portrayal of the lead character in the movie is biased towards Islam” (57.6%), and that “the portrayal of the minority religions is done justly in this movie” (59.4%). On the whole, the overall impact change on youth is also positive. This means that Islamic films have positive impacts on youth behavior and this is a good indication of the potential of Islamic films in providing good, ethical and civic behavior among the youth, who are believed to adopt uncultured behavior from watching non-faith-based films. Therefore, the relevant authority should take the golden opportunity to educate the youth through morally designed and produced films.

Further analysis was conducted to each of the items on impact change and to the overall construct, using a one-sample t-test, with a test value of 3. Results showed that there are mix findings with regard to the impact change. Surprisingly, youth had no significant impact change on understanding Islam better after watching the film ($t = 1.828$, $p = .070$). But, if the film was meant to change the behavior of the youth, then there is a possibility that the film was able to change the understanding of the youth on Islam as a religion. Nonetheless, after watching the film, youth, as a whole, claimed that they experienced a positive impact change ($t = 3.881$, $p = .000$). This implies that, on the whole, the Islamic films were able to have impact change on the behavior of youth. Worst still, when they claimed that their faith in their own religion is challenged after watching the movie. This means that Islam is able to change the beliefs of other religions since it is the last religion that shows the right path of living here and the hereafter. The three items that were not significant are that “I feel the portrayal of the lead character in the movie is biased towards Islam”, “The portrayal of the minority religions is done justly in this movie”, and “I am convinced that faith-based movie has changed my perception of Muslims in general”. This implies that the films have slight effects, either positive or negative on youth. Therefore, the writing of the Islamic films should be more cautiously done so that the intended motive of the films is achieved, not the reverse.

Table 4 Level of Impact Change from Watching Islamic Films

Impact Change	Level of Agreement (%)*					Mean	SD	Overall (%)	t**	p
	1	2	3	4	5					
I respect other religions better.	0.0	9.2	31.2	34.8	24.8	3.75	0.94	75.0	9.550	.000
I discover that the movie make me question a lot of issues to do with religions in this country in general.	2.1	12.8	36.2	34.0	14.9	3.47	0.97	69.4	5.744	.000
I will promote cultural and religious understanding among friends and family members.	7.1	15.6	30.5	26.2	20.6	3.38	1.18	67.6	3.781	.000
I enjoy watching faith-based movie.	7.1	15.6	37.6	18.4	21.3	3.31	1.18	66.2	3.146	.002
I understand Islam better.	9.2	12.8	39.0	30.5	8.5	3.16	1.06	63.2	1.828	.070
I am convinced that faith-based movie has changed my perception of minorities from other religions.	4.3	14.2	51.8	21.3	8.5	3.16	0.92	63.2	2.013	.046
I am convinced that faith-based movie has changed my perception of Muslims in general.	6.4	19.1	44.7	23.4	6.4	3.04	0.97	60.8	0.521	.603
The portrayal of the minority religions is done justly in this movie.	6.4	19.9	47.5	22.7	3.5	2.97	0.91	59.4	-0.370	.712
I feel the portrayal of the lead character in the movie is biased towards Islam.	9.9	23.4	41.1	19.9	5.7	2.88	1.03	57.6	-1.397	.165
I feel my faith in my own religion is challenged after watching the movie.	17.0	24.8	31.9	14.9	11.3	2.79	1.22	55.8	-2.065	.041
Overall impact change						3.21	0.65	63.8	3.881	.000

*1 = strongly disagree (1-20%), 2 = disagree (21-40%), 3 = slightly agree (41-60%), 4 = agree (61-80%), 5 = strongly agree (81-100%); ** test value of 3.0.

4.6 The Relationship between Perception, Attitude and Impact Change on Malaysian Youth Islamic Film Viewers

Table 5 shows the zero-order relationships between perception on, attitude toward and impact change from watching Islamic films. Perception has a positive weak relationship with impact change ($r = .270$, $p = .001$), while attitude has a moderate positive relationship with impact change ($r = .420$, $r = .000$). This means that both perception and attitude are able to correlate with impact change, but with different amount. Nonetheless, perception and attitude are moderately correlated ($r = .566$, $p = .000$). Therefore, Hypotheses 1 and Hypothesis 2 are supported. Similarly, Hypothesis 3 is also supported.

Table 5 Zero-Order Correlations between Perception, Attitude and Impact Change on Youth Film Viewers

Control Variables (N = 141)	Perception		Attitude	
	r	p	r	p
Perception				
Attitude	.566	.000		
Impact change	.270	.001	.420	.000
Attitude				
Impact change	.043	.610		

When controlling for attitude, as the mediating factor, the relationship between perception and impact change is reduced tremendously ($r = .043$, $p = .610$). Therefore, the relationship is not significant and this means that attitude is the mediating variable between perception and impact change. Therefore, Hypothesis 4 is supported.

Further analysis was carried out to determine the best predictor for impact change (Table 6). Results showed that attitude (Beta = .393, t = 4.195, p = .000) is able to predict impact change better than the perception (Beta = 0.48, t = 0.511, p = .610) on Islamic films. Nonetheless, there is already an existing level for impact change (constant t = 3.306, p = .001). Therefore, the equation for impact change can be written as: Impact change = 1.283 + 0.476 attitude.

Table 6 Hierarchical Multiple Regression between Impact Change with Perception and Attitude towards Islamic Films

Variable	Unstandardized		Standardized		
	B	SE	Beta	t	p
Constant	1.283	0.388		3.306	.001
Perception	0.060	0.118	.048	0.511	.610
Attitude	0.476	0.113	.393	4.195	.000

F(2,138) = 14.916, p = .000, R = .422, R² = .178, R² adj. = .166

5. Discussions and Conclusions

From 141 respondents of the study, comprising of students from a university, a college and a secondary school, results showed that the youth are mostly females compared to males, in a ratio of 2:1. The youth are mainly Chinese, followed by Indians and Malays. This distribution reflects their religions. Most of them are teenagers, followed by adolescents and finally young adults.

The students agreed to the overall perception of Islamic films. This means that Islamic-based film production house needs to be more rigorous in promoting Islamic-based films to the youth. They also have a positive overall attitude towards Islamic films. Majority of the students love to watch movies. Therefore, if Islamic values are inculcated in the movies, then it is possible to propagate the knowledge on Islam to the youth so that there will be good understanding of Islam as a universal religion and as the official religion of Malaysia. They have positive attitude towards all the items except for “I prefer to watch faith-based movies alone”. Therefore, it is possible to incorporate the issue of family, friendship and community inside the Islamic-based films for the youth to watch. The impact of Islamic-based films is also acceptable, as the students slightly agreed/agreed to most of the items. In this case, through films youth are more tolerant to other religions and to the other races. This creates the possibility of peace and harmony in the nation. Yet, the youth are not totally convinced on the change in them. Therefore, the production houses and Islamic authority should try to keep track of and monitor the production of the Islamic-based films.

Overall, there is a positive weak relationship between impact change and perception but a moderate positive relationship between impact change and attitude toward Islamic films. Nonetheless, the relationship between perception and attitude toward Islamic films is moderately positive. Using a partial correlation analysis, it is found that the relationship between perception and impact change has been reduced, that is, the relationship is negligible. Therefore, attitude is mediating between perception and impact change. In addition, impact change is being predicted by attitude toward Islamic films only. This is supported by the hierarchical regression analysis. Hence, Social Learning Theory is supported, with attitude as the mediating factor between perception and impact change on youth.

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“Facts of Consciousness” in the Criminal Judgment

Elek Balázs

(Faculty of Law, Debrecen University, Hungary)

Abstract: It is beyond doubt that the obligation of the court to reveal facts applies to all relevant phenomena that are significant from the point of view of criminal judgment. The statements recorded in the personal and historical part of the statement of facts as a result of that can not only be external happenings of a physical nature, but can also be so called internal happenings, which we may call facts of consciousness. But the factual establishment of this content of consciousness must definitely be separated from the other essential field of the judge’s judgmental action, from the legal evaluation of established facts, from the decision about the criminal responsibility, and from the qualification of the feausance.

The elements that take place in the mind, in the world of thought of the proprietor can be listed on the subjective side of the crime. If a certain form of culpability cannot be established, then the crime itself fails to be realized. The recording of the will, consciousness and thoughts of the proprietor, the establishment of the so called facts of consciousness requires an action of different quality than the shaping of external objective circumstances into a historical statement of facts.

But the distinguished duality and opposition of the question of facts and the question of law in the external reality, as its terms, are simply non-existent.

Key words: criminal procedure, facts, consciousness, criminal judgement

1. Introduction

The notion of culpability according to procedural law and its notion according to substantial law are closely connected to each other, in fact, we consider them the two facets of the same phenomenon. The declaration of culpability of the accused cannot be interpreted without determining the culpability by substantial law, which means the psychic relation between the culprit and their action, on the basis of which we accuse the culprit with the given action.¹ The elements that take place in the mind, in the world of thought of the proprietor can be listed on the subjective side of the crime. If a certain form of culpability cannot be established, then the crime itself fails to be realized. The recording of the will, consciousness and thoughts of the proprietor, the establishment of the so called facts of consciousness requires an action of different quality than the shaping of external objective circumstances into a historical statement of facts. The question immediately arises whether we can talk about facts of consciousness at all, whether this wording is in contrast with the objective establishment of facts or not. Regarding the conclusions that are drawn from the contents of the consciousness of the proprietor, the courts

Elek Balázs, Ph.D., Associate Professor, Faculty of Law, Debrecen University; research areas: criminal procedure law, E-mail: elek.balazs@law.unideb.hu

¹ Apart from that, certain dogmatic approaches make a strict differentiation between the notion of material and procedural law. See: István László Gál (2007), *Economic Criminal Law for Economists*, Akadémiai Kiadó, Budapest, p. 37.

apply two opposing solutions basically. Traditionally, the conclusions about the contents of consciousness of the proprietor are included in the legal reasons for the judgment, but more and more often, we may come across with decisions in the practice, where the conclusions regarding the consciousness of the proprietor are recorded necessarily in the historical statement of facts.

This is a much deeper issue than just the question of how to structure a judgment, whether the conclusions regarding the consciousness of the proprietor should be part of the historical statement of facts or the legal reasons for the judgment. Such theoretical and practical problems arise as well, like the merits of legal indictment, of the bounds of indictment, of the identity of actions presented in the indictment and the judgment, and of the judgmental statement of facts, the extent of the secondary and tertiary revisions, and the legal scope of the special legal remedies.

2. The Subjective and Objective Approach of the Notion of Crime

The statements made in connection with the facts of consciousness clearly belong to the subjective side of the crime. The *differentia specificas* of the notion of crime in the literature of law change according to how they define the scientific notion. Their common point is that the scientific notion of crime includes more than the so called formal notion of crime, according to which a crime is an action which is punishable by law.

Elements of the material notion of a criminal act may be the danger to society, compliance with the statutory provision, unlawfulness and guiltiness. We can find the various combinations of these characteristics in the different papers of scientific literature. Compliance with the statutory provision and unlawfulness are not specifically part of the legal crime notion, but it does include the danger to society and guiltiness.²

Thus, the analysis of the subjective elements of the criminal act can lead to the approach of endangering society which includes either solely objective or also subjective elements as well. László Viski warns us that by consistently treating the notion of endangering society objectively, criminal law could order neither unsuitable attempt nor preparation to be punished.³

Ferenc Nagy also points it out in connection with the punishability of unsuitable attempt that the different legal solutions all indicate, whether the given criminal law system is oriented in a subjective or in an objective way. Namely, whether, in a consistent manner, the criminal law reaction as it applies connects to the committed action or the intention of the perpetrator. The punishability of the unsuitable attempt reflects the dominance of the subjective, intention-centered approach.⁴

There are several examples, where the act, although it would deserve punishment, does not objectivize any conscious endeavor in itself, what is more, when analyzed in itself, separate from the elements of perpetrator consciousness, it formulates a way of action that is either indifferent or advantageous as far as society is concerned. When one relates to the actions violating or endangering protected legal objects in the notion of endangering society — that includes subjective elements as well.

For example, the Hungarian Criminal Code particularly refers to the contents of consciousness of the

² New Criminal Law 4. §, see also: Imre Wiener A. (1998), “To be punished — Punishability: Statement of responsibility, in: Wiener (Ed.), *To Be Punished — Punishability: Studies on Criminal Law*, KJK, MTA Institute of State and Law, Budapest, p. 166.

³ László Viski (1987), “Theses for the formulation of the notion of crime”, in: compiled: Tibor Horváth, László Szük, *Selection of Criminal Law Special Literature*, Volume I. Tankönyvkiadó, Budapest, pp. 313–346.

⁴ Ferenc Nagy (2006), “On unsuitable attempt with an outlook to Europe”, in: István Gál, Szabolcs Hornyák (Eds.), *Studies in Honor of the 80th Birthday of Professor József Földvári*, PTEÁJK, Pécs, 2006, pp. 261–273.

possible perpetrator in the legal statement of facts of money laundering with the phrase “if they were aware of the origin of the items at the time of perpetration.” Without this awareness of facts, the criminal act is not realized, regardless of the danger of the act to society.⁵ It is beyond doubt that when the acts can be considered a danger to society purely based on their objective effect, in such cases the notion of danger to society is objectivized to the fullest, and the elements of perpetrator consciousness are clearly only analyzed in the light of guiltiness and accountability. But in those cases — and these undoubtedly form a minority, as when the objective violation or endangering of a legal object is established, the intention or even its volitional component is not at all necessary for the establishment of the danger posed by the act to society — where it is necessary to consider subjective elements, the legislative argument to declare something a criminal act is revealed by the reference to the endangering over violation in the legal definition of the notion of a criminal act.⁶

László Viski, in regard of the relation between the compliance with the statutory provision and unlawfulness, points it out that “in a narrower sense, the statement of facts is the description of the forbidden (punishable) act, or the object (material) of prohibition. Apart from certain extreme branches insisting on overall valuelessness, the standpoints of legal literature are uniform in that the realization of the statement of facts in this sense states nothing about the guiltiness of the perpetrator, about the possibility of accusing them of the action compliant with the statutory provision and this — in case we would like to preserve the sovereign systemic significance of the notion of the statement of facts — is not at all necessary.⁷ Ferenc Nagy points it out regarding the relation between compliance with statutory provision and the (criminal) unlawfulness, that there are such actions compliant with the statutory provision that are (criminally) unlawful, and others which are not, because of certain circumstances that preclude their (criminal) unlawfulness.⁸

The independence of unlawfulness from guiltiness and accusability is significant both theoretically and from a practical point of view. As the differentiation between an unlawful and a criminal act is absolutely necessary in case of all crimes where accusability regarding the action is not significant in relation to the criminal evaluation, more specifically, where criminal law also reacts to certain unlawful behaviors even in absence of accusability. This is the case when examining the grounds for ordering forced medication, or when sanctioning objective responsibility in administration. It may have significance when an act is committed while in a drunken or dazed state which causes mental disorder and precludes accountability, in which case the judgmental practice specifically demands the not accusable intention to be examined on an objective basis, and the act may qualify as a voluntary or negligent criminal act compared to its objective side.⁹

According to the traditional understanding in the European continental legal literature of the last decades, the legal statement of facts included four main components — the object of the criminal act, the objective elements of statement of facts, the subject of the criminal act and the subjective elements of the statement of facts. Géza Tokaji (after Imre Békés) narrows this down by stating that the legal object is not an element of statement of facts, but its place in the system is inside the conceptual range of unlawfulness.¹⁰

⁵ New Criminal Law 399. §, see also: István László Gál (2013), “Notification or impeachment? Tasks and obligations in connection with the battle against money laundering and terrorism financing based on the new Criminal Law”, Penta Uni6 Educational Centre, Pécs, pp. 22–24.

⁶ Viski op.cit. p. 322.

⁷ Viski op.cit. p. 327.

⁸ Ferenc Nagy: Thoughts and questions in the topic of unlawfulness. Criminal Law Codification, Issue 2/2008, pp. 3–10.

⁹ The III. Decision of penal principle on the responsibility for crimes committed while being drunk or dazed.

¹⁰ Ferenc Nagy, Géza Tokaji (1993), *The General Part of the Hungarian Criminal Law*, JATE ÁJK, Szeged, p. 34.

The objective elements of the legal statement of facts are the object of perpetration, the behavior of perpetration, the situational elements, the outcome and the causal relation, while the subjective elements of statement of facts are the intention (*dolus directus*, *dolus eventualis*), negligence (*luxuria*, *negligentia*), the motive and the purpose.

The basis of differentiating between the outward forms of guiltiness is the psychic background of behavior. A decision is made after considering what psychic factors take part, and in what way, in the formulation of the behavior. The most important phenomena are the intellect, the sentiment and will. A voluntary criminal act can be legally defined based on the relation of these three psychic phenomena to each other.

In voluntary criminal acts, the subjective side — as part of the subjective elements of statement of facts — must comprehend the elements of the legal statement of facts. There are of course objective criteria independent from the consciousness of the perpetrator, which the consciousness of the perpetrator does not need to comprehend. In case of criminal acts violating or endangering property rights of one or several affrontees for example, the objective factors independent from the consciousness of the perpetrator have a definitive significance concerning the decision whether the objective condition of continuance has been realized or not, or whether it is valid to establish the perpetration of several crimes by the same person or not.¹¹ At the time of conducting the behavior of accomplishment of the action, in the overwhelming majority of criminal acts, the consciousness of the perpetrator does not have to comprehend the person of the affrontee.¹²

When trying to establish the mental state at the time of the perpetration, so for example, when deciding whether the intent of the perpetrator was to commit murder, battery or damage of health, the analysis of the facts that take an outward form and thus are knowable has a great significance. One is able to draw a conclusion regarding the contents of consciousness during perpetration based on the objective and subjective factors. This establishment is closely connected to the revelation of the psychic process preceding the execution of the action, which could be recognized from outward phenomena. So, for example, the existence and degree of a strong emotion is a legal and factual issue which is to be determined not by a mental specialist, but by the court, and is to be judged based on the specific psychic traits of the perpetrator.¹³

As far as the conscious elements of voluntary criminal acts are concerned, the perpetrator, besides knowing the facts on which the elements of the statement of facts are based, must be aware of the danger to society represented by the nature of his or her act. This awareness may be provided by the recognition that the act is unlawful, immoral or meets with reprobation from society. However, it must be noted that the existence of this does not have to be separately recorded in the historical statement of facts.

3. Facts of Consciousness in Connection with Verification

The legal statement of facts is the collection of the legal criteria determining the finished figure of perpetration of a given type of criminal act.¹⁴ As opposed to the legal statement of facts, the concrete or historical statement of facts is the collection of those circumstances of the crime committed, important from the point of view of criminal law, which must be recorded in the reasons adduced as the result of the procedure of verification.

The events of the world can be broken down into components, facts during the process of and for the sake of

¹¹ 45/2007 Supreme Court BK opinion.

¹² BH 2009.169.

¹³ High Court CUD number 3/2013.

¹⁴ Ferenc Nagy (2001), *The General Part of the Hungarian Criminal Law*, Korona Publishing, Budapest, pp. 139–145.

cognition. An event is built up of facts. The object of verification usually means all the factual circumstances, the establishment of which is the prerequisite of a certain action to be taken or a decision to be made during the criminal procedure. According to the approach of Angyal, it is irrelevant whether the factual circumstance is an external fact or an internal state (e.g., intention, purpose, willful misrepresentation etc.).¹⁵

In contrast, many other definitions emphasize the objective nature of the fact. Thus, fact is an objective category, so it exists regardless of the human mind (cognizance) acknowledging it, or being interested in it at all, and it has a material nature, because it is the part of the material world, and thus inexhaustible, as it is a unit formed by intertwining material structures that interfere with each other.¹⁶

Flórián Tremmel also emphasizes the objective nature of facts by stating that their common trait is “their existence independent from our consciousness.” In crimes, those objective incidents which must be uncovered and established are mostly incidents from the past and ontological incidents, as penal consequences may arise exactly depending on their existence or non-existence.¹⁷

Facts can and should be evaluated based on criminal law (facts being relevant from the viewpoint of criminal law) exactly after and as a consequence of their establishment as facts. The object of verification is that complex of facts formulating the events, which represents the act of crime itself. The objective approach of the notion of fact makes the understanding and description of the facts of consciousness in the historical statement of facts difficult from the outset, even if many legal statements of facts specifically emphasize the significance of certain factual consciousness in regard of the realization of the disposition.

4. Facts of Consciousness in the Hungarian Court Practice

4.1 Facts of Consciousness in the Legal Reasons of Judgments

The objective of gathering evidence in the continental legal system is the thorough and complete elucidation of the true facts. In all sections of criminal procedure the obligation of authorities to set up a thorough, proper and adequate to reality statement of facts, and to take into consideration all incriminating and attenuating, increasing and mitigating circumstances, when establishing criminal responsibility.¹⁸

In the previously published decisions, maybe consistently, that principle was predominant, according to which the intention and the content of consciousness were not part of the statement of facts, and this must be kept in mind when making a decision. This was the distinct reason why the Supreme Court of Justice omitted from the historical statement of facts the one statement according to which the accused “decided to frighten the injured with the vehicle of the accused, and to crowd the injured off the road.” According to the Supreme Court, this statement referring to the content of consciousness and intention of the accused, as a legal conclusion drawn from the knowledge about the available and guiding facts, is part of the legal reasons of judgment, rather than of the

¹⁵ Angyal op.cit. p. 318.

¹⁶ Csaba Varga (1989), “The nature of the process of judicial establishment of facts”, *Journal of Legal Studies*, No. 4, p. 193; Endre Bócz (2006), “The adventures of our law of criminal procedure: Triumphs, obstacles and roundabouts”, *Hungarian Official Journal Publisher*, Budapest, pp. 84–85; Endre Bócz (2008), *Criminology at the Courtroom*. Hungarian Journal Book and Paper Publishing, Budapest, pp. 26–27.

¹⁷ Flórián Tremmel (2001), *Hungarian Criminal Procedure*, Dialóg Campus Publishing, Budapest-Pécs, p. 218; Flórián Tremmel (2006), *Flórián Tremmel: Evidence in the Criminal Procedure*, Dialóg Campus Publishing, Budapest-Pécs, p. 73; Csongor Herke, Csaba Fenyvesi, Flórián Tremmel (2012), *The Theory of the Law of Criminal Procedure*, Dialóg Campus Publishing, Budapest-Pécs, p. 135.

¹⁸ Hautzinger Zoltán, Herke Csongor (2006), *The Hungarian Criminal Procedure Law*, University of Pécs Faculty of Law, pp. 1–101.

statement of facts. In another case, similarly to the previous one, the Supreme Court omitted from the statement of facts the statement according to which “the accused left the pub with the intention to murder his wife and her family.” This statement also refers to the content of consciousness of the accused, “but there is no room in the circle of the statement of facts for a direct statement referring to the content of consciousness.”¹⁹ This is the same reason why the Supreme Court of Justice excluded the statement that the accused of the second order would have any knowledge about the principal defendant wanting to murder the injured in order to avoid being exposed, as “conclusions regarding the state of the consciousness of the accused could only be drawn in the scope of the reasons of judgment and not in the statement of facts.”²⁰

In a criminal case initiated by a crime of murder, the Supreme Court, proceeding on secondary level, recorded it as a fault, that the court proceeding on primary level — when hearing the expert of forensic medicine at the court — did not clarify those factual bases to an appropriate extent, based on which a reassuring conclusion could have been drawn about what the consciousness of the accused could comprehend in the specific phases of the incident about the vital status of the injured — that is, whether the injured was alive or dead. From the statement of facts of the judgment, the Supreme Court omitted the statement according to which “the accused knew that after the strangling with a string, the injured did not die when the head got separated.” This statement, on the one hand, is not an establishment of facts: the actual consciousness of the accused is a question of legal conclusions, thus, such a statement cannot be included in the statement of facts, and on the other hand, the validity of this statement — as a legal conclusion — cannot be verified with facts. The Supreme Court also omitted from the statement of facts of the judgment the statement referring to that at the time of strangling the neck of the injured with a clothes-line, the accused knew that the injured did not die. “Albeit this statement — considering the information based on the report of the experts of forensic medicine — is true, but it is in reality a valid legal conclusion drawn from the established facts, and consequently, this valid statement belongs in the scope of the legal reasons of judgment.”²¹

It is a frequent phrase of the legal reasons of judgment, that “while analyzing the content of the consciousness of this accused in the light of the guiding statement of facts”, what kind of intentions can be concluded.²² In compliance with this, the statement of facts of the judgment is valid and well-established only, if, as a result of the verification, “it records the information from which factual and legal (thus, concerning the state of consciousness) conclusions” can be drawn.²³ So, these decisions clearly place the drawing of the conclusion regarding the actual state of the consciousness of the accused in the scope of the legal conclusions.

4.2 Facts of Consciousness in the Historical Statement of Facts of the Judgment

As opposed to what has previously been discussed, the Supreme Court pointed it out in many cases that the judgmental statement concerning the content of the consciousness of the accused is not necessarily just a question of law, but in a given case it might be a part of the statement of facts. According to the proposal for revision presented by the Chief Prosecutor’s Office, the statement of facts alluded groundlessly to that the accused would have been aware of the fact that s/he was contributing to the formulation of false registry court orders and false registry court entries at the time of drafting the contracts. As the content of the consciousness of the perpetrator is

¹⁹ Hungarian Supreme Court decision number: BH 1992.745, BH1998.473.

²⁰ Hungarian Supreme Court Bf.III.850/2001/4.

²¹ Hungarian Supreme Court decision number: BH 1999.495.II.

²² Budapest-Capital Regional Court 3Bf.157/2012/29.

²³ Supreme Court Bhar.III.616/2010/24.

the result of a legal conclusion rather than of a factual one, and thus, as a legal conclusion drawn about the guiltiness of the accused, falls out of the scope of the statement of facts. As opposed to that, the Supreme Court referred to point II of decision published under BH 1994.171, which recorded that a statement referring to man’s state of and content of consciousness — from the point of view of the crime of defamation, and the insulting of authorities and officials — falls under the scope of the notion of statement of facts. But the reasons for the judgment that is the basis of this decision leave no doubt about that these so called facts of consciousness cannot only be connected to defamation (slander, irreverence). We must consider the human action, behavior, a certain real event and happenings as facts. The latter notion, the happening includes in its scope the state of the consciousness of man, and any physiological processes in the consciousness. Thus, any statement referring to the state of and content of man’s consciousness is a statement of facts. So, the so called facts of consciousness do exist, the establishment of which may be the result of a conclusion based on and yielding facts (thus being so called factual). When the primary court recorded in its judgment that the accused had been aware of the false content of the partnership contracts when drafting them, and of the fact that this way s/he is contributing to the formulation of false registry court orders and false registry court entries, it established statements of facts, which can be considered as guidelines even in a process of revision.²⁴

In a criminal case of forging the unique identification number, the primary court considered it particularly essential to record in the statement of facts whether the accused had been aware of the registration number of the vehicle being different from the one listed in the traffic permit or not, of the plate of the vehicle being changed by someone else or not, after driving in public traffic this way. With this not recorded, the statement of facts is not suitable for drawing relevant legal conclusions.²⁵ Revocation has been ordered because the fundamental defect of the judgment including a shortened reason was that one could not decide from such a judgment whether the unique identification number has been eliminated, or swapped with or without the accused being aware of it. “According to the consistent judgmental practice, the obligation of the court to reveal facts applies to all relevant circumstances that are significant from the point of view of criminal judgment. As a result of that, the statements recorded in the personal and historical part of the statement of facts can not only be external happenings of a physical nature, but can also be so called internal happenings, facts of consciousness. For the sake of being able to take up a position in the question of criminal responsibility, the revelation of these circumstances and their establishment as facts are indispensable.”²⁶

5. Conclusion

We could see that as far as the recording of the facts of consciousness is concerned, we can come across decisions of opposing nature, which stand on different dogmatic ground, nevertheless, it would be very important to have a unified way of judgment with a consistent scientific basis which took into consideration practical aspects as well — without this, legal insecurity may arise during the evaluation of regular or special legal redress as well, whereas providing calculable litigation is a fundamental constitutional obligation of the state.

²⁴ Supreme Court Bfv.II.19/2007/5 It must be noted that those factual statements, which the court established via the evaluation of evidence or the factual deductions, but did not record in the part of the judgment about statement of facts, must be considered as part of the statement of facts during the procedure of revision (and also in the secondary and tertiary procedure). The mistake in the formulation of the judgment does not influence the “factual” nature of such a statement. (BH2009.5)

²⁵ Supreme Court Bfv.II.225/2011/5.

²⁶ Supreme Court Bfv.II.225/2011/5.

The differentiability of the question of facts and the question of law can only exist from a procedural law approach, which also establishes a question of judgment formulation. Csaba Varga states, that their separation can only be expressed via the connections of a given procedure. But the distinguished duality and opposition of the question of facts and the question of law in the external reality, as its terms, are simply non-existent. Such a separation can only be interpreted as an institutional question, in light of a system of norms that establishes a given procedural system.²⁷

It is beyond doubt that the obligation of the court to reveal facts applies to all relevant phenomena that are significant from the point of view of criminal judgment. The statements recorded in the personal and historical part of the statement of facts as a result of that can not only be external happenings of a physical nature, but can also be so called internal happenings, which we may call facts of consciousness. But the factual establishment of this content of consciousness must definitely be separated from the other essential field of the judge’s judgmental action, from the legal evaluation of established facts, from the decision about the criminal responsibility, and from the qualification of the feausance.

The recording of the facts of consciousness can happen in a similar way to the establishment of the external objective circumstances. It entails the comparison of the means of verification that bear the evidences of different content, the analysis of the legality of their acquisition, the estimation of their coverage of reality and their verifying power according to the rules of logic, and as a result of this, the establishment of facts. For the establishment of the content of consciousness, direct information may be provided by personal evidence, such as the confessions of the accused, but conclusions can be drawn from other objective circumstances via deduction, which conclusions must be mentioned necessarily in the reasons of judgment, in its part where evidence is evaluated.

In relation to this, the legal evaluation is the comparison of the facts of consciousness and the physical facts already accepted as truth with the legal norm, their collation with the text of the law, which analysis must be done in the legal reasons of the judgment.

It is a requirement for the sake of exact definability that the statements of judges about facts should not be — in relation to either the physical facts or the facts of consciousness — legal notions, or legal categories featured in general or singular law or interpreted by legal science and legal practice (intention, negligence, particular cruelty, intent-asserting presence etc.), but concrete facts and actions.

The establishment of facts, as done by the primary court conducting the verification procedure based on the principle of immediacy, can only be remedied in a narrow scope during the secondary procedure, regardless of those being external objective circumstances or so called facts of consciousness. But as far as the legal evaluation of the established facts is concerned, such a constraint cannot exist. The conclusions regarding the content of the consciousness of the accused — which appear in the form of legal notions — belong in the scope of legal evaluation, as they are not establishments of facts; they may be modified during the secondary procedure without the constraints formulated for the sake of eliminating groundlessness.²⁸

Thus, conclusions about the guiltiness of the perpetrator and about its form may be drawn solely in the form of legal deductions. It is not possible to avoid the secondary or tertiary revision or the re-examination of the legal reasons in the re-examination procedure by including the legal deductions — drawn from the content of the

²⁷ Csaba Varga (2003), *The Nature of the Process of Judicial Establishment of Facts*, Akadémiai Kiadó, Budapest, pp. 99–101.

²⁸ Hungarian Supreme Court decision number: BH2005.167.

consciousness of the accused directly founding legal qualification — in the statement of facts.

In my opinion, a content of consciousness that refers to only the intent must necessarily be part of the legal reasons. In the reasons for judgment, the historical statement of facts is integral with the legal reasons, but the historical statement of facts should be suitable in itself for drawing only one kind of legal conclusion from it, even if the court formulates its judgment with an abridged reasoning. The historical statement of facts established as a result of weighing the evidence must fit into the statement of facts of both the general and the singular part, even without the legal reasons. For example, one cannot draw the appropriate conclusion about a mistake as a reason for excluding punishability, without recording the facts of consciousness, as the external objective circumstances are the same. For example, the perpetrator “took the bicycle because s/he thought it was his/hers.” But this fact of consciousness is closely connected to the conclusion to be drawn about the intent, so the limitation is quite complicated. But when not recording this fact of consciousness, the court does not perform its duty to establish the statement of facts, as it established such a statement of facts, from which — besides the exclusion of the parts related to reasons — conclusions offering many versions of guiltiness can be drawn.

The Creative Platform: Responses between Boys and Girls in a Malay Language Classroom

Farizan B Md Amin

(Ministry of Education, Serbia)

Abstract: The challenge has always been to find relatively new approaches in teaching and learning. This includes the language learning. The Creative Platform by Byrge and Hansen (2010) is seldom explored in a Malay Language (ML) classroom setting. It has 4 pillars. Researcher aimed at looking on the students' test-score to study creativity patterns between male and female students as well as students' samples. Samples were taken from 14 students. Both quantitative and qualitative data were gathered. The findings stated that male students tend to express their creative thought through drawing (i.e., mind-mapping, comic strip, etc) before writing. While female students prefer to express their ideas through words.

Key words: creative, expressions, learning, students

1. Introduction

According to Baer (1999), differences in creativity exist. However, it is not clear as to the cause of the differences (Baer J., 1999). In addition, Baer (1999) outlines three factors that have affected the creative productivity of women. These combining factors include schooling opportunities, differences in expectations (societal and academic) of females and males throughout development, and the fact that accomplishments in a variety of fields are judged by standards that have been controlled by males. Baer & Kaufman (2008) said that gender differences in creativity are “a difficult arena in which to conduct research, but there is consistent lack of gender differences both in creativity tests scores and in the creative accomplishments of boys and girls. As a result, it is difficult to show how innate gender differences in creativity could possibly explain later differences in creative accomplishment” (Baer J. & Kaufman J. C., 2008). Hence, this article aimed at looking into the students' tasks, on their creative responses, given by the researcher in the classroom setting.

2. Perspectives on Creativity

Creativity has been defined in a multitude of ways leading to a surplus of definitions; however, there is not one ultimately accepted the definition of creativity. According to Sternberg & Lubart (1996), creativity is something that is mystic and subjective, from psychology's perspective. Creativity ought not to be used as scientific research (Sternberg R. J. & Lubart T. I., 1996). In Trautmann (2012), Csikszentmihalyi defined creativity as “any act, idea, or product that changes an existing domain, or that transforms an existing domain into

Farizan Bin Md Amin, MA, Education Officer, Ministry of Education; research areas/interests: applied linguistic. E-mail: farizan.md.amin@gmail.com.

a new one... what counts is whether the novelty he or she produces is accepted for inclusion in the domain” (Troutmann M., 2012). Weisberg (2006) mentioned that an individual uses their innate normal thinking process to create and innovate. It states that being creative and innovative can come from experiences of daily life (Weisberg R. 2006). Other researchers said that creativity depends on the thinking process of an individual. It is mentioned that every child can be creative; however, the greatest is inborn. Nevertheless, there ought to be ways whereby creativity in an individual or a child be given an opportunity. Byrge and Hansen (2010) initiated and applied in classroom teaching using four pillars that have been identified in The Creative Platform. The formation of these four pillars is the result of extensive research and personal application in the classroom teaching by both researchers. In this creative platform, knowledge is dynamic (Byrge & Hansen, 2010). Knowledge is perceived as the building block to the other. It also encourages inter-disciplinary fields for creation and innovation. Students’ involvements are high. There is a huge difference between an individual’s creativity to the other. There is a difference in an individual’s personality structure, what more between boys and girls.

3. Theoretical Approach (The Creative Platform)

3.1 Non-Judgement

According to Zajonc (1965), he found that the bare presence of other people increases arousal of the individual and therefore might decrease their level of creativity. In addition, being around other people is a constant test of a person’s personality, and social competencies (Zajonc R., 1965). This is where non-judgement creates confidence. As mentioned by Byrge and Hansen (2010), in order to deal with confidence, “totally judgement free” environment is implemented in the classroom. The pertinent point is not about the judgement itself, rather the *feeling of being judged*. In this pillar, the student’s ideas are never positioned, but a building block to build another, similar to De Bono’s (1970) Lateral Thinking (De Bono E., 2007).

3.2 Task-Focused

The concept of **motivation** in relation to creativity is more intrinsic (coming from an inside) rather than extrinsic (coming from outside), while the extrinsic motivation factors are damaging to creativity (Amabile, 1983). The creative person needs to find something from an inside that drives him in solving a particular task. Hence, this explains why Amabile (1983) places high focus on the intrinsic motivation factors (Amabile T. A., 1983). When a student is **task-focused**, it creates motivation. In this pillar, students are not challenged on their expertise; instead, they are made to focus on the task.

3.3 Parallel Thinking

The third pillar is Parallel Thinking (De Bono, 1994). The main role is to structure/systemize the thinking of a group of people. It focuses the thinking of the students towards a common task at any given time. It also maximizes the sensitivity of the thinking about a particular area or field (De Bono, 1968). Thereby, **parallel thinking** creates a very high **concentration** of the students on a particular task. Maslow finds that creativity appears in the self-actualisation mode. He mentioned that self-actualised creativity is the spontaneous expression of the person whose basic needs have been satisfied (Maslow, 1968) in Byrge and Hansen.

3.4 Horizontal Thinking

De Bono (1968) finds that “too much experience within a field may restrict creativity. He further found that a very experienced person starts to think in a pattern. A research shown that even if the students were explicitly told

to do as different as possible from examples, they still has trouble with the system of recently activated knowledge, thus making ideas very similar to the examples given (Smith, Ward & Schmacher, 1993; Marsh, Landau & Hicks, 1996) in Byrge and Hansen. Weisberg (2006) mentioned that knowledge could provide the building blocks out of which are constructed new ideas. There seems to be a general understanding that new ideas come from existing knowledge.

4. Six Steps to the Creative Platform

Step 1: The teacher prepares lesson/course and needs to be aware of the physical environment as well as tasks involved during the running of the lesson. Step 2: The red carpet is to guide the participants away from the world of judgement, being individually responsible for the process, and signifies the “entrance” of creating new rules of thinking and new rules of interaction. Step 3: The problem should be presented without introducing further inputs of any kind that could create mental blocks for the students, only provide one problem at a time. Step 4: During the idea development different cognitive approaches are used to help stimulating horizontal thinking. Step 5: Professional input is necessary. Step 6: The blue carpet is about “bringing students back to normal condition”.

5. Research Objective

The main objective of this research is (1) To introduce the Creative Platform to students through ML classroom teaching; and (2) To study the trends of boy’s and girl’s responses from samples gathered. In addition, quantitative and qualitative research is observed to ascertain data.

6. Hypothesis

The hypothesis of this study states that students unable to express their ideas beyond the social norms and will normally write based on what they have read previously. Students are not ready to explore their minds beyond their normal context and daily life experiences. Lau (2011) said that “But what do we mean by good thinking skills? Basically, it comes down to two things — critical thinking and creativity. Critical thinking is thinking clearly and rationally... As for creativity, it is a matter of coming up with new and useful ideas, generating alternative possibilities. For someone who is able to be creative and critical, Lau suggested nine levels (Lau Joe Y. F., 2011).

7. Methodology

The study was conducted in 2 parts of 1.5 hours each for 2 days. Part 1 of the study is when students were involved in two sub-tasks where scenario-based problems were presented for their idea development. Students did not share their ideas with others in the room for fear of being judged. Part 2 of the lesson was another set of sub-tasks given to students and eventually, leads up to the main task. Students explained their new ideas or perspectives through mind-map, and even an introductory paragraph of a narrative-writing topic given. Students attempted the questionnaire from the cross sectional survey. A total of 14 students in the Secondary 3 Express offering standard Malay Language were involved. Students are between 14 years old and 16 years old.

8. Quantitative Analyses

The quantitative analyses is based on student’s pre-test and post-test score of their narrative essay. The total

mark is 40. See Figure 1 for Girl's test scores. The highest pre-test score is obtained by student G5 with 34 marks. The lowest pre-test score is obtained by G2 with 23 marks. Based on the total score of 40, below the margin or at an average mark of 20, no student failed. However, for the post-test, G2 failed with a score of 19 marks. In addition, the highest is attained by the same student, G5 of 27 marks. The mean score for pre-test is 27, while the post-test mean score is 25.3. There is a dipped in the mean score for girls and the difference of about (-1.7).

Figure 2 shows a dipped (-1.4), too, by the boys between their pre-test (24.1) mean score and their post-test (22.7) mean score. The highest pre-test score is obtained by student B7 with 28 marks. The lowest pre-test score is obtained by B1 with 22 marks. No boys failed. However, for the post- test score, two boys failed, B1 and B3, with a score of 16 marks and 18 marks respectively. The highest score is attained by the same boy, B7 with 26 marks.

From Figure 3, there is a clearly indicative of distinction of marks between boys and girls. The group of girls scored higher in the two tests as compared to the group of boys. The difference of 0.3 in their mean score further claimed that the disparity is not that large. Both tests, needed students to write an essay of about 250 words long.

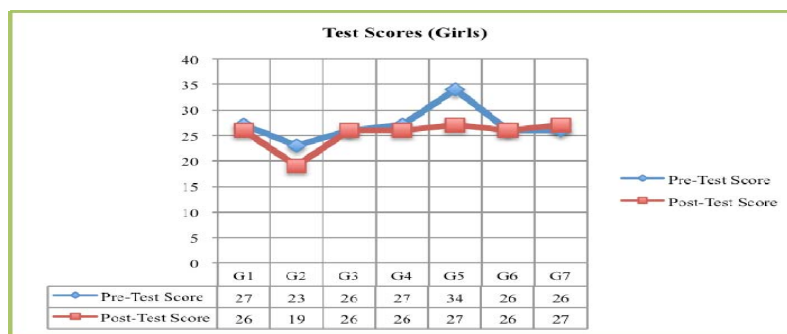


Figure 1 Pre-Test and Post Test Scores of Girls (N = 7)

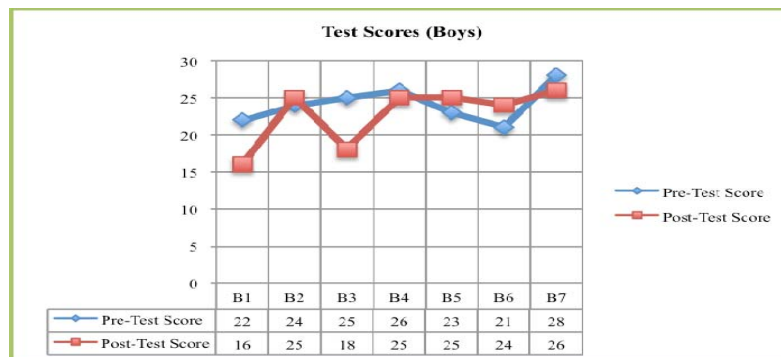


Figure 2 Pre-Test and Post Test Scores of Boys (N = 7)

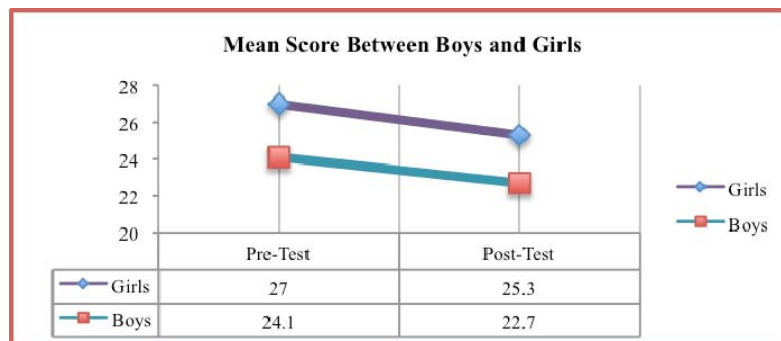


Figure 3 Mean Score Between Boys and Girls

In conclusion, a didactic approach of the creative platform is evident. Boys, in general from Figure 3 scored lower marks for both pre-test and post-test scores. This is contrast to girls. The latter's both test scores are higher than the boys. The dipped for both boys and girls are constant, i.e., -2.9 marks for the pre-test and -2.6 marks for the post-test, thus, difference of about 0.3 marks. The responses from questionnaire triangulates with the student's responses, whereby boys prefer to express their ideas through drawings rather than a written essay.

9. Qualitative Analyses

Students worked in a group of maximum 2 students per group and instructions were given that they could express their thoughts in either words or pictorial forms (inclusive of mind-mapping). Students were told that there will be no presentation (no-judgement pillar) in front of their classmates for fear of being judged. In addition, students were separated from their mobile technology, including hand phones and watches to fulfil the task-focussed pillar in The Creative Platform. The lessons were carried out for about 3 hours (1.5 hours each) without any disruption especially from students who normally request for a toilet break. In the parallel-thinking pillar, a high level of concentration for a particular task was needed (Byrge & Hansen, 2010).

9.1 Expression of Ideas

From researcher's point of view, there were 6 male students that automatically adopted a comic style approach to express their ideas, inclusive of 1 female student (see Table 1). When given the first problem (Part 1) to solve, "What will be the things that you do if you are being chased out of the house?" (Sekiranya kamu baharu sahaja dihalau keluar dari rumah, apakah yang bakal kamu lakukan?).

When presented with the second problem (i.e., Part 2), students were already working on their own. The problem that was posed, quite similar to that from Part 1, with a different sort of challenge. Students were required to respond to the question, "What if you were given a car as a gift? What will you do? (Sekiranya kamu baharu sahaja diberi hadiah, iaitu sebuah kereta, apakah yang akan kamu lakukan?). Student's responses varied. Commonly, they will sell the car to get the money to buy a bungalow house. Two new ideas were that (1) Going for a Road-Trip in Europe; and (2) Join F1 racing. Only 2 girls insisted that they will not take that present and will return it for fear of being indebted.

The deduction from Table 2 is that all boys still prefer to express their ideas in pictorial form as compared to the girls. On the contrary, all girls wrote sentences to express their ideas. When asked, the four boys said they find it useful for the other reader to understand when the comic has words. Where else, the girl who did comic strips with words in Part 1, said that "I would rather spend time thinking of vocabulary and phrases to form my sentences than to have spent more time in drawing the comic." Hence, this explained the move made by the girl from Part 1 to Part 2 response.

Table 1 Student's Samples (Part 1)

No.	Forms	Q'ty/Gender	
		Boys	Girls
1.	Comic Strips (w/o words)	6 Boys	-
2.	Comic Strips (w words)	-	1 Girl
3.	Mind-Mapping (w words)	1 Boy	-
4.	Sentences		6 Girls
	Total	7 Boys	7 Girls

Table 2 Student's Samples (Part 2)

No.	Forms	Q'ty/Gender	
1.	Comic Strips (w/o words)	2 Boys	-
2.	Comic Strips (w words)	4 Boys	-
3.	Mind-Mapping (w words)	1 Boy	-
4.	Sentences		7 Girls
	Total	7 Boys	7 Girls

For their final assignment, the students went on to choose one of the topics earlier to construct their most creative introduction in their narrative essay. In this task, all students were required to write. There was no guidance given to any students. However, 1 group of student asks if they could write things pertaining to same-sex relationship (they fear that their writing will not be accepted by their teacher). Researcher imposes professional input by further extending their question with a question, "If given a chance, would you want to write on that topic? What will be your creative way to write on that topic?" The students did some reflection and began to think hard before writing on that topic. Nevertheless, they felt shy writing on that topic and changed their introduction paragraph.

Another observation was made when two students distinguished their writing by beginning their introduction with an Islamic context, which states, "Bismillahirrahmannirrahim, dengan nama Allah yang Maha Pengasih dan Maha Penyayang...". Upon interviewed, they mentioned that they wanted to present a new approach in their writing and thought that by having that introduction, it will attract the reader. Another group expressed their ideas based on reality-fantasy experience, "Inilah hari yang kami nantikan di Stadium Kallang. Saya dan rakan pasukan saya, Fandi Ahmad bergegas ke bilik loker untuk berdepan dengan Uncle Choo..." Another student prefers to stress on words to emote their expressions, "Tidak pernah aku berasa keseorangan sebegini. Tidak pernah aku berasa... Tidak pernah aku bayangkan... Tidak pernah aku sangkakan..."

10. Conclusion

The sessions were conducted close to examination period, thus, those topics were chosen. Topic on reducing traffic accidents, reducing the student late-coming to school, increase students' self-esteem in school etc, might encourage more practical solutions. Another challenge is the time factor. The Creative Platform (Byrge & Hansen, 2010) is a model in providing students an experience of how to be simply creative. Students were given freedom to construct an idea, than their usual mundane daily classroom setting. Basically, according to the general findings of Byrge and Hansen (2010) the empirical data signifies that students were able to produce radical new ideas through The Creative Platform. Moreover, students were motivated, which gives them a positive experience on how many different problems they are capable of solving. Students were creative in injecting new ideas and different perspectives in their writing. To conclude, this study of the application of the Creative Platform by Byre and Hansen (2010) in an ML classroom context has made students to be exposed to a whole new dimension of learning to be creatively engaged. This method took *time off* from their normal conventional classroom learning. This study, too, has seen the trends of boys and girls responses from samples gathered.

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Effective School Evaluation Model: A Development Study

Burhanuddin Tola

(Graduate School, State University of Jakarta, Indonesia)

Abstract: The objective of this study is to develop of Effective School Evaluation Model (ESEM) that involved developing instruments and guidelines for its implementation in the effort of self-evaluation and self-improvement, and the enhancement of school functions management to be more effective so that each of school will have capability to produce graduation with high quality. The instruments and guidelines of ESEM includes: (1) construction and indicator of effective school, (2) instruments for evaluation of the effective school, (3) evaluation system of the effective for school outcomes, and (4) recommendations for the implementation of effective school evaluation. The development of the ESEM is undertaken through 5 steps of activities based on the service: (1) learning, (2) school management and school climate, (3) guidance and counseling, (4) studentship and extra curricular, and (5) school partnership relation with society. The study of ESEM will require information or database service of 156 respondents that is derived from principal, deputy of school principal, subject 's teacher, counseling teacher, student, and student's parent of Junior High School, Senior High School and favorite's vocational school, and non-favorite's school situated in West Java, Central Java, and East Kalimantan. The empirical data indicated that the school favorite and school non favorite were differently significant the services available in each school were learning, management and school climate, guidance and counseling, student development and extra curricular, and partnership between school and society.

Key words: effective school evaluation model, effective school indicator, instruments and guidelines for evaluation, student performance competencies, teacher professional competencies

1. Introduction

Superiority of a nation is not merely based on the wealth of natural resources, but on the superiority of its human resource that is educated worker who has capability to response to any existing challenge immediately. A number of speakers in various seminars, discussions or writings in community publication indicate that, in general, the quality of Indonesian human resource is far left behind the human resource of developed countries and neighbor's countries like Malaysia and Thailand, including mathematic literacy, science literacy, and reading literacy (Martin M. O., Timss, 2006; Pisa, 2007).

It's reality much more than enough triggered experts and educational practitioners to conduct systematic study in the effort of redefining national education system (Depdiknas, 2003; Depdiknas, 2005). To make output of school be more reliable to adjust dynamically with the change and the challenge, government proposes an idea on educational management by school base that gives larger space for school and society to determine program

and plan for self-development related to the needs and condition of each parts. Relevant to the idea of educational management decentralization, the functions of school management needs to be reinforced at maximum for the effectiveness of output quality as required by society and nation.

The implementation of the idea needs for support with a set of instruments that encourage the school to increase effectiveness of its management functions continuously so it will lead to *learning organization*. Effective School Evaluation Model (ESEM) is one of instrument that enables educational manager to find out level of each school achievement. The result of evaluation is then entitled as a consideration for the improvement of the school quality.

1.1 Objectives

The objective of study is to develop Effective School Evaluation Model (ESEM) as a guidelines or an instrument for the implementation of improving school quality. For the long period, ESEM is aimed at encouraging each school to conduct self-evaluation and self-improvement needed regularly in order to enhance effectiveness of its management functions, so that ESEM will allow each school to develop (1) construction and indicator of effective school, (2) instruments for evaluation of the effective school, (3) evaluation system of the effective school and its guidelines for implementation (including the interpretation of its outcomes), (4) recommendations for the implementation of effective school evaluation.

The development of ESEM is expected to produce (1) **construction and indicator of effective school** that is a construction and a number of indicators that represent evaluation of effective school, which have theoretically sound base and is in accordance with condition and culture as well as characteristic of Indonesian school; (2) **instruments for evaluation of the effective school** that the arrangement of instrument is based on general feature available in each school, and special feature such as vocational and religious feature; (3) **evaluation system of the effective school and its guidelines for implementation (including the interpretation of its outcomes)** that is a guidelines designed by reference of schooling system construction and development of instruments for evaluation. The method of guidelines for evaluation implementation comprise of (a) brief explanation on construction and instruments for evaluation of effective school, (b) procedures of evaluation, (c) procedure of scoring each instrument and interpretation of the result, and (d) implication of evaluation result in efforts of enhancement school's effectiveness; (4) **Activities report**; result of activities is a report that assumes procedures of activities, theoretical study, field research. And the results are: (a) objective of the activity, (b) development of construction and indicator of effective school, (c) development of evaluation instruments for effective school, and (d) development of guidelines of evaluation for effective school, and (5) **recommendations for the implementation of effective school evaluation**; a recommendation that is made by reference of product output completed with rational, explanation of the concept and instruments of evaluation for effective school, strategy of implementation for effective school evaluation, performing organization, and budget plan.

2. Concept of Effective School

The essence of above introduction is school function as learning places whose obligation to perform quality experience learning to its student. It is the essence that becomes a mission or task core of school and thus being a base of its student and performance of effective school indicator. Effective school can represent level of performance required in actuating learning process by proving its learning quality of the student according to the task core. Quality and output learning are accumulative products from overall services done by school and effects

from favorable circumstance of the school. There are several perspectives to propose as follows:

2.1 Effective School in the Perspective of Educational Quality

The implementation of service for student is usually studied in the context of educational quality that closely related to quality study of effective school management (Murgatroyad, 1993). In the environment of schooling system, concept of educational quality is expressed in different perspectives by various parts. For most (Parents and society in general), educational quality in the school is simply derived from achievement of scores or attaining grade as shown on examination sheet and testing. The quality of the school is identified with its student, in parts or overall, getting high score/grade so he has opportunity to continue his study to the next higher education. This kind of perspective is partly true if the attainment of his score or grade acknowledged as a representation of total learning outcomes. Thus, it is assumed description of behavior or mastery of a competency related to cognitive, affective, and psychometric aspects. Therefore, the quality of educational output has quantitative and qualitative nature. It means that besides it shows the indicator of a number of student which has succeeded in getting high score/grade, it also indicates how well student's quality presented in self-confidence, autonomous, discipline, hard work and firm, skillful, reasonable, faithful and piety, responsible for society and nation, self-esteem, and so on. The above analysis gives a clear understanding on the concept of effective school related directly to school performance quality.

Empirical reflection (Satori, 1995), which is discussed in a discussion on educational quality goes to the agreement of educational quality (EQ) in the school constitutes a function of input quality of the student that reveals with student performance competencies (SPC), learning experience quality identified with professional teacher competencies (PTC), use of learning facility effectiveness (LFE), and principal quality of leadership (PQL) as school culture reflection, and etc. The statement can be formulated as follows:

$$EQ = f(\text{SPC, PTC, LFE, PQL, etc})$$

Student performance competencies is a capacity gifted by almighty god for human. In the frame of psychology, the capacity is also known as "*natural or acquired talent*", which is divided into *General Aptitude* expressed in the measurement of IQ (*Intelligent Quotient*). General aptitude of a child or aptitude is often used as a predictor to clarify level of capacity in accomplishing learning program so that the capacity becomes also a term of *scholastic aptitude* or potential academic. Meanwhile, student who possess potential academic with high scores is supposed to have the same scores in accomplishing learning program or learning assignments in school, so that he will be expected to get high performance in the special areas such as in art, music, acting and etc. On the basis of this understanding, to acquire good quality of school education, students must have adequate potential to complete learning program required by school curricula.

Competency of professional teacher is shown in the experiencing student with learning condition where student interacts of each other in the teaching-learning process in classroom. The condition is mostly influenced with: (1) level of teacher mastery on lesson subject and structure scientific concept of his own, (2) method, approaches, style/art and procedure of teaching, (3) the effective and efficient use of learning facility, (4) teacher's understanding on characteristic of a group and individual student, (5) the capability of a teacher in creating interactive dialogue and circumstances of favorable learning, and (6) teacher's personality. On the basis of these evaluations, the efforts to improve quality of education in a school have to be equipped with the efforts of professional quality improvement and quality of teacher's personality. In the level of school, the efforts indicates activities as follows (Gemstone & Wellman, 1995) (1) interactive relationship among teacher, (2) the

understanding of cognitive process in the frame of teaching, (3) the mastery of knowledge structure of lesson subject, (4) the possession of knowledge and appreciation of value, faith, and standard; and (6) the understanding of how student learning process occurs.

Learning facility includes the availability of instruments for the effective and efficient learning experiencing acquirement. The importance of learning facility includes laboratory room for student that meets with workshop requirements, library, computer, and other physical condition that facilitate for favorable learning process.

The culture of school is overall psychological experiences of students acquisition (both emotionally and intellectually) absorbed by them within the school environment. Student's psychological response on daily activities of the school as in the nature and behavior of teacher and of other school personnel (for example, services of classroom guardian and of administrative personnel), implementation of school policy, condition and cafeteria service, beautiful scenery, cleanliness, and comfortable circumstances, those enable the creation of school culture. The culture of school permeates to the members of school psychologically includes student, which in turn shapes pattern of value, attitude, habitual and behavior. The importance aspect that also determines the culture of school is school leadership. The effectiveness of school leadership is a source of value and spirit, source of order and institutional behavior that leads directions in line with the attainment of vision and mission of the school. Therefore, the principal of school should possess institutional vision and mission, own competency of concepts and proficiency as well as art in order to make good relationship with other people, have the mastery of technical aspects and substantial works, spirit to grow, and his obedience and character be received by his surroundings.

From the study of effective school in the perspective of educational quality is simply said that effective school is a school that (1) owns student input whose potential is in accordance with curriculum demand, (2) provides quality of learning service, (3) owns facilities that supports for effectiveness and efficiency of teaching-learning process, (4) owns competency to create culture of school that is conducive for the reflection of leadership performance of school principal.

2.2 Effective School in the Perspective of Management

School management is a process of taking advantage school resources done by rational and systematic actions (includes of planning, organizing, actuating, and controlling) in order to reach objective of effective and efficient school (Dunham J., 1995). The management activities are based on the policy and regulations resulted from share agreement that represents attitude, value, and behavior of persons engaged. This happens not in isolation but in integrity of context of complexity system. In this perspective, effectiveness of school dimension will include of (a) service for student learning, (b) student service and management, (c) equipment and infrastructure of the school, (d) Program and funding, (e) Social Participation, (f) Culture of School. These indicators of six dimensions of effective school are shown in the report of a research.

2.3 Effective School in the Perspective of Organism Theory

Effective school has capability to undertake *self-renewing school* or *adaptive school* (Garmston & Wellman, 1995), and is also known as *learning organization* (O'Neill, 1995) that is a condition where the development of school as an entity affords to handle the problem encountered while indicating the capability to make innovations. According to organism theory, world is not an animate things, but it constitutes energy with high capacity to change in the efforts of adjustment to the environment. In this perspective, any living things only afford to survive when the organism is capable to response to any changes with some adjustment to the environment. This

condition is also applicable to school as Garmston and Wellman (1995) called as *Adaptive Organism*. To be adaptive, school, as an organization has to continually question two essential things namely: (1) what is the essence of school manifestation? And, (2) what is its main objective?

2.4 Meaning of Effective School

Literatures of study on effective school find out various terms of meaning of effective school. Effective school according to Prince County Public School (Taylor, 1990) is a school where sources are well organized and used to assure all of the students, without counting racial differences, gender or economic-social status, to study all of material subject of curriculum that is very essential in that school. The formulation of this meaning is more oriented to optimum use for the achievement of educational objectives stated in the curriculum.

Other meanings of the effective school is argued by Cheng (1996) that the effective school relates to capacity of the school in executing its functions at maximum whether of economical function, socio-humanity function, political function, cultural function and educational function. Economical function of school is an assurance to the students by giving them maximum capacities in the frame of economic activities so that they are able to get prosperity in living. Socio-humanity function of the school is a media for student to become accustomed with prevalent social life. Political function of the school is as a means of acquiring knowledge on right and obligation as a citizen. Cultural function of the school is as a means of transmitting and transformation of a culture. And educational function of the school is as a means of adulthood education and shaping student's personality.

Those functions tend to serve as notice function, which means it is applicable to all kinds of school level, in spite of there are some more prominent distinctive school usually school with religious nature, vocational school, or other distinctive schools. As the effectiveness itself assumes degree of reachable objective, the formulation to build a construction and indicator of effective school cannot be separated from the concept of competency that will be developed through education of school.

Considering logical consequences of globalization era, development of science and technology, changes and events happened in the society, and expectations of global society for living in peace, the need of competitive, autonomous and responsible person is likely inevitable.

In view of four pillars of education above, several weaknesses available in the society, and by considering roots of culture of the society that holds religious pattern of value, so the school in Indonesia has to develop an assurance for assisting its student to grasp competency, which is valuable for shaping his future, there are (a) religious proficiency that comprises of knowledge, attitude and religious proficiency required to actuate human function as a servant of Allah the Almighty in daily life, (b) academic competency comprises of knowledge, attitude, and proficiency associated with the level of education, (c) economical competency consists of knowledge, attitude, and proficiency required to fulfill economical needs in order to get prosperity in living with society, (d) competency of socio-individual consists of knowledge, pattern of value system, attitude and proficiency to more adaptive as citizen of state and citizen of international democratic society.

School is to be implied as an integral system of education that includes a number of interdependent components. Thus, the development of student competency is not surrendered only to the activity of teaching-learning (ATL) in the classroom, but by and large to the circumstance of school culture climate. A school as an integral part is hoped able to give learning experience to all students in order that they are able to grasp four competencies above relating to level of education and special mission to be achieved.

Theoretically, the evaluation of effective school is undertaken by examining how all components of school

interact to each other in integrity to encourage the four competencies to be acquainted by student. In the fact, however, this holistic viewpoint is hard to implement totally because of limitation use of evaluation approaches. Therefore, the meaning of effective school evaluation is formulated as an evaluation on optimum school function in each part of components to encourage the student mastery of the competency.

2.5 Effective School Construction

In the developed countries like USA, Great Britain, Japan, an Australia, the research on effective school has resulted findings about characteristic and indicator of an effective school. The characteristic and indicator of effective school is used for the basis to identify or even to develop instruments for effective school evaluation. Below is an example of formulation on characteristic and indicator of effective school based on the research in USA conducted in Glendale Union High School (GUHD). USA has found the complete formulation on characteristic and indicator of effective school (Taylor, 1990). From this formulation, besides a number of characteristics used to identify whether the school is counted to be effective, the identification has also come to number of indicators used to recognize the existence of each character. The characteristic and indicator of effective school is shown in Table 1.

Table 1 Characteristic and Indicator of Effective School (Taylor, 1990)

Characteristic	Indicator
Objectives of school is defined clearly and specifically	Objectives of School: (1) defined clearly, (2) used to make decision, and (3) be understood by student, teacher, and staff
Strength of leadership implementation by school principal on education	School Principal: (1) Easy to contact, (2) Responsive to teacher, staff, and student, (3) Responsive to parents and society, (4) Leadership leads to focus on learning, and (4) Maintain ratio between teacher/student to be matched with ideal ratio.
High expectancy of teacher and Staff	Teacher and Staff: (1) Believe in students can learn and get success, (2) Emphasize on academic outcomes/output, (3) Face teacher as significant factor in determining student success.
Partnership cooperation among school, parents and society	School: (1) Positive communication with parents, (2) Maintain parents' support assurance, (3) Share responsibility to discipline supremacy and maintain the success, and (4) Attend important ceremonies in school.
Positive and conducive climate for student to learn	School: (1) Neat, clean, safe (Physically), (2) Well maintained, (3) Prize reward to prestigious student, (3) Strengthen against student positive behavior. Student: (1) Obey school and government regulations, and (2) Undertaking chores / obligations timely.
Keep monitoring student advancement	Teacher gives student: (1) Chores timely, (2) Immediate feedback, (3) Capability to optimal participation in classroom, (4) Evaluation learning output in multiple dimensions.
Reinforcing to the student success in the attainment of essential activity proficiencies	Student: (1) Do the best thing to reach optimum outcomes of learning both academically and non-academically, (2) Acquire various essential proficiencies. School Principal: (1) Shows commitment in supporting essential proficiency program, (2) Accept adequate material to teach essential proficiency.
Self-Commitment of school Human Resource on education program	Teacher: (1) To give aid in formulating and implementing objectives of school development, (2) Shows professionalism in handling job

On the basis of the number of researches on effective school in various countries like Australia, USA, Dutch, and Great Britain, Pam Sammons et al. (Morely & Rassool, 1999, p. 121) formulate 11 characteristics of effective school as shown in Table 2.

World Bank (2000), in its report on the experience in handling *Education Quality Improvement Program* in Cambodia, identify four characteristic groups of effective school, there are: (1) *Supporting input* includes parental support and society, healthy environment for learning, effective support from educational system as well as availability of books and adequate learning resources, (2) *Enabling condition* comprises of effective leadership, teacher's proficiency, flexibility, autonomous, and long duration of time, (3) *School Climate* includes high expectation of student, positive attitude of teacher, orderliness and discipline, and organized curriculum, *Reward*

system and incentive both for student and teacher, and severe time of learning; and (4) *Teaching-learning process* consists of various learning strategy, regular home works, evaluation and feedback, and student participation (presence, study accomplishment, advanced study) especially girl.

Above description implies that various formulations on general characteristics (*Common Denominators*) found in the school classified as effective in numerous countries. The variety of formulation is influenced by context of local culture and philosophy on the objective and function of the school as well as dominant variables in determining effective school.

Table 2 Effective School Characteristic by Pam Sammons (Morely & Rassool, 1999)

Aspect	Indicator
Professional leadership	(1) Firm and Purposeful, (2) A participate approach, (3) The leading professional.
Shared vision and goals	(1) Unity of purpose, (2) Consistency of practice, (3) Collegiality and collaboration
A learning environment	(1) An orderly atmosphere, (2) An attractive working environment, (3) Maximization of learning time
Learning	(1) Academic emphasis, (2) Focus on achievement
Purposeful teaching	(1) High expectation all round, (2) Communication expectations, (3) Providing intellectual challenge
Positive reinforcement	(1) Clear and fair discipline, (2) Feedback
Monitoring progress	(1) Monitoring pupil performance, (2) Evaluating school performance.
Pupils right and responsibilities	(1) Raising pupil self-esteem, (2) Positions of responsibility, (3) Control of work.
Home/school partnership	Parental involvement in their children's learning
A Learning organization	School-based staff development

3. ESEM Development

The efforts to develop ESEM are especially aimed at exploring concepts or theoretical references on effective school, studying and describing in details about strategy and steps of study through focused group of discussion. The study of a concept developed in other countries is combined with existing condition and climate of the schools so that the formulation of effective school will be theoretically reliable and easy applied in reality.

According to the study above, the formulation of construction for effective school can be used as a conceptual basis for the exposure of effective school indicators. Relevant to the output of expectation from the development of effective school evaluation model, several steps will be considered. The steps to be done are: (1) development of construction and instruments for effective school, (2) development of value system of effective school, (3) setting up guidelines for the implementation of effective school evaluation and its interpretation, and (4) development of the recommendations for the implementation of effective school evaluation. Visual approaches use in the activities are shown in exhibit 3.1.

3.1 Development of the Construction and Instruments for Effective School

Several steps are used to develop formulation of the construction for effective school. Those Steps of activities are the combination between conceptual study and field research and then is used as material of seminar, which will be attended by several experts in their specific areas. The formulation of tested construction is then elucidated as indicators to be the basis of making lattice. The details of steps of activities are described below:

3.1.1 Conceptual Study

Several activities done in the preparation stages are: (1) exchanging viewpoints on the concept of effective

school, (2) the examination on conceptual references of effective school, (3) the study and description for detail strategies and steps of development of effective school evaluation model, and (4) the development of guidelines for small discussion group;

3.1.2 Field Research

Preliminary consideration on effective school found in the conceptual study is the confirmed through field research to related parts by the evaluation of school principal. Target subject in the field research is school like Junior High School and Senior High School, and distinctive school category represented by vocational and religious school. Besides school, the field research also includes related institutions with the consideration of school principal evaluation and prominent figures of the community whose awareness is on educational development. The field research allows to the improvement on the design of concept, so that the formulation concept can be easily implemented in reality. This formulation in the stage is then entitled to be material for seminar and workshops by experts in related areas;

3.1.3 Seminar and Workshops

The development of instruments for effective school evaluation be more reliable and easily implemented in the condition of Indonesian schools, inputs from various sources are relevant to be collected through seminar and workshops presented by larger group such as research team, experts (of Academic) in related areas, field practitioners of the decision makers and school (school principal, subject lesson teacher, counseling teacher, deputy of school principal/teacher of student development) proportionally with the consideration of each school representative. The outcomes resulted from the seminar and workshop is as inputs and recommendations to the concept and indicators of effective school as stated above. As a result, the design created by development team recommends for justification of experts and practitioners in the field as a reliable concept for the setting up instruments of evaluation. Final formulation on the construction of effective school describes as follows. Effective school is a degree of optimal functions of the entire school resources both of human resource and non-human resource in order to produce outputs or to reach maximum objectives as expected. School resources are available for the services to student in obtaining meaningful learning experiences. Considering the prevalent functions conducted in school and roots of the culture of society whose holds the utmost religious value, so the formulation of effective school should embody the output with numerous proficiencies such as (1) *religious proficiency*. It includes knowledge, knowledge, attitude and religious proficiency required to actuate human function as a servant of Allah the Almighty in daily life, (2) *academic competency* comprises of knowledge, attitude, and proficiency associated with the level of education, (3) *economical competency* consists of knowledge, attitude, and proficiency required to fulfill economical needs in order to get prosperity in living with society, (4) *competency of socio-individual* consists of knowledge, pattern of value system, attitude and proficiency to more adaptive as citizen of state and citizen of international democratic society whose capable to manage his-self (*intra personal*) and others (*Inter personal*) in the heterogeneous community (plural).

3.1.4 Lattice Instrument

Lattice instrument is divided in two instruments, they are: questionnaire and guidelines for interview/observation. Instrument for data collection as in questionnaire is used for the assessment of effective school by school (along with the elements). Observation/interview is used for the assessment conducted by outside part of the school.

3.1.5 Setting up Question Items

The arrangement of question items is based on indicators composition in each service. The question or

expression in the items of service is associated with experience of respondents who give the evaluation on the service of function to the related respondent. So that the service assumes numerous items, which are different for each respondent. Question and expression on each item is sealed with four choices. The available choices are composed in ordinal imply four qualifications beginning with ineffective, less effective, effective and more effective. Respondent is requested to choose one option, which is in accordance to the experience or his-self position and his position in the school.

3.1.6 Consideration and Revision to Question Items

Question items, which are composed, is then considered by experts to determine its ordinal score on each option and made correction to the question and expression on each item. To make consideration, five experts of each area make judgment to the substance of each item so that they become reliable and accountable. Consideration on option, which is not in accordance to the range of ordinal score from one to four, is revised and reorganized so that the option stays in the range from one to four. In addition to the consideration of option, correction to the question and expression is also done to each item.

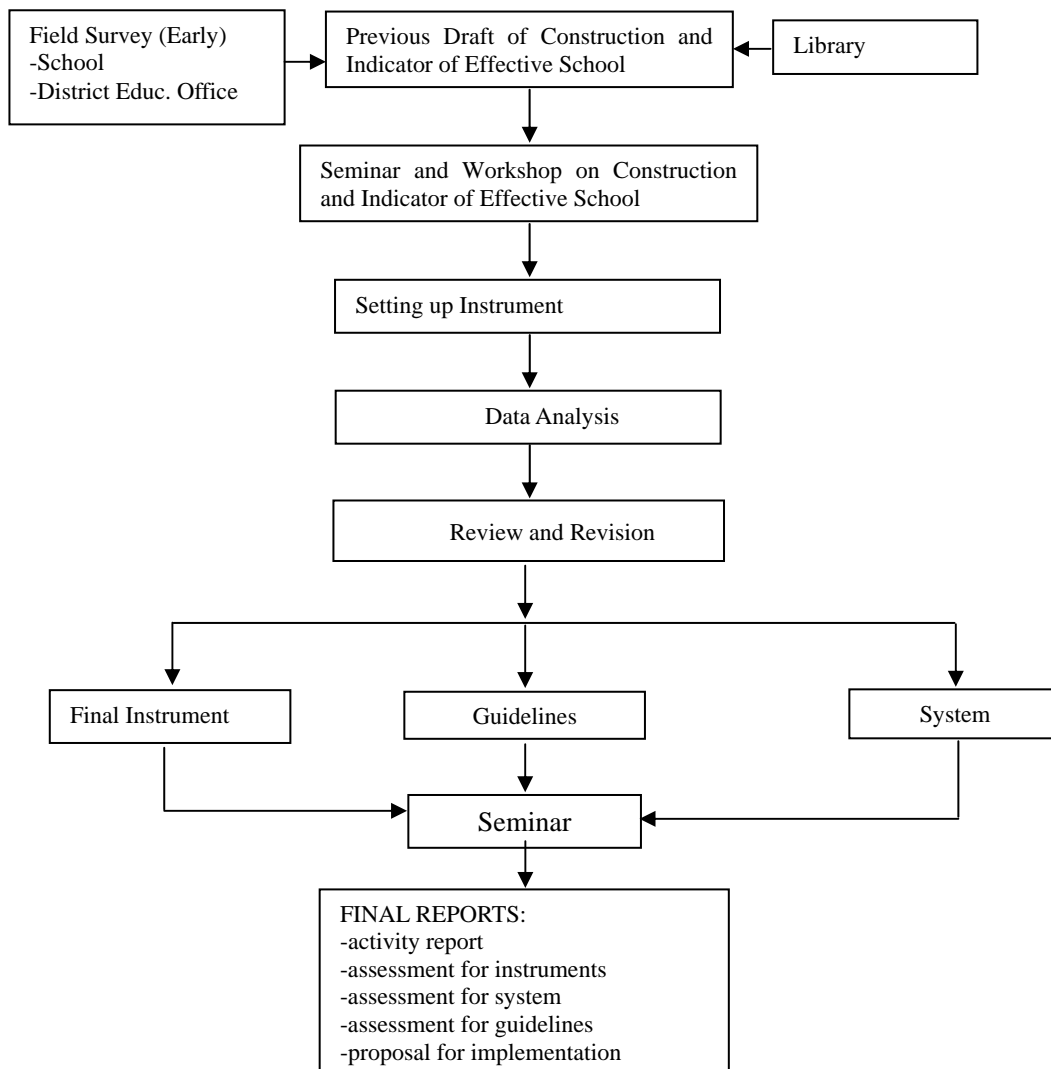


Figure 1 Development of Effective School Evaluation

The correction is intended not to the substance, but to revise the text and sentences such as simplification of sentence and its composition, in the meantime the substance of the question and expression remains the same. Therefore, the result of consideration is not intended to change the total number of items for each questionnaire composition.

3.1.7 Testing the Instruments

For questionnaire, the revised instrument on the basis of experts' considerations is then tested on the field by using sample from three provinces such as West Java, Central Java, and East Kalimantan. The chosen provinces is measured with its own province within Java and outside Java and the achievement of educational prestigious at each province. Besides that, the appointment of school is diversified as of Junior High School, Senior High School, to Vocational School (Distinctive School) in regards to qualification of favorite and non-favorite. By the diversification of the school, the significant description of divergent instrument is identified. Respondents in each school consist of school principal, subject lesson teacher, counseling teacher, deputy of school principal for studentship or studentship counseling, student and student's parents one of each. Each tested questionnaire is then scored as established to obtain score for every service of each respondent. The score is processed to obtain data needed for testing instrument. In the case of guidelines of observation/interview, instrument of observation/interview is not tested to the field because of time limits. As the result, the instrument is examined and studied by the developer regarding to the inputs from several parts.

3.1.8 Validity of Question for each Service

In the case of testing validity of item on each questionnaire, the analysis is undertaken by using SPSS program. Steps to conduct are correlating score of each item with total score, the result of the process produce data as follows.

3.1.9 Testing the Divergent of Each Service by Considering Favorite and Non-Favorite School in Each Service.

By using SPNSS program, information of overall items in each service detects a significant divergent between favorite and non-favorite school.

3.1.10 Testing the Divergent of Each Service to the Whole of Respondents by Considering Favorite and Non-Favorite School.

Testing divergent of instrument for each service is processed by using comparison with average score of each service to average score of total score in the service in the frame of favorite and non-favorite group. This testing is only done to four services such as learning service, management and school climate, guidance and counseling and partnership with society, while for the service of studentship and extra curricular the testing is not done since the score correlation among respondent is low. The comparative of effective percentage for each service between favorite and non-favorite school is shown in Tables 3 and 4.

Table 3 The Result of Divergent Test

No.	Service	Average Score in each Favorite School	Average Score in each Non-Favorite School	Test of Divergent
1	Learning	45.33	39.96	Different
2	Management and School Climate	47.02	42.27	Different
3	Guidance and Counseling	42.65	35.04	Different
4	Studentship and Extra Curricular	36.33	30.70	Different
5	Partnership with Society	30.92	24.42	Different

Table 4 The Percentage of Effectiveness in Each Service Both of Favorite (F) and Non-Favorite School (NF)

No	Service	Types of School	Average Score	Ideal Score	Percentage of Effectiveness
1	Learning	F	45.33	62.67	72.33%
		NF	39.96		63.38%
2	Management and School Climate	F	47.02	62.67	75.04%
		NF	47.27		67.385%
3	Guidance and Counseling	F	42.65	57	74.82%
		NF	35.04		61.49%
4	Studentship and Extra Curricular	F	36.33	57.33	63.34%
		NF	30.70		53.55%
5	School Partnership with Society	F	30.92	39	79.28%
		NF	24.42		62.62%

In the case of standardization of the test's result in each service, scores obtained on the above table is then made its percentage of the effectiveness in each service by the average scores formula of each service divided by ideal score and multiplied with 100%. The result of this calculation of formula is found in table as follows:

The formulation on effective school evaluation consists of (1) the basic concept on the objectives of effective school evaluation; (2) explanation of construction that is based on four competencies (religious, academic, economic, and socio-individual). The construction generates indicator by considering other functions of the main service of school, as it should be done in the fifth services (learning, management, and school climate, guidance and counseling, studentship and extra curricular, as well as partnership with society). Final formulation and construction of effective school generate a set of instrument that consists of questionnaire, guidelines of interview and observation. Questionnaire is the main instrument of each service, while the guidelines of interview is used in the management and school climate service, learning, and studentship and curricular; (3) mechanism and procedure of implementation for effective school evaluation whether is done by the school as *self evaluation* and by outside parts of school. The procedure of implementation is as follows (a) preparation and elements involved in the evaluation, (b) collection, analysis, and interpretation of data; (4) reporting and final statement of the evaluation result; and the last part that assumes (5) the use of evaluation of effective school by school principal, teacher, and school staff, Department of National Education, Official unit of Education in the regency or other similar institution, and parents and society.

4. Conclusion and Suggestions

4.1 Conclusion

A series of activities for the development of ESEM are done through theory analysis and field research validation. Theory analysis/theoretical study is done through library research and discussion of focused group to find out the meaning of effective school as the efforts of optimizing functions of school service related to human resource and other resources in facilitating competencies to be grasped by student. The competencies consist of

religious proficiency, academic competency, economical competency, and socio-individual competency. The ESEM requires the consideration of several services given by school to facilitate student in the mastery of competencies. The services available in each school are learning service, management and school climate, guidance and counseling service, service of student development and extra curricular, and partnership between school and society.

The validation of field research can be seen in the context of school service, guidance and counseling service, studentship and extra curricular service, and partnership with society service. The instruments for each service is given to subject who conduct one of each service function, and to the other respondent who acts on behalf of his chief in charge, partner, and the one who feels and experiencing the service. Thus, it is expected that the objective and subjective evaluation will come up to be continued with the consideration in the decision of final score of certain service.

By considering several services and respondents who conduct an evaluation of the service, it comes to the formulation to be based on the evaluation from effectiveness range of a school. The formulation is designed in the guidelines for effective school evaluation. It also used by the region that interested in the efforts of supporting spirit of autonomous system of the regency and the policy to implement the management with school base. If organizer of a school demands the school to undertake self-management, so the choice of school effectiveness is a fundamental for the achievement of each school service. The result can be used as the basis of the improvement and the enhancement of each service in order to reach target as expected by considering the existing condition. From the recommendations and considerations of experts of academics who involved in seminar and workshop and in the practitioners validation, and in the use of service, and the instruments used for the evaluation, it comes to the final instrument, which is suitable, reliable, and applicable to use for evaluation as well as guidelines of Effective School Evaluation and the recommendations to the development model and its implementation.

4.2 Suggestions

On the basis of field research, a set of ESEM instrument may be used as the standard of implementation for the enhancement of school functions relates to the service of learning, management and school climate, guidance and counseling, studentship and extra curricular, and partnership with society service. As the result, ESEM needs to be published in schools and in the related institution for its implementation.

ESEM needs to be institutionalized for the approaches of self-evaluation used by school or outside parts of the school. For the effectiveness and efficiency in the evaluation of effective school, the efforts in creating Committee of Evaluation for Effective School that comprise elements from district government, manager, staff of the school, society, university and experts needs to be consider.

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Program Development on the Student Supporting System in Prajaksilpakom School, Prajaksilpakom District, Udon Thani Province

Thiradet Jirathanathat
(Udon Thammanuson High School, Thailand)

Abstract: The purposes of the research were: (1) to study of the requirement in the program of Student Supporting System in Prajaksilpakom school; (2) to create the program of Student Supporting System; (3) to study the outcome of the implementation of the program of Student Supporting System in Prajaksilpakom school; (4) to develop the program of Student Supporting System; and (5) to study the outcome of the implementation of the program of Student Supporting System in 31 schools, UdonThani Educational Service Area Office 2. The study consisted of 5 phases. The findings were:

Phase 1: The study of the requirement in the program Student Supporting System in 4 respects matched the needs of 18 advisor teachers in Prajaksilpakom school at a high level.

Phase 2: The creation of the program of Student Supporting System consisted of 4 main systems and 12 sub-systems.

Phase 3: The target groups consisting of 18 advisor teachers had a high satisfaction toward the Program of Student Supporting System, and 5 the program development experts highly approved the efficiency of program in all respects.

Phase 4: The further development of the program consisted of 4 main systems and 12 sub-systems as well as phase 2 except 6 sub-systems required improvement.

Phase 5: The target groups consisted of 31 administrators, 31 network supervisors and 198 advisor teachers had a high satisfaction toward the program of Student Supporting System.

Key words: program development, student supporting system

1. Introduction

The student supporting system is the process which encourages all students to achieve quality as well as to protect them to be away of the social problem. Advisor teachers became consultants as key personnel to coordinate the cooperation of the parents and are involved with the community. Tools and procedures were used and there were 5 elements: Knowing individual students, students scanning, student Supporting. Protecting student and resolve their problem, then student referring (Ministry of Education, 2003).

Prajaksilpakom School, UdonThani Educational Service Area Office 2. The school, providing the range of grade levels 3–4, has taken care seriously to help students since the researcher moved to this school as the director

Thiradet Jirathanathat, Ph.D., Doctor of Philosophy Degree in Educational Administration, North Eastern University, research areas: high school in Udonthani Provice. E-mail: Thiradet1955@live.com.

in 2003. The director helped students to develop and meet the standards of Student Supporting System which included: 1) recognize oneself and self-reliance, 2) physical health, mental health and health habits, 3) have the skills to avoid security hazards and adverse behavioral, 4) understand love and self-regard with others and be able to deal with emotional problems, 5) be a good member of the family, school, community and society, and 6) have good attitudes and basic skills in occupations faith. The problems found were: 1) the preparation of individual student data files had errors and no data was updated, and 2) the information to be used in promotional activities and defensive students were also not consistent with the actual situation and it was delayed. Many students didn't have any opportunity to get help. However, the students with academic talent, sports, music, art and careers haven't been encouraged by the school as they should be (Prajaksilpakom school, 2006).

The solutions to such a problem, from the researcher and associates, such as outstanding performance teachers and professional computer teachers, were to adopt a computer program producing a student database program. Student database can support complex data, and process the correctly and accurately data base program. The results can be in various forms as needed, and it also saves time by performing fast and preventing errors that may occur (Ratchasin Paetrakul, 1994; Theerapat Tinsandee, 2004).

2. Review of the Literature

2.1 Design and Development of Database Systems

Project manager, systems analysts and database designers must study together for understanding in each step as follows (Somjit Ardin & Ngamnit Ardin, 2000):

(1) Problem Analysis is the process of analyzing of the existing System's problem due to insufficient performance of necessity meeting now a day.

(2) Feasibility Study is a study of information science systems or editing the existing information systems to detect if there is a possibility or not.

(3) Users Requirement Analysis

(4) Database Design for analysis or entity including define relationships between entities or relations.

2.2 Applications Microsoft Access

Microsoft Access program is a database application with high performance and applicable functions as follows:

(1) creating an application in Access properly, and use it easily.

(2) many kinds of tools to apply various inquiries and take the results of using the database.

(3) creating a tool to connect with users appropriately.

(4) able to generate reports from the database.

(5) Publishing corporate data easily in the database via the Internet and an Intranet (Tarin Sittithamcharee, 2000).

2.3 Student Supporting System

Student Supporting System is an operational process and it assists students.

The system is clearly set up with the methods and tools of quality, and evidence of that is checked by an advisor teacher, a key personnel in the operation of both inside and outside school (Ministry of Education, 2000).

2.3.1 Objectives

(1) assisting the students properly and work effectively.

(2) providing and collaborate with school, school board, parents, community organizations through a clear process that traces proof of performance and monitors and evaluates.

2.3.2 Benefits

(1) Students received through help and problems were solved.

(2) The relationship between teachers and students was good and warm.

(3) Students recognized their own and had self-control.

(4) Students learned happily and were encouraged to develop their full potential.

(5) Stakeholders were seriously and strongly involved in quality development with empathy and sacrifice.

2.3.3 Process and steps of the Student Supporting System consisted of 5 elements as follows:

(1) Recognizing individual student was important helping advisor teachers to understand them better. Many students data can be analyzed to scan students to promote the prevention and remedy of the students issues properly.

(2) Student scanning to determine information about the student in order to divide students into 4 groups:

- Normal group is students who have already been scanned. Students were placed on the threshold of normal group which must receive immunization and promote and develop.
- The risk group is for students who have been scan and classified on the basis of risk. The school must prevent or resolve problems case by case.
- The problem group is for students who have already been scanned. Students were placed in terms of problems. Schools must help and resolve their problems quickly.
- Leaders group are students with special abilities. Expression is a genius which has one outstanding side or several sides. Schools have the potential to encourage students to develop their talents to the point of maximum.

(3) Student protecting and finding out how to help and resolve student's problems, and not abandon them to become social problems. There are many ways following by the advisor teachers. The advisor teachers need to take at least two reasons:

- The initial consultation.
- Provide beneficial activities to protect and solve problems.

(4) Student supporting to their full potential. There are several ways to do it, but the following activity keys at the school have been performed :

- Home room activity.
- Home visits.
- Classroom Meeting.
- The livelihood skills development and learning.

(5) Transferring to help students by submitting them to the specialists. There are two different types as follows;

- Inside Transferring, advisor teachers forwarded to the teacher who can assist students such as counselors, nurses, forwarding teacher or administrative department.
- Outside Transferring, advisor teachers, or administrative action is forwarded to the external experts if the problem is hardly and requiring much effort than the school's capacity to handle the assistance.

3. Methodology

Development Program on the Student Supporting System in Prajaksinlapakhom School operated in 5 following phases:

Phase 1: Studying the requirement in the program of Student Supporting System in 4 respects: 1) Recognizing individual students system, 2) Scanning system, 3) Supporting, Protecting and Referring system, and 4) Reporting system. The data was collected from 18 advisor teachers of Prajaksilpakom school. The research instrument was a questionnaire about the requirement of the advisor teachers in the program, was a five rating scale. The statistics used to data analysis were mean and standard deviation.

Phase 2: The creation of the program of student supporting system by experts such as 2 school deputy directors, 1 head of division, 5 supervisors, 2 head of classes and 1 computer teacher. Continue designing the program into 8 steps: 1) planning; 2) designing the system; 3) designing programs; 4) checking the operation of the system; 5) trial of the program; 6) improvement program bugs; 7) piloting the program with 18 advisor teachers in Prajaksilpakom school; and 8) lead the experts in use of program to assess performance.

Phase 3: Studying the implementation in the program of Student Supporting System in Prajaksilpakom school from 18 advisor teachers and 5 the Program development experts. The research instruments were: 1) a questionnaire for the satisfaction of the teachers toward the program was rating scale; and 2) evaluation form of the effectiveness of program by experts' opinions was a five rating scale. The statistics used to data analysis were mean and standard deviation.

Phase 4: Development Program of the Student Supporting System by 6 responsible person and the performance was outstanding, and 3 professional computer teachers, and development for the 4 steps: 1) Bringing the result and feedback of teachers and experts were the weaknesses or deficiencies in developing the program; 2) Development of a program as an improvement from the original program created in Phase 2 was done as follows: (1) Using the program of Student Supporting System both on the Website for members and for students and the general public on Internet Explorer, and (2) Improving the six sub-systems such as recording students data, searching student data, printing report of the individual students, printing report of the students scanning, printing report of the students' attention and printing report of the students' behavior both daily and monthly; 3) Checking the operation of all systems applications; 4) Implement the program to the school network supervisors and advisor teachers in 31 schools of UdonThani Educational Service Area Office 2.

Phase 5: Studying the implementation in the program of Student Supporting System in schools under Udon Thani Educational Service Area Office 2 from 1 administrators, 31 network supervisors, and 198 advisor teachers. The research instruments were: 1) a questionnaire for the satisfaction of the school administrators toward the Student Supporting System program was a five rating scale, and 2) a questionnaire for the satisfaction of the network supervisors and the advisor teachers toward the Student Supporting System program was a five rating scale. The statistics used to data analysis were mean and standard deviation.

4. Results

Development Program on the Student Supporting System. The findings were :

(1) Result of the requirement in the program of student supporting system in 4 respects found that the needs of 18 advisor teachers in Prajaksilpakom school at a high level. The respects with the highest requirement in the

system was scanning system, followed by reporting system, supporting and protecting and referring systems, and recognizing individual students system, respectively.

(2) The 1st results of the creation in the program of student supporting system were consisted of 4 main and 12 sub-systems as follows:

- The recognizing individual students system
 - ★ Recording students data
 - ★ Editing students data
 - ★ Searching students data
- The scanning system
 - ★ Recording assessment of SDQ
 - ★ Recording authentic assessment
 - ★ Recording classification group of usual, risk and problem students
 - ★ Editing data of students scanning
 - ★ Searching the students scanning
- The supporting, protecting and Referring system
 - ★ Recording students' behavior and supporting
 - ★ Editing data of students' behavior
 - ★ Searching data of students' behavior and supporting
- The reporting system
 - ★ Printing report of the individual students
 - ★ Printing report of the students scanning
 - ★ Printing report of the students' attention
 - ★ Printing the daily and monthly report of the students' behavior

(3) Results of the implementation in the program of Student Supporting System in Prajaksilpakom school found that :

- 18 advisor teachers had a high satisfaction toward the program of Student Supporting System in all respects. The respects with the highest satisfaction on the system was supporting and protecting and referring system, followed by recognizing individual students, reporting and scanning systems, respectively. There were also suggestions in the development program: 1) to transfer students data from Student 44 or SMIS; 2) able to install and use the program easily; and 3) the documentation should include documents involved in more care and helping students.
- 5 of the program development experts highly approved the efficiency of program in all respects. The respects with the highest efficiency on the system was the design of the program, followed by the management of the database, the value and use benefits, and reporting data, respectively. There were also suggestions in the development program: 1) to transfer students data from Student 44 or SMIS, 2) able to install and use the program easily and 3) should update the installation guide and use the program to read, and be easy to follow instructions.

(4) The 2nd results of the development in the program of the Student Supporting system were consisted of 4 main and 12 sub-systems as well as phase 2, by increasing the capacity of the program: 1) to transfer students data from Student 44 or SMIS; 2) to record, edit and search data easily; 3) for users to easily install and use the system; 4) the protection of student data; 5) add relevant documents to assist students with activities to prevent and resolve them, etc; and 6) to improve an instruction guide to install and using the program of student supporting system

appropriately.

(5) Results of the implementation in the program of Student Supporting System in school under the Office of UdonThani Educational Service Area 2 found that:

- Most school administrators were satisfied with the reporting data as a whole and every item had respectively the scanning reports, the students' attention reports, the recognizing individual reports and the daily and monthly report of the students' behavior at a high level. As for the report in practice, the school administrators were satisfied with as a whole and every item had respectively the recognizing individual reports, the daily and monthly report of the students' behavior, the students' attention reports, and the scanning reports at high level.
- Most network supervisors had a high satisfaction toward the Student Supporting System program in all respects. The respects with the highest satisfaction was respectively the database management and users of the program, followed by reporting students data, data search, installation, and recall the program.
- Most advisor teachers had a high satisfaction toward the Student Supporting System program in all respects. The respects with highest satisfaction was the supporting, protecting and referring system followed respectively by the reporting system, the scanning system, and the recognizing individual students systems.

5. Discussion and Conclusion

The researcher discussed the research findings as follows:

(1) Most advisor teachers of Prajaksilpakom school were requirement in the Program Student Supporting System in 4 respects such as recognizing individual students, scanning, supporting, Protecting and referring, and reporting systems at a high level. Because They have an experience in the student Supporting System and meet operating problem throughout were: 1) individual file of students data; and 2) Students scanning making a fuss required more time making a documentation system, that would make it not easier to keep and use the data. These are an effectively the student supporting, Protection and referring. The students were not take care for everyone. If the program is to assist then, it would make the operating student supporting system more efficiency than before.

(2) Development of the Student Supporting System program Phase 2 and Phase 4 The system consists of 4 main and 12 sub-systems and application requirements. The program capacity was increasing, and able to: 1) transfer students data from Student 44 or SMIS; 2) record, edit and search data easily; 3) allow users to easily install and use; 4) easier protection of the data from damage; and 5) add relevant documents to assist students in the documentation and updating the instructions to install and use the program to suit the user. This is because the application development process and the researcher and related users have led to suggestions from teachers, school counselors from Prajaksilpakom school, and from experts to use and develop programs from prior weaknesses or defects in the development of the program. As a result, the program is developed in line with the needs of users and the ability to add improvements.

(3) Results of the implementation in the program of Student Supporting System in school under. The Office of UdonThani Educational Service Area 2 found that :

- Most school administrators were satisfied with the reporting data and the report in practice at high level, Because they had been reporting data delays and deficient. It also made activities Supporting and Protecting students' delayed and did not match the reality. When programs assist students to make a report, quick and informative organizing activities help students match the reality much faster.
- Most network supervisors had a high satisfaction toward the program of student supporting system in all

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respects. Because: 1) the installation is simple and easy to run the programs; 2) the performance of database management of students and use of Enter and edit data was easy; 3) operating the entire call reported using Reporting on the screen and print reports and can be used within a wide range; and 4) the ease of retrieval of individual students, scanning, students' attention, students behavior both daily and monthly datas.

- Most advisor teachers had a high satisfaction toward the program of student supporting system in all respects. Because: 1) the recording, editing, and retrieval was easier and faster; 2) recording the estimated SDQ to assess the actual condition, identification of the normal group, and the risks and problems to update information for scanning and search results scanning was simple, and fast data was more accurate than the original data; 3) recording the improvement of the search students' behaviors helped students easier and faster than ever before; and 4) printing reports of individual students including the scanning, the study, and control students' behavior, both daily and monthly, were all easier and faster as well.

(4) Should on a study guide the program of student supporting system. To understand the manner data must be corrected, more better and properly, than before, the procedure to prevent error in data processing.

(5) If you would like to use this program, you must to change a database with corrects information to ensure the integrity of your report, and make it ready for using.

(6) The program of student supporting system must be applied to other schools.

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Children as Victims of Violence in the Municipalities of Bujanovc and Presevo: The Forms of Manifestation

Fejzi Beqiri

(Faculty of Law, Public University of Gjilan, Albanian)

Abstract: Many of us get the information in different ways, such as in written forms, daily newspapers, television, and we see that every day they give more information about violence against children, about the increase in the number of victims of minors up to the over age, the phenomenon of child's violence has become a worldwide problem which is faced by every family, society, regardless of the degree of economic, political or social violence against children has found applicability in the municipalities of Presevo and Bujanovc. Forms of violence and ways of victimization every day more and more perfect and more perpetrators of violence are allegedly cover with family issues. Violence against children often cannot be seen, not heard and not reported by individual offenders but also by others, this phenomenon is very difficult to treat because of its specifications is also widespread in our country, with all that because of mentality, myths, customs, traditions; the number is higher in dark than in democratic countries.

Having in mind the problem to victimization of children, the way they are treated by the parents, guardian, teachers, the place they live, we must have a clear vision, universal, must see the problem in its entirety and only then to get into details. At the beginning we should look where the children placed, analyzing habits, political circumstances are, social, economic, and legislation of country. Children are the future of all mankind, the most pure structure of humanity, and we as individuals, as families, as a society are obliged to take care of them, to offer opportunities for a better life by trying the maximum effort in accordance with their abilities to adapt to psycho physical conditions of life.

Key words: children victims of violence, physical violence, psychological violence, reasons for using violence against children

1. Introduction

Ways, methods, tools, which are used for education, treatment of children during childhood stages of the disciplines considered medical, psychological and pedagogical as a crucial period for the future development of children as individuals and as citizens. The importance of this period for all subsequent development makes it necessary for children to show special care to meet their development needs. One of them is security need and without fulfillment of this need is impossible to have healthy individuals and responsible citizens.

Fejzi Beqiri, Msc. Lawyer, Assistant in the Faculty of Law, at the Public University of Gjilan; research areas/interests: education, victimology science, criminology of science, victimology science "school violence, family violence, victimization, child violent bullying". E-mail: fejzibeqiri@hotmail.com.

The use of easy forms and moderate physical and psychological violence is widespread, virtually every family, every school and everywhere where the children are. Many children are subject to forms of violence whether physical, psychological or sexual violence. Recent years many cases have been reported the violence behavior by parents, teachers and others persons.

Despite numerous indications of the presence of violence on children and increasing its arrival, the burden of the world this phenomenon is not so simple and easy to be treated. Although many international conventions have been ratified and special laws for Conservation of children's rights by democratic Countries which victimization of children is not stopped, especially in transition countries where predominates the belief that children should be dealt as family issues, exercising violence perpetrated against them either in family environment, school or society, it is treated only as their education measures.

Very often, for many simply worthless items children victimize, because they have not implemented any given order, did any hassle from negligence, have not committed any obligation, did not perform housework or because of their personal hygiene violence is physical or psychological, not taking into account the increase in child psychology, the dynamics of the development of life, how the child perceives events and so on.

2. Definition of Violence against Children and Forms of Violence

Sorrowful we notice that in our society, families do not have a unique model that deserves to be followed in the process of education. Today we do not find a reference or indication to suggest they as parents, from one family to another, have a rough average level of training, in terms of educational methods that follow such families exist, where the child, whether male or female grows with the feeling of fear, characterized by weak personality and is confusing, there are other families which give absolute freedom child, love them excessively, there are families where child grows as ignorant and remains faraway the social ethics, there are families that prepare future aristocracy dived in luxury and departed from society¹.

No a violence against children can be justified, and any violence against children can be prevented. Elementary studies of violence against children also prove that violence exists in every country regardless the culture and class distinction, despite education, and ethnicity. In all regions despite obligations to protect human rights and the right of children, violence against children is acceptable to society, and behind it stands the justice and state².

“Child” means every human being below the age of 18, except when the majority is attained earlier, in accordance with the legislation of which he ject³.

Today the meaning of violence on children has evolved, e.g., by violence we understand any behavior that obstacles the developing or realization of child's potential. Indeed, the concept of family is to be reconsidered by reality, which cannot always find it warmly. Unfortunately, today the family has the main place where the best of abuses against minors, but it is the family where children are abused left hand dial, neglected, labeled called insulting names, and so on, this phenomenon is very much reflected in school objects, in different social circles.

The definition of violence is an issue that has its difficulties, which have become popular in studies that are done. Among them the biggest difficult is the dependence of its defining from his culture that study the violence

¹ Mustafa S. (2008), *Etika Jonë Familjare 2*, Tiranë, p. 51.

² Nasilje nad decom, *Studija Generalnog sekretar Ujedinjenih nacije*, p. 5.

³ Convention on the Rights of the Child, 20 novembar 1989, Article 1.

and from the culture where the violence is practiced and suffered. Cultural dependence of violence is best expressed in the fact that a century ago in England teacher was forced to discipline the child by hitting him with the rod, today such a move English teacher goes to prosecution. However the study you have on hand as well as many international studies on this topic, is required a number of terms and phraseologies to be defined for a better understanding of the study and comparisons. "Violence is defined the including of all forms of physical or mental violence, insult or maltreatment, abandonment or neglect, exploitation or outrage, inclusion of sexual abuse while he is in the care of his parents or one of them, the representatives or his legal representatives or any other person entrusted"⁴.

Violence against children is a global phenomenon. It now appears in developed countries and also in a larger size, even in developing countries. That is why international organizations such as UNICEF, WHO, ILO, etc., have shown an increasing interest to addressing this phenomenon. The data referred to their documents of these organizations indicate for the size and various types of violence perpetrated on children:

In the whole world during the 2002 have been killed nearly 53,000⁵. Between 20 and 65% of school age are said to have been physically or verbally abused for the last 30 days⁶. World Health Organization assesses that in 2002, 150 million girls and 73 million boys under 18 experienced forced sexual relationship or various forms of sexual violence, including physical contact⁷. The use of corporal punishment as a mean of disciplining children, culturally and legally is accepted in many countries and is spread. Studies in the United Kingdom and the United States found that 90% of all children are physically punished during childhood⁸. In 2004, about 218 million children have been engaged to work, and of this number 126 million have worked in hazardous work⁹.

The studies made by various international organizations dealing with the protection of children's rights can be said that violence against children has become a global problem that faces almost every family, every society, every country despite the economic stability, political and social adjustment. From the statistics of global organizations and those non-governmental organizations—NGOs, it is worrying that the number of children victims of physical, psychological and sexual violence every day is added more and more.

Demographic dispute for municipality of Bujanovac and Presevo- Population in municipalities of Presevo and Bujanovac is young, but the low level of economic development, low level of incomings compared to other municipalities in Serbia is significantly more pronounced.

Table 1 Population and Economic Indicators¹⁰

Municipalities	No. residents	Albani. %	Serb. %	Rom. %	others	Depende rate children ¹¹	Depende. ratio of elderly persons ¹²	Age Average
Bujanovac	45279	54.69	34.14	8.93	2.05	18.48	7.70	32.9
Presevo	39341	89.10	8.55	0.92	1.28	21.41	19.62	29.2

⁴ Convention on the Rights of the Child, Article 19. Fusnot 3.

⁵ Globalne procene posledica pozdravlje zbog nasilja nad decom. Podržavajući rad za Studiju Ujedinjenih nacija o nasilju nad decom (Ženeva, Svetska zdravstvena organizacija, 2006).

⁶ Svetska zdravstvena organizacija (www. who.int/school_youth_health/gshs) uz korišćenja podatak iz istraživanja sprovedenih od 2003 do 2005 god.

⁷ Globalne procene posledica pozdravlje zbog nasilja nad decom. Op.cit fusnota 5.

⁸ Children and Violence, Innocenti Digest No 2, UNICEF, f. 6.

⁹ The end of Child Labour- Within Reach: global report, Geneva, International Labour Office, 2006.

¹⁰ Zavod za statistiku Republike Srbije (ZSRS), u Opštinama Srbije, 2009, 2006.

¹¹ The rate of the population aged 0-14 to the population of working age (15-64).

¹² The rate of the population over 64 aged to the population of working age.

To further argued that fact in Figures 1 and 2, we present the number of children beneficiaries of social assistance at the centers for social work in Bujanovac and Presevo, for periods 01.01.2011-31.12.2011 and 01.01.2012-31.12.2012.

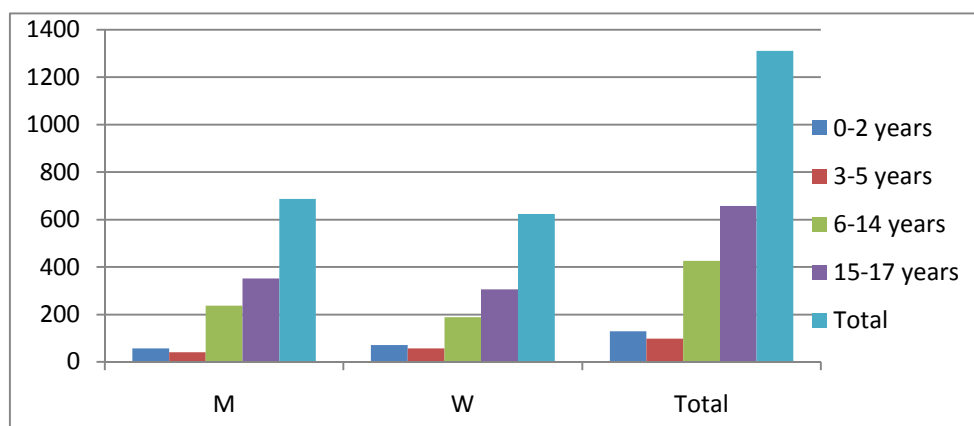


Figure 1 The Report for the Period from 01.01.2011 to 31.12.2011¹³

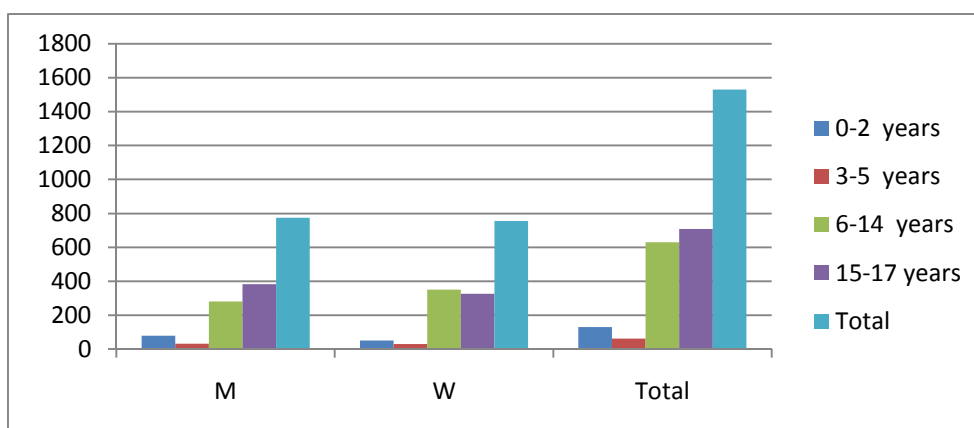


Figure 3 The Report for Period from 01.01.2012 to 31.12.2012¹⁴

WHO estimates indicate that the rate of killings of children during 2002. was double higher in low-income countries from the rate in high-income countries (2.58 to 1.21 per 100,000 population). The highest rate of murders of children is estimated among adolescents, especially boys of age 15 to 17 years (3.28 for girls 906 for boys) and among children 0 to 4 years (1.99 for girls, 2.09 for boys)¹⁵.

Having in mind the level of poverty in Presevo and Bujanovac municipalities, the social work report entity for the years 2011-2012 the biggest users of social assistance are children of ages 0-17 years, especially on the stated age is the age of the users 15-17 years old, and analyzing reports of the World Health Organization that the number of killings is more pronounced at ages 15-17 years, this fact should be extremely worrying because is one of factors that has an impact on victimization of children is the economic factor, especially when we talk about young people.

¹³ Centar za socijalni rad Bujanovac, izveštaj za period od 01.01.2011god do 31.12.2011 god., p. 10.

¹⁴ Centar za socijalni rad Bujanovac, izveštaj za period od 01.01.2012 god do 31.12.2012 god., p. 10.

¹⁵ Globalne procene posledica pozdravlje zbog nasilja nad decom, op. cit, fusnot 5.

3. Children-Victims of Physical Violence and Forms of Manifestation

Based on previous findings, victimization of children begins very early. Many victimized children come from incomplete families, families that miss the parents or they are abroad, are dead or are currently serving punishment in prisons, from poor and unemployed families, from alcoholics or drug addicts families or sick families, with spiritual and pathological disorders. Also presented as victims of children submit from previous marriages, adopted children, unwanted children, abandoned children, children left to relatives or children that are in hospice or shelters¹⁶.

The child as a witness violence between their parents, especially like a witness of mother abuse, it is very scared and experiences the world as unsafe and hostile place¹⁷ which means that he will experience indirect violence that consequences are indelible for his future.

Emotional/psychological violence is related to that behavior that leads to immediate and permanent threat to mental emotional health and dignity of the child/student. Refers to situations in which miss the appropriate safety and supportive environment for healthy emotional and social development in accordance with the potentials of children/students. Emotional violence and abuse are: acts of humiliation, labeling, ignorance, insults, blackmail, name calling, slander, ridicule, mockery, rejection, coercion, manipulation, threats, intimidation, restraint of children/students, and other forms of hostile behavior¹⁸.

When interviewing parents and children what they think about domestic violence, they are aware that physical and psychological violence has negative consequences for the child, the vast majority of respondents agree that physical and psychological violence also has positive effects on a child's education, but they justify it to use when it is necessary, but in the light form and not to young people. The concept of the need to use physical and psychological violence at home and in school is also internalized by the children at home but also in school claim to know that the violence exercised in cases where it is necessary, in order to educate them.

But the use of physical and psychological violence is tolerated more at home by parents or other family members than in school or other institutions. The vast majority of respondents think that physical violence is more harmful than psychological violence, psychological violence is therefore seen as permissible and useful, whether at home or at school.

In its general comment of the Committee on the Rights of the Child, edited in 2006, defines the physical or corporal punishment as: any punishment in which physical force is used and whose purpose is to cause some degree of pain or discomfort, no matter how slight. This primarily relates to hitting (Pluska, beatings, Čuška) by hand or an implement-whip, stick, belt, throwing children, scratching, pinching, biting, pulling hair or ears close, forcing children to stay in uncomfortable positions, causing burning, scalding or forced ingestion¹⁹.

Starting from the definition of physical violence against children we can make some questions about the most common forms of physical violence and they were used in interviewing 100 children aged 6 to 17 years old.

¹⁶ Halili R. (2011), *Viktimologji*, Prishtinë, p. 82.

¹⁷ Petrušević N., Kostatinović Ilić S. (2008), *Vodič kroz sistem porodičnopravane zaštite od nasilje u porodici*, Beograd, p. 15.

¹⁸ http://www.uecpd.org/uploads/files/Nasilje_u_skoli.pdf.

¹⁹ http://www.coe.org.rs/REPOSITORY/1826_brosura_pitanja_i_odgovori-final_za_manji_fajl.pdf.

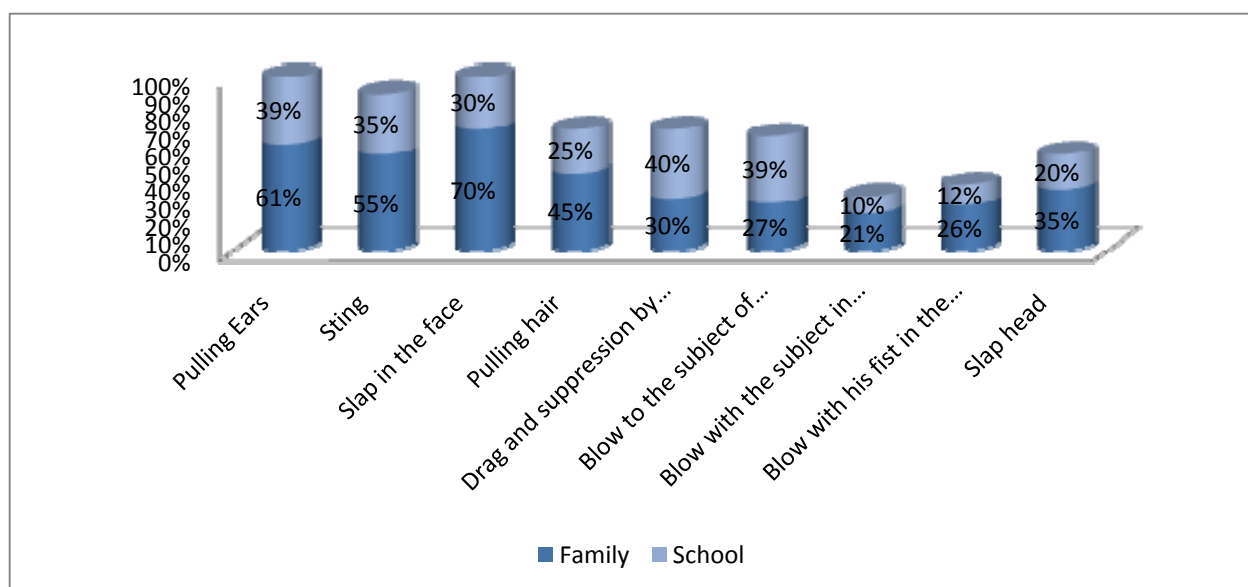


Figure 3 The Forms of Physic Violence on Children in Family and School²⁰

Data in Figure 3 reveal these realities: pulling ears, bites, slapping the body and head, pulling the hair appears more often in the house, and pull and push with force, smashing the object into the body appear more often in schools. Thus we can not say that violence is more a family phenomenon and less a school phenomenon. Some forms of physical violence are used more at home and some other more in school. Care institutions in the above forms of violence occur more in school than at home. But as the school are considered, the violence mostly is between pupils, especially the most victimized are those pupils who have a physical defect, are overweight, children who come from poor families and all these groups of children are labeled, stigmatized by their schoolmates and friends.

According to social welfare entity number of children victims of violence appears to be very limited, for example during the period 2010 to 2013 there were only 15 cases of violence against children²¹.

If we make a comparison between the interview which was conducted with children and social welfare entity is clearly a big conflict on terms of exerting violence against children, which means that the number of dark children who have been victims of violence is very large. The reasons why they or their relatives do not provide such cases are numerous. They consider that it is a family event and it should be dealt with in family or is not practiced violence with huge consequence, and lack of confidence in bodies that are competent to protect the rights of citizens.

Free legal aid in South Serbia, in their research regarding at the age structure shows that free legal assistance has not required any person less than 18 years old and a minimum percentage of citizens that have addressed the service is the grown up group of 18 to 30 years old with an average of 12%²².

To further confirm this, the report of the Secretary General of the United Nations has presented this phenomenon. By this report in some parts of the world people do not trust the police, social services or other

²⁰ The result stopped by interviewing children in municipalities of Presevo and Bujanovac.

²¹ Centar za socijalni rad Bujanovac, izveštaj za period od 01.01.2010 god do 31.12.2012 god.

²² Besplatan pravana pomoć u jug Srbiji, (Mart 2013) god, p. 23.

public authorities, in other areas, particularly rural areas, often there is no authority which could apply. A special little information exists about violence within child care and correctional institutions in most of the world²³.

4. Psychological Violence Victims of Child and Forms of Manifestation

Childhood is the most crucial period of development of the child as an individual and as a citizen. The importance of this period that affects the ongoing development makes it necessary to show a special care and attention to the child's developmental needs. One of these needs is the need for security, without the fulfillment of it, is impossible to have healthy individuals and responsible citizens. Therefore, we as responsible people for children should be careful in our behavior, do not try through force, threat, isolation, to educate future generations, because the use of these forms of education immediate emotional effects of abuse and neglect, isolation, fear and inability to believe, can become life-long consequences for that include low self-esteem, depression and relationship difficulties, the district where he lives, after which they may be messy socialization and emotional difficulties, or more difficult to form long-term relationships and sound. In this way they can continue to be disadvantaged and vulnerable to further violence.

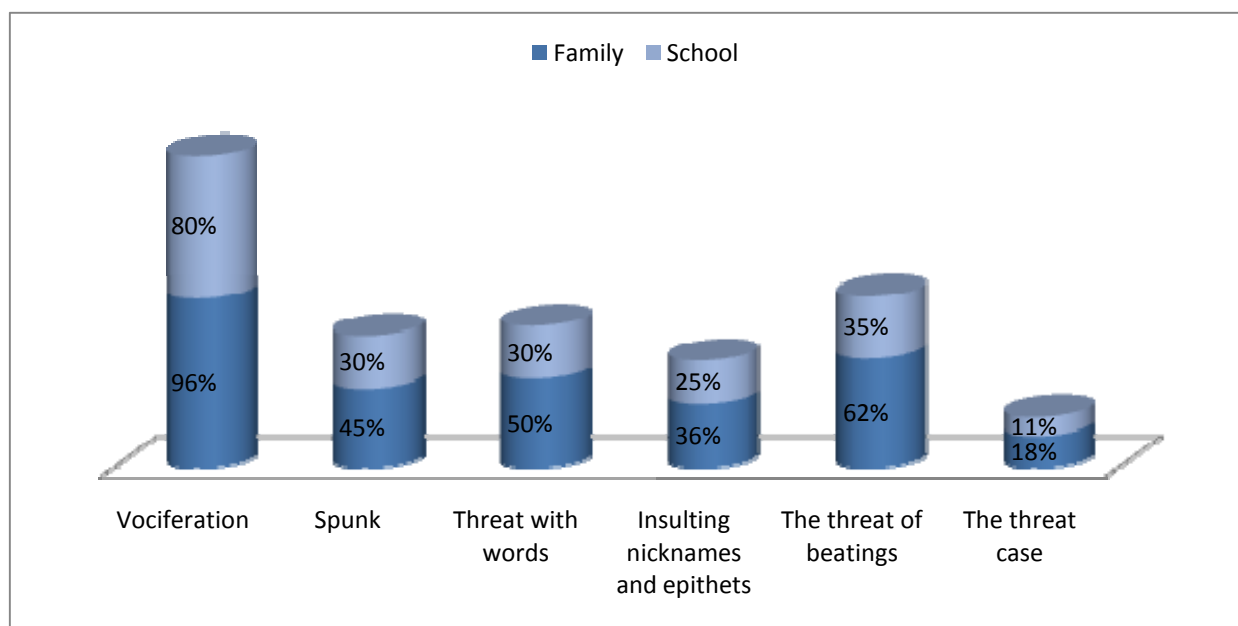


Figure 4 Psycho Violence Forms on Children in Family and School²⁴

The data presented in Figure 4 reveal that the most common forms of bullying that are used in the home are: the shouting, holding resentment, verbal threats, use of nicknames and epithets evil, the threat of beating and threatening object. At school the most common forms of bullying are: yelling, threatening words, nicknames and epithets evil, threat, anger, threat of denunciation, the threat of beating, threatening object, note the threat, the threat of expulsion from school.

Analysis of datas from the interview of school-age children, is clearly that psychological violence is much more expressed than physical violence, all this is as a result of the perpetrators of violence departing from the

²³ Nasilje nad decom, Studije Generalnog sekretara Ujedinih naciji, p. 9.

principle that the shouting or any form of psychological violence is much easier and is not used any form of physical violence, which means that psychological violence is hardly considered almost as a form of violence.

What catches the eye of the interviews is that adults who use the above mentioned forms of psychological violence against children have an awareness of their side effects. They do not believe in them. It is likely that a good part of psychological forms of violence be assessed and used for pragmatic reasons, for the simple fact that some issues are solved easily with using harsh words, threats, nicks and various epithets against children. But also the use of psychological violence as a mean to influence the children fill their space with vital security vacuum. One of the basic psychological needs of children is necessary for security. Violence psychological contributes significantly to children's lives.

It is evident that both at home and at school, children face the authority figures that tend to hold the same positions, choose the same forms of psychological discipline and to use them.

5. Children Victims of Sexual Violence

Victims of sexual violence can hardly be identified, in most cases they remain isolated in order, it was proven during researching but also reports from centers for social work, in other words it is a taboo topic to discuss.

If we analyze international relations, they give us the alarming figures with regard to victims of sexual violence, but with the development of technology especially internet access in uncontrolled way from children. It is disturbing that every day they are more able either directly or indirectly to be victims of sexual violence, abuse sexual, incest, pedophilia, pornography with children and the exploitation of children has become very widespread phenomenon. Social networks have become extraordinary hook victimization of children that offers them many opportunities to have access to various pornographic video or video delivery by such irresponsible persons and its distribution as well.

In addition to vaginal or anal sexual relations with a child, sexually violence on child, perpetrator may exhibit and through oral sex with a child, sexual touching or fondling of a child, showing the child pornographic material, masturbating in front of child, exhibition behavior before or with the child²⁵.

Sexual abuse—is the work related to the sexual abuse of children including the following intentional acts: a) engaging in sexual activities with a child who is under the relevant provisions of national law, has not reached the legal age for sexual activities (not applies to consensual sexual activities between minors), and b) engaging in sexual activities with a child, which is used coercion, force or threats, or it is abused against a known position of trust, authority or influence over the child, including within the family, or is abused in a particularly vulnerable situation of the child, especially because of mental or physical incapacity, or a situation of dependence²⁶.

Although data about children sexual abuse is difficult to put in or taken up, the World Health Organization estimates that about 20% of women and 5-10% of men have experienced sexual abuse as children. In 2002, 150 million girls and 73 million boys under 18 experienced forced sexual intercourse or other end of forms of sexual violence involving physical violence in Serbia every child at least once has been exposed to some form of violence, 10% were continuously exposed to more severe forms of physical or sexual abuse²⁷. While in the United

²⁴ Op.cit. Funston 21.

²⁵ Petrušević N, Kostatinović Ilić. N, op. cit, p. 31.

²⁶ Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, CETS, No. 20, article 18.

²⁷ <http://www.nasiljeuporodici.rs/index.php?url=usvetu/index.htm>.

States about 44% of rape victims are under age 18 and about 15% are under the age of 12 years.

6. Reasons for the Use of Violence against Children

Of the things that are seen with regret in the education of children, is not knowing child psychology, ignorance of his feelings and not the right estimate of growth stages until it reaches full maturity, we often ignore the fact that the world's children is not like the world of the adults, and as a result we punish them even by practicing power or lashing many times with disdain and contempt²⁸.

Reasons why it comes to use violence against children are: raising the voice of radio, fights between children or students, different injuries in family like brokes, breakdowns, confusion, talking during class, lack of attention in class, mistakes in answers, failure to perform duties, coming to school without the necessary tools, unprepared, failure housework, taking notes inconvenient, laughing in class, school items loss, damage pencil, notebook or book, return back, exits from benches, exit in corridor, running in the hallway, contamination of clothes, tearing their non-smoking cup of milk powders failure, not cleaning the place where smokes, eating sweets, watching TV in teaching time, insult others and their cursing, delays in returning home, failing to permit certain things, talking loudly, using violence against others, using others items without permission, lying, carrying messages forgetting, forgetting the tap open, caprice, coquetry to eat, laziness to perform any work, refusing to shed fertilizers, speaking over the phone too, dislike of cooking etc.

But what is more drastic than almost all the reasons mentioned above, the adults exaggerate and take in the future as an excuse to practice violence against children, e.g., if a child once lies, we call him always a liar, if once hits another child we call bastard, if he cheats once we call cheater, if he once steal the parents pocket, we call him always stealer.

The best response and the right way for children in these cases is advancing the child lovely and softly, making him clear with the language he knows that his own brain to be persuaded that manner it makes bad deed to himself and society²⁹.

8. Conclusion

For protecting children from various forms of violence in the Presevo and Bujanovac municipalities is required complex interventions in different areas. Some of these interventions have preventive effects, others focus on the treatment of victims of violence:

To make large-scale campaigns and systematically raising the general awareness and education in particular the forces of law approach to the use of violence, the attitude of medicine, psychology, psychiatry and pedagogy to it, the consequences of violence, the devastating effects of bullying on children's rights to physical and mental integrity, etc.

To make training and other programs (home visits) with parents to equip them with alternative ways of disciplining children; Undertake training of staff education, health and social care for early diagnosis and reporting cases of violence against children: to edit the brochures about child discipline, which challenge the use of violence and non-violent techniques for achieving the objectives of the child's upbringing; to restore confidence in the local institutions to show up state violence, and identify practitioners of violence and involvement in these

²⁸ Siba, M op.cit, p. 56.

institutions the local people in order to increase confidence; Establish a central government special structure (along with local structures) to deal primarily with addressing violence against children; the school subjects reviewed in order to reduce stress to teachers and students and training measures associated with stress management: to extend psychological services in all local educational institutions and social care by basing it on reliable data.

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²⁹ Siba, M op.cit p. 60.

English as a Second Language Bridging Course: Implementation Dilemma

Cathrine Ngwaru

(Department of Teacher Development, Great Zimbabwe University, Zimbabwe)

Abstract: This study uses a qualitative design employing document analysis, personal narrative accounts and active participant observation to investigate the challenges in academic writing and speaking encountered by forty two prospective undergraduate Namibian students undertaking the English as a second language (ESL) bridging course at Great Zimbabwe University. The study, which is a Scholarship of Teaching and Learning (SoTL) based on the researcher's personal experience in teaching this unique group of students, aims to gain an insight into the type of errors students make in written assignments and the difficulties they have in classroom participation. The study further wishes to; establish how these challenges negatively impact on students' ability to communicate effectively during learning and to find possible ways of alleviating them. The study is based on Cummings' (1981) views about academic proficiency and Halliday's (1972) idea of communicative competence. The results revealed that; due to historical, political and pedagogical reasons; Namibian students face a lot of challenges in academic language both writing and speaking which subsequently impact negatively on their learning. There is a significant gap between their performance and the academic standards expected of them by the University due to limited proficiency levels in ESL. The study concluded that; there is an urgent need to provide these students with a wider range of academic and linguistic support measures in the ESL bridging course than is currently offered and, the one semester they are given to do the bridging course is not enough to improve their communicative competence to make them ready to embark on the B.Ed. programme.

Key words: academic proficiency, academic standards, bridging programme, prospective undergraduate students, support measures

1. Introduction

Great Zimbabwe University is one of the tertiary institutions in Zimbabwe responsible for the training and preparation of both secondary and primary school teachers through the Bachelor of Education Honours Programmes. These programmes are offered mainly to local students but, provision is also given to foreign students within the sub-Saharan region who meet the necessary academic requirements for admission into the University. Proficiency in ESL is one of the crucial entry requirements for all students since English is the main medium of instruction across all departments. For that reason, foreign students whose first language is not English are required to take a mandatory ESL bridging course which is designed to develop and improve their communicative language skills to enable them operate effectively in the mainstream B.Ed. Honours Programme.

Cathrine Ngwaru, Master of Education (M.ED) Curriculum Studies, Department of Teacher Development, Great Zimbabwe University; research areas: classroom practices and challenges of implementing the English as a second language, curriculum. E-mail: cngwaru@yahoo.com.

Forty two (42) prospective undergraduate Namibian students who are English Language Learners (ELLs) became the first group of international students to undertake that bridging course. However, research studies about the use of second/foreign languages as media of learning in African classrooms have indicated that many of the learners demonstrate low proficiency levels in the language of education particularly in English because of several reasons including; the quality of teachers, inadequate learning materials and limited opportunities to use English outside the classroom. This situation has in many cases militated against effective student learning resulting in poor academic achievement (Alidou & Brock-Utne, 2011; Brock-Utne, Desai, & Qorro, 2004; Kyeyune, 2010; Mwinsheike, 2002; Rubagumya, 1997; Rugemalira, 2005; Vavrus, 2002; and Webb, 2002; 2004). Namibian students studying at Great Zimbabwe University have not been spared in this scenario. This researcher, who was responsible for teaching the ESL bridging course to Namibian students, realized that they encountered a lot of challenges in writing and speaking because of limited proficiency in the language of learning. Marsh Outero and Shikango (2001) and Otaala (2006) confirm the above point by saying that, “many black Namibian have little or no exposure to English to enhance their capacity to pursue studies in the medium of English.” This awareness stimulated this researcher to embark on the process of this Scholarship of Teaching and Learning (SoTL) by researching into own practices and those of students for the improvement of learning outcomes. The theory of language communicative- effectiveness was explored and became the basis of teaching and learning in the bridging course. Focus was placed on oral and written discourses because these are important skills in any learning situation. Spoken language is the medium by which much teaching takes place while writing is the mode by which students demonstrate their ability to articulate the learnt ideas. Lecturers use spoken and written language to; communicate with students, present tasks and academic content, engage in the learning process, assess learning, display knowledge and skills and build classroom life. Basically good performance in academic writing and speaking is indicative of the level of language competence learners have acquired in the learning process. In this study, written assignments were regarded as curriculum texts while students’ participation in spoken classroom discourse was considered an active engagement in pedagogic transaction. Both written and spoken discourses were thus subject to analysis. The results of this study are going to contribute to the body of knowledge about the challenges of, and solutions to effective instruction.

2. Conceptual Framework

This inquiry about communicative effectiveness in written and spoken discourses is based on Cummings’ (1981; 2000; 2001) view about academic proficiency which in this study is used synonymously with Halliday (1972) & Savignon’s (1983) ideas of communicative competence. Academic proficiency is a specific genre that learners require in order to cope with school knowledge. It refers to the degree to which an individual has access and expertise in understanding and using specific kind of language employed in academic contexts and is required to complete academic tasks (Cummings, 2000). It is characterized by content specific vocabulary, use of complex sentences and the processes of discussion including interpretation and analysis (Cummins, 2001). Communicative competence is the knowledge or competence about language and the capacity to use it appropriately in contextual communicative language use. It entails knowledge of rules and conventions which underlie the appropriate comprehension in sociocultural and sociolinguistic settings Hymes (1972). It applies to both written or spoken language as well as other symbolical systems (Savignon, 1983). Academic Proficiency is crucial to effective student learning and is an influential attribute of academic excellence. Implicit in these ideas is that, English is a

complex embedded language whose linguistic features many ELLs cannot easily acquire without adequate support measures. Consequently, several ESL learners often get into the learning situation without adequate mastery of the language of instruction making it very difficult for them to cope with the demands of academic learning especially in accessing the content of their courses. In support of the above, Linquanti (2013) purports that the needs of ELLs are distinct from their native counterpart because they start school with a deficit where a knowledge of five (5000) words fewer than their fluent English peers cannot allow them to function effectively. This study, based on real classroom experiences, is an inquiry into the challenges in academic writing and speaking faced by Namibian students. Their written assignments were analyzed to establish the type of errors and weaknesses students made, how these affected students' ability to communicate effectively and establishing ways of mitigating them. This was significant because, the most important goal of is to develop cohesive ideas that will communicate the writer's purpose to the reader writing (Ngwaru, 2002). The study further examined students' participation and contribution to class/group discussion to see their capacity to; follow a line of argument, present authentic facts about that argument, ask and respond to questions, their ability make effective individual/group presentation and to contribute to other students' presentations. This was substantial because active classroom participation and contribution (Abel, 2008) not only develop students' oral/aural and language communication skills but also allows them to demonstrate those skills in their interaction and co-operation with peers. The study revealed that performance in writing and speaking by Namibian students required massive improvement to cope with academic demands expected of them.

3. Zimbabwe-Namibia: Educational Collaboration Initiatives

The idea of educational co-operation in southern Africa has been discussed at political level to enhance regional capacity to develop and improve access, gender equity and quality in higher education. Policy documents such as the Southern African Development Community (SADC) protocol on Education and Training (1997), has been enacted to establish a legal and institutional framework to promote regional integration in specific priority areas of education, training, research and development. In 1997, SADC ministers, in higher education agreed that student mobility was critical in strengthening higher education systems and in helping to build the human capacity that contributed to sustainable development within the region. As a result, educational environments for students to study anywhere in the region as pronounced by the SADC Protocol on Education and Training were created with the hope that countries could benefit from the foreign experiences and expertise (United Nations Educational Scientific Cultural Organization) (UNESCO) (2012). In the contexts of this study, both Zimbabwe and Namibia are members of the SADC which share a number of things in common although each in their peculiar way. Notably, both countries emerged from similar educational backgrounds characterized by inequalities in terms of access to and provision of quality education. With the advent of their independences in 1980 and 1990 respectively, both countries embarked on major education reforms to; improve the overall level of education in society, increase the education opportunity for citizens and to improve quality and equity of the education system. This situation saw Zimbabwe make great strides in the improvement and expansion of infrastructure, instructional and human resources, student funding, increase in student enrolment and improved quality of education across all education (primary, secondary tertiary) sectors. The result led to one of the greatest success stories in education Sub Saharan Africa had witnessed. Zimbabwe's education system particularly teacher training became the envy of many surrounding countries and this situation gave it a comparative advantage over other regional countries

including Namibia. However, it is important to note that although Zimbabwe's economy suffered detrimental decline after the year 2000, its education system according to The Southern African Regional University Association (SARUA, 2009) has remained high compared to that of its neighbouring countries. For that and other reasons, the improved education system made Zimbabwe places a lot of emphasis on regional collaboration and integration in the higher education sector. Therefore bilateral agreements and memoranda of understanding (Mous) with other southern African nations such as Namibia have been signed to enable nationals to undertake teacher training programmes in different disciplines. Partly, it is against this background that Namibia is interested in sending its nationals to undertake the Bachelor of Education (B Ed) programme in Zimbabwe.

4. Methodology

This is a classroom based qualitative research study (Bogdan & Biklen, 2007; Pitney & Parker, 2009) that took place between the August-November 2013 semesters at the Great Zimbabwe University in Zimbabwe. The study employed participant observations, document analysis and students narrative accounts to collect data. Forty two (42) Namibian students (albeit unaware) undertaking the ESL bridging course participated in the study. Schensul, Schensul, and LeCompte (1999) define participant observation as "the process of learning through exposure to or involvement in the day-to-day or routine activities of participants in the researcher setting" (p. 91). Bernard (2006) adds that it is a data collection technique that requires the researcher to be present at, involved in, and recording the routine daily activities of the subjects under investigation. Participant observation was used because it addresses problems that are unavailable to other data collection techniques (Bernard, 2006). This researcher was responsible for teaching the ESL bridging course to Namibian students thus was actively and conveniently involved as the sole instructor and key instrument to the way classroom processes occurred. Twenty lessons were observed during the real natural teaching and learning situations through lecturer and student conduct, interaction and experiences. This is consistent with Denby (2008)'s view that observing participants in their natural setting is an important feature of a case study. The focus of the observation was placed on student participation in class, their interactions with fellow students during group work and how they made their presentations. Observations were recorded in the field notebook. The researcher made a weekly audit of students' participation in all oral activities, summarized and analyzed the data for comparison with other data. Narrative inquiry was also used. Clandinin & Connelly(2000) and Josselson (2006, p. 4) view narrative inquiry as a distinct form of discourse that involves the gathering of narrative-written, oral and visual-focusing on the meaning that people ascribe to their experiences seeking to provide insight to the complexity of human life. It is based firmly on the premise that, as human beings come to understand and give meaning to lives (Andrews, Squire & Tambokou 2008), narrators are able to tell stories of their (educational) lived experiences and the habitual notions they have formed through experiencing specific institutional, organizational and/or discursive environments (Gubrium & Holstein, 2000). This technique was considered appropriate in this study because it focuses on the *how*, *what* and the *why* of the lived experiences, which in this case was concerned with the unfolding discussions held with the Namibian students. Using this technique also enabled the researcher to understand and elucidate the meaning of students' lived educational experiences in studying the bridging course. All the respondents were (at different times) invited to an informal discussion to give (verbally)their views about their understandings and experiences of the ESL bridging course. Their accounts were recorded in the field notebook and triangulation was achieved through the analysis and comparison of data from other research instruments (Chase, 2005, p. 658) such as

document analysis. It is a form of qualitative technique in which documents are interpreted by the researcher to give voice and meaning around an assessment topic (Campus, 2011). Harvey (2012) adds that, document analysis is a process of analyzing any product including letters reports assignments mails and diaries for or insights into a research issue. Various techniques including content analysis are used. Content analysis involves a detailed and systematic examination of the contents of a particular body of material for the purpose of identifying patterns themes or biases (Leedy & Ormrod, 2001, p. 155). Using this method, students' written assignments were taken as important documents that revealed the writers' ability to articulate ideas well and to conform to standards of academic written discourse. Students' assignments were thus analyzed to: identify the type of errors made, establish how those errors affected students' ability to communicate effectively and to find ways of alleviating some of them. The focus of analysis was on cohesion or coherence.

5. The ESL Bridging Course at Great Zimbabwe University

The ESL bridging course at Great Zimbabwe University is a one semester long intensive mandatory course designed for international prospective students from non-English linguistic and cultural background. The students meet the academic requirements for entry into the university's undergraduate courses but their ESL proficiency requirements cannot be evaluated before the completion of the bridging course. The University Bridging Program is a study skills course that enables students to deal with complex academic issues including research and delivery of formal presentation on an academic topic, production of academic writing, taking notes from lectures and engaging in academic discussions. The course further seeks to activate students' presumed knowledge and skills necessary to enable them cope with higher level courses and to make a smooth transition into University undergraduate B Ed programs. Presumed knowledge in this study is what Great Zimbabwe University lecturers of different courses can reasonably expect all students enrolled in that course to know. In short, the bridging course prepares students for university scholarship by developing and promoting their language skills to enhance effective communication. Implementation of the bridging course is achieved through the medium of English. The course content includes critical listening, speaking, reading, and writing, aspects of grammar, business communication, appropriate register and vocabulary. Instructional methodologies employed include lectures, tutorials, class & group discussion, and individual & group presentations. To achieve the most from this course, students are expected to actively get involved in terms of; attending lectures and participating in all class activities. The classroom activities are intended to; consolidate and develop their speaking skills in academic ESL speaking situations, give practice in a variety of appropriate techniques and phrases that will help participants take part in discussions more confidently and effectively, and to provide practice in exchanging personal ideas on an interesting variety of discussion topics agreed by the lecturer and class participants. Assessment of this program entails a three hour written examination which students are required to pass with a fifty percent or better before they are eligible for B. Ed pre-service programme.

6. Academic proficiency in ESL Learning Contexts

In Zimbabwe as in most other former British countries in the Sub-Saharan region, English has remained an important language in the school curriculum. It is a language of high status that services both as an official language and a language of learning and teaching (LoTL). Proficiency in the academic language of learning is therefore imperative for school learners. Cummings (2001) and Filmore & Snow (2000) see academic language as

the language used by education and is needed to function at the university level and beyond. The American Council on the Teaching of Foreign languages (ACTFL) (2012) views language proficiency as the ability to use language in real world situations in a spontaneous interaction and non-rehearsed context and in a manner acceptable and appropriate to native speakers of the language. It is the kind of language used in reading texts, writing and speaking classroom discourses that are characterized by academic text structures and grammatical complexity (Bailey, 2007; Scarcella, 2003; Schlepegrell, 2004; Wong Fillmore & Snow, 2000). It exhibits what a language user is able to do regardless of where, when or how the language was attained. Research on academic skills needed by ESL students to function effectively at English- medium universities have focused on reading and writing skills, classrooms practices, pedagogy and many other issues. This study which investigates the challenges faced by Namibian students in academic writing and speaking studying the ESL bridging course at Great Zimbabwe University focuses on students' ability to use language to communicate effectively to access the course content. It is important to consider these concepts of academic writing and speaking in detail in order to understand the multiple variables that converge to make academic writing and speaking complex processes and daunting activities respectively.

6.1 Writing

Cummings (1981) delineated language competence into two categories-Basic Interpersonal Communication Skills (BICS) and Cognitive Academic Language Proficiency (CALP). BICS is the ability to use language to function in everyday situation while CALP is the ability to reflect upon and manipulate language in context-reduced circumstances such as formal classroom learning for purposes of conceptual development. Debra Bell (2012) sees academic writing as a type of writing students are expected to produce in response to content they learn about in academic contexts and has particular features and rules that distinguish it from other types of writing genres. Gonye et al. (2012) add that academic writing is a complex activity which can be looked at from different perspectives including; writing as a process, as differentiated from speech, as an aspect of academic literacy and socialisation and, in terms of the skills required producing it. It equips the learner with communication and thinking skills needed to participate effectively in educational learning environments. Nowacek (2011) says that successful writing is vital in the academy because it is the primary basis upon which students' work; learning and intellect can be judged, it is also a utility for all individuals and a medium in which writers are required to display their knowledge (White, 1987; Leibowitzi, 2000). It can be used as a tool to provide feedback where the instructor can diagnose individual and general problem. Once students' academic skills in writing have developed, they are able to think critically and objectively while clearly conveying complex ideas in a well-structured, concise format. Intrinsic in the above statements is that, academic writing is a complex and indispensable skill that all school students need to develop the proper techniques in writing their assignments yet for students to succeed in a school or university, it is crucial for them to have control over the academic writing discourse Leibowitzi (2000). However, while the above point is true, many ELLs students including Namibian students at Great Zimbabwe find it very difficult to acquire and integrate the range of diverse linguistic features comprising grammatical and morphological accuracy, use of a formal tone, principles of coherence, cohesiveness and effective systems each of which makes its own unique contribution to the writing process and the texts that get written (Cummins, 2001; Singer, 2004). Namibian students' situation is further compounded by the fact that they had to first to adjust to a new educational environment with languages, values, cultural and instructional practices different from their own before they could begin on their studies. This was an exceptionally big

challenge for them especially in the absence of systematic mechanisms. Biggs (1999, p. 123) adds that “the cultural background of many international students is thought to make it difficult for them to adapt to the style of tertiary teaching adopted in the host country. Consequently, students’ learning and experience with in writing assignments becomes dreadful.

6.2 Speaking

Academic speaking is an interactive process of constructing meaning that involves producing, receiving and processing information. Its form and meaning are dependent on the context in which it occurs, including the participants themselves, their collective experiences, the physical environment, and the purposes for speaking (Brown, 1994; Burns & Joyce, 1997). Voicing the same sentiments, Halliday (1976) argues that spoken discourse plays a central role at all levels of education because it is one of the basic medium of interaction and it is through talk that students actively engage in the pedagogic enterprise while and lecturers constructively assist. Speaking is crucial to increasing students’ intellectual development and to deepening student learning through sustained conversation. It has its own skills, structures, and conventions different from written language (Burns & Joyce, 1997; Carter & McCarthy, 1995; Cohen, 1996) because learners actively construct knowledge and develop understandings from their shared experiences via interaction with others (Driver, Asoko, Leach, Mortimer & Scott, 1994). Good speakers synthesize the range of skills and knowledge to succeed in a given speech acts and speakers’ skills and speech habits have an impact on the success of any exchange (Van Duzer, 1997). Speakers in a learning situation must manage discrete elements such as turn-taking, rephrasing, providing feedback, or redirecting (Burns & Joyce, 1997). The learner must also choose the correct vocabulary to describe the item sought, rephrase or emphasize words to clarify the description if the clerk does not understand, and use appropriate facial expressions to indicate satisfaction or dissatisfaction with the service. Other skills and knowledge that learners need include among others :using grammar structures accurately; selecting vocabulary that is understandable and appropriate for the audience, applying strategies to enhance comprehensibility, such as emphasizing key words, using gestures or body language; and paying attention to the success of the interaction and adjusting components of speech such as rate of speech, and complexity of grammar structures to maximize listener comprehension and involvement (Brown, 1994). These demands for fluency exerted a lot of pressure on Namibian students. Their limited proficiency levels would not allow them to use the target language appropriately to; actively participate in classroom, deliver meaningful oral presentations and to meet academic content standards of spoken discourse.

6.3 Related Studies

Several research studies carried out about classroom practices in various parts of the world (Cummins, 2001; Holmes, 2004) have revealed that learners who use a second language for learning face a lot of challenges in accessing the curriculum. Cummins (1981, 2001) and Krashen (1985) point out that poor performance in the language of instruction results in poor performance not only in other subjects, but also in overall poor performance in the second or foreign language. Bretag et al.’s (2002) research on ESL students in Australian universities revealed that international students from non-English speaking background found it difficult to contribute effectively in class discussions or tutorials due to poor grammar. Roy-Campbel and Qorro (1987) and Qorro’s (1999) studies in Tanzania revealed that when students have a firm grasp of their specialized subjects, that understanding gives them a firm ground on which to build the foundation for learning a second or foreign language, in this case English’s (Ngwaru, 2002; Thondhlana, 2000) studies about the challenges faced by ESL in

academic writing in Zimbabwe revealed that limited proficiency in the language of instruction was an overriding inhibiting factor in the learners' performance in essay writing resulting in poor overall academic achievement. This study, which investigated the academic writing and speaking challenges encountered by Namibian students in the ESL bridging course, is a contribution to the body of knowledge about curriculum issues and the best way to improve student learning.

7. Results and Discussion

The results of this study were presented and discussed according to data collection instruments used.

7.1 Observation: Classroom Participation and Interaction

Findings from this section of the study revealed that, the majority of students had limited proficiency in the language of learning a situation which consequently prohibited them from; expressing their communicative needs well, engaging in interactive and meaningful discussions and accessing the curriculum. On the contrary, a few students with elaborated language proficiency were more confident, assertive and could actively participate in classroom/group discussions. Generally, student interactions were poor and passive since they were unable to make meaningful presentations on given topics due to reason cited above. Busia (1964) in Opoku-Amankwa (2009) laments how schools in Africa separated students from the life and needs of their community and recommends that "education should be rooted in Africa own cultural heritage and values and have relevance to African societies". Their inability to express themselves well to put across a desired message impacted negatively on their learning. Eventually, they maintain grave silence during class and group discussion (Cassels, 1983; Johnstone, 1985; Pollnick & Rutherford, 1993) add to the above sentiment by saying that, "learning academic courses through the medium of English poses problems for students whose mother tongue is not English". Allwright and Bailey (2004) purport that the use of an unfamiliar language as instructional communication deprive learners their usual communication and hence the opportunity to behave normally. Due to the issue of language proficiency, Namibian students became teacher-dependent; appeared to be uncritical of material they had been taught and lacked knowledge of the genres of academic speaking. Group discussions was challenging for students for several reasons including an inability to formulate a timely response, inability to formulate a linguistically correct response, inability to engage in back and forth dialogue with instructors or classmates and a feeling that their contribution is not important. During oral presentations, some students appeared to have been going through stressful experiences as could be evidenced through angry outbursts when they failed to explain their desired concepts. Other students got into a tendency of avoiding and evading questions after making their formal presentations because they were not fluent enough to express themselves clearly and comprehensibly. Their situation was further compounded by differences in the cultural and language background between themselves and their instructor. Where code-switching, a *valuable linguistic tool to explain concepts* could have been used, to make learning better, that was not possible due to the reason above. During group discussions and formal presentations, students seemed to have developed a self-perception of inadequacy and incompetence as evidenced from some of their statements (*our English is not as good as that of Zimbabwean students so it is really difficult to get what to say and how to say it*) Classroom participating (Dancer & Kamiounias, 2005) is an active engagement process which can be classified into five categories of; preparation, contribution to discussion, group skills and class attendance. Participation can also include students' questions and comments about the lecture (Fassinger, 1995b). Fritschner (2000) adds that the sixth level of student participation is through oral presentations.

Classroom participation and academic oral presentations require students to acquire the rules for organizing and delivering good presentations while mastering the appropriate language to achieve this goal. The ability to present ideas orally is crucial to university students' educational lifelong and career success. When students can discuss what they read, think critically and defend their positions, teachers and lectures get a clear picture of how well students understand and apply the knowledge. Students also reinforce their learning by articulating it and having a dialogue with their lecturers and peers. However, for students to do well in spoken discourse, there are several elements that are considered important to a learner's performance on a given language use situation. Bachman, (1990), Bachman & Palmer (1996) identify four such elements which they name as cognitive knowledge of second language, knowledge of how to overcome difficulties, knowledge of how to plan a task, topical knowledge and learners' affective reactions. It is therefore very clear that the ability to use language to communicate effectively requires both knowledge and competence and the capacity to use that knowledge in appropriate situations. Formal presentations meant that the presenters stood in front of the class to deliver their presentations on a given topic to other students who in turn would respond by giving their views about the worthiness of the presentation. Oral activities including group presentations were supposed to have been prepared prior to the day of presentation to allow the presenters time to organize themselves, improve on the spot and be flexible in responding to questions from fellow students either at the end of the speech or during the activity. This was difficult undertaking for students as (Ryan, 2000) puts it *“student cannot cope with the cognitive and linguistic demands made on them by the social and academic environment in which they were obliged to function for example where they had to listen at the same time write what they had comprehended- The amount of information they have to process in order for them to carry out the task is just too much for their absorption”*. In the same vein, Whisker (2000) points out that the development of good oral skills is necessary to participate in debates and discussion or to engage in problem solving and creative things. Limited knowledge of these rules puts learners at fringes of learning being less able to see meaning in texts, when compared with first language counterparts who have been exposed to inherent and informal methods of learning their language at an early stage (Howe, 1970; Johnstone & Selepeng, 2001).

7.2 Students' Narrative Accounts

Students' responses were guided by the following major statements: (1) Languages spoken at home, with friends and on university campus. (2) Their family's socio-economic and educational background (3) their proficiency levels in the English language (4) current educational experiences (5) reasons for lack of active participating in classroom discussion (6) challenges faced in interacting with Zimbabwean counterparts (7) how their social life positively or negatively effect of social life on their learning (8) academic and social assistance needed. As the discussion unfolded, other questions emerged and students had the latitude to articulate all concerns relating to those questions. The intention was to allow diversity of opinions. Responses to the languages spoken at home/friends showed that; students were from different ethnic groups and accordingly, spoke different languages although they came from the same country. This was seen as a deterrent to effective group interaction especially outside of normal classroom situations when students would try to reflect upon what had transpired during the lesson. The position was not in harmony with the view that if properly utilized, experiences outside the classroom is believed to enhance learning by providing students with opportunities to practice skills of investigation, study, clarification and problem solving in everyday situations. A few students who had a good command of English came together to discuss issues that had emerged during the lesson. Responses to the issue of

family' socio-economic status and educational background revealed that, back in their country of origin, students come from typical categories of African family circumstances which are basically devoid of the necessary resources for family upkeep. Accordingly, this scenario determined/s the family's level of education and the type of schools to which their children went. It was noted from students report that the majority of them attended poorly equipped rural schools where the quality of education was compromised. Most teachers in rural schools were said to be under qualified or poorly trained hence also struggled to teach using the target (English) language. This state of affairs impacted negatively on student learning. Three students said they went to what could be termed affluent private schools which were well resourced in terms of the quality of teachers and instructional materials. It was evident that these students were very different from the rest of the students because they had had intensive exposure to English thus acquiring a good command of English that enabled them to articulate ideas well. They also were confident in whatever they were doing during lessons and would dominantly participate in class/group discussions. Ten students said they went to what they termed moderately resourced government schools. On average, these students were slightly better than the rest of the students who went to rural schools. Their proficiency levels were low but at least they had some ideas about what to say in a discussion although they were not expressive. However, many of the students who thought their language was not good enough to actively participate in the discussion expressed the hope that they would learn and definitely improve. When students were asked why they always remained silent even if they were expected to contribute, one student said: *"when we remain quiet in class, it does not mean we have nothing to say but we are afraid that you Mrs Ngwaru will see how bad our English is"*. Another student said, *"The way you teach madam Ngwaru is different from what my secondary school teachers did. They explained things in our mother language and would put a lot of notes on the board for us to copy- now here you say we should listen and take notes, this is very difficult"* yet another student remarked *"Madam, don't you know that urban life is associated with affluence and sophistication while rural life is characteristic of poverty and ignorance?"*. *I was quite surprised to see such differences between Europe where I had been during my formative years and Africa, a place which my mother called home"* The student who made this remark was one of the few very good students who had a good command of the English supposedly acquired (as this researcher later discovered) during her formative years in the United Kingdom where she interacted with first speakers of the English language. It is evident from the above statements that students had different previous educational backgrounds which strongly reflected on the amount of linguistic input gained. The implication here is that during their school days, most students faced a double barreled task where on the one hand, they grappled to comprehend the medium of instruction and on the other hand they had to acquire the content presented to them. Consequently, many of those who went to what they thought were not good schools completed their A-level when their mutual intelligibility in ESL was still low making it difficult to enable effective communication. These were the same students who lacked the confidence to participate in class for fear that they would be condemned by the lecturer and other students. As a result, students remain gravely silent in class even if they knew something and could have shared it with others. Responses to the issue of proficiency levels, lack of participation/interaction in class and with Zimbabwean counterparts and failure to make quality presentations were all attributed to limited language competence. The majority of students concurred that they had a lot of difficulties in expressing themselves in English while a few indicated that they did not have problems. Students attributed their low proficiency levels in English to their families' socio-economic status. The quality of teachers who taught in rural areas was also said to be a contributing factor to students' poor proficiency in English because they too grappled to use the target language. When responding to the issues of their current educational experiences in Zimbabwe,

many students concurred that their situation at the institution was not very conducive to effective learning due to a number of factors including, among other things; limited social interaction with their Zimbabwean counterparts, inadequate knowledge in using the library to access reading materials, inability to express themselves to find desired information and failure to comprehend what the lecturer was saying owing to differences in pronunciation and intonation. This situation made their studies very difficult and one student said “*It is so frustrating and I always think of going back to Namibia*”. When asked what they thought should be done to ease their situation, Most students agreed that there was need for the lecturer to speak slowly to ensure understanding, to write on the board every single word that was said to ensure correct spelling and pronunciation, and also to explain the meanings of difficult words and give examples of their synonyms. Administratively, the majority of students agreed that they needed re-orientation to familiarize themselves with library use and that their Zimbabwean counterparts be encouraged to use English particularly when they (Namibians) were among them (Zimbabweans). Some student also thought they were being shunned by the library staff and other Zimbabwean students because of poor language. The sentiments that were brought into picture revealed that the orientation, which should have made students familiar with their new educational environment, might have been haphazardly done leaving students to make do with what was possible. It is clear from students’ remarks that they were uncomfortable with their situation and needed a lot of encouragement to take part in social/class activities to improve their communication skills. This is in agreement with Baker & Westrup (2003) who add that most students are likely to develop shyness and lack confidence when speaking in a language they are not conversant with. They go on to say [learners] may have little idea about what to say, they may not know the words to use, or they may not be sure how to use the grammar” (p. 16). This finding is similar to that reached by Han (2007) who indicated that one of his students in the interview said, “I will only participate if I know what to speak”. In all cases, their limited proficiency levels became an overriding factor in every situations resulting in their failure to effectively function in the classroom. This finding is similar to that reached by Thaher (2005) who reported that students are afraid of being laughed at or of being criticized by others due to inaccurate pronunciation. They need expert assistance and practice in using the target language in order to bring them to better levels of proficiency. Oral presentations proved a complex activity that required the students to constantly and frequently practice speaking. Qorro (1999), Brock-Utne (2005) add that international students were seriously handicapped when it came to using English as a language of instruction. Only a few students were involved in active participation and discussion while the majority just sat and maintained grave silence or copy the work put on the board. If the lecturer’s handwriting is not legible students do not ask but simply copy words incorrectly since they are not able to distinguish correct from incorrectly spelt words.

7.3 Document Analysis: Written Assignments

This study analyzed written assignments to establish the type of errors and weaknesses made by Namibian students in academic writing. Brown (1994) defines an error as a noticeable deviation from the adult grammar of a native speaker reflecting the interlingual competence of the learner. If an error is grammatical, it does not pertain to grammar (Kiser, 2009). An analysis of eighty four assignments written over a semester revealed that Namibian students have a number of fundamental elements where they need strong support in order to develop good writing skills. Notably, students assignments lacked; clarity and conciseness, organisation and structure, correct grammar, spelling, vocabulary and punctuation. Additionally, students lacked adequate knowledge of the mechanics of writing. Their assignments were devoid of diversity in grammatical structures and sound vocabulary. These errors

and weaknesses cumulatively impacted negatively on the quality of assignments students produced. While the errors made were many and varied, this study presents and discuss the categories of errors and weaknesses which were significantly outstanding namely organization and structure, grammar, spelling and punctuation.

7.4 Organization and Structure

Students' assignments revealed lack of good organization and structure. This interrupted the smooth flow of ideas and distracted the reader from the important points. Students failed to articulate their ideas concisely and to make cohesive sentences because paragraphs did not have a clear topic sentence that had to be developed by linking it to the main idea. Sometimes issues discussed in one paragraph would resurface in yet another paragraph resulting in a lot of unnecessary repetition. This was not consistent with the view that writing good academic assignments requires students to come up with developed, complex and creative ways of structuring ideas. Accordingly, well-organized and structured paragraphs that support the topic should be crafted. Those paragraphs should introduce the topic sentence, develop the main idea and make the work coherent. The formal refined structure varies considerably based on what is written. Organization begins with an outline of the work to be written because helps ensure the end product is cohesive, logical and effective. In a single paragraph, or larger work, a simple outline includes a beginning or lead, supporting sentences or sections and a conclusion. Most students did not have the ability to organize and structure their written work and these and other elements had a cumulative effect on the quality of assignments students produced. Below are extracts of two paragraphs where a student became repetitive due lack of organization;

Extract 1, one get information and idea on how to answer exams questions by reading. By reading you put or collect different ideas and put them together as one. If a student can read she can get what is required from her.

Extract 2, a university student required to read for their own goods when they finish their own studies, They may be asked to read for their colleges at work. They have to read in order to get information and ideas. Reading is needed for a university student to get information because everything is connected to reading.

7.5 Grammar

The ability to convey meaning proficiently in written texts is a critical skill for academic and professional skills (Crossley & McNamara, 2010) Knowledge of the grammar of a language of communication in this case English is an important element because it allows students to articulate their views and opinions clearly and concisely in academic assignments. The language used must be of appropriate level where sufficient sophisticated vocabulary should be used. Lack of correct grammar and appropriate vocabulary in academic writing can destruct any effort to produce quality texts no matter how well-organized, articulate and effective the structure and arguments in a written work can be. . Below is an excerpt of a student's assignment on the topic; "*Experiences in studying the ESL bridging course*"

My thought was that my English is poor compared to others. It took me about a month without communicate with Zimbabwean even in the lecturers I was not comfortable a lecturer asked me to said something in front of the class. Moreover I shocked one day when my lectuere asked everyone to prepared something so that he/she can present it infront and we was stand for three minutes. That was terrible day for me, when I standup I was sweating and shivering like nobody's business. English for communication taught us variety of things that we was not know in our life. In addition I was not know how to wrote a letter of complaint and now the lecture taught me well.

The above extract shows a lot of weaknesses and grammatical errors. Notable weaknesses include unintelligible sentences that the student write, the poor punctuation that prohibits the comprehensibility of the

intended message and the omission of necessary words for example the helping verb *the* and the definite article *a*. On other aspects of grammar particularly the verb forms that succeeds infinite word “to” and subject verb agreement such as we were. Other weaknesses of this in this excerpt include omissions of certain helping verbs as in the case of I shocked instead of I was shocked. “Without communicate” — this was a common error noted in many students assignments. Students lacked knowledge of the appropriate use of verb forms that made their written texts read well. In this case, the verb succeeding the word “without” should be in progressive form (communicating) but due to lack of proper knowledge of grammatical rules, students just use the simple present form of the verb making the sentence awkward. Other ungrammatical phrases such as “to said, to wrote, not know, to prepared” were also very common in most assignments because students did not know that the infinite “to” is followed by a verb in the present form and not in the past form. The above discussed errors clearly indicate that lack of knowledge of the correct rules of grammar renders the understanding of the writing skill particularly the difference between good and poor discourse. This is typical of Crystal’s (2004) point that, Grammar is the structural foundation of an individual’s ability to express oneself. It can help foster precision, detect ambiguity, and exploit the richness of expression available in English. And it can help everyone — not only teachers of English, but teacher of anything, for all teaching is ultimately a matter of getting to grips with meaning (Crystal 2004).

7.6 Spelling and Punctuation

Preseicely on 22 Augest 2013 is the day we started with our leason for English of communication course at Greate Zimbabwe University at 14:00 o'clock moday at learning center of Great Zimbabwe University. Fortunatily. Our lecturer for English of communication arived on time, Mrs Ngalu, a very big woman, almost light coulored in compelection with in between hieght not to short and not that much longer. After all she had start teaching us. She had introduce what is English as a second lanuguage why it is placed in school as a comporsly lauguage and the convertional of english.

The excerpt above is fraught with spelling (underlined), and punctuation errors which cumulatively impact negatively on the quality of assignment. The student does not have adequate knowledge of the phonological sound system of the words yet learning to spell words is important to vocabulary development and helps to strengthen the connection between the letters and their sounds. The correlation between spelling and reading comprehension becomes high because both depend on proficiency with language. The more deeply and thoroughly a student knows a word, the more likely they will identify it, spell it, describe it, and use it appropriately in speech and writing. It should be noted from the excerpt above that while the major goal of the English writing system is not merely to ensure accuracy written words but to convey meaning. If words that sound the same (seek, sick) were spelled the same way, their meanings would be difficult to distinguish. Punctuation is used to organize or divide written text in order to make meaning clear. Poor punctuation detracts the reader from the overall presentation of the writing and may give the impression that the writer has failed to edit and 'polish' their work. In the above excerpt, the student does not only have no knowledge of the punctuation marks but also has serious problems in using them correctly resulting in fragmented and disjointed sentences. The reader cannot actually decipher meaning has been written. Good punctuation means following certain conventions, but it can also be a powerful tool in “packaging” the written text and in controlling the way the text is read and understood. In a written argument, punctuation can be used to enhance the point students are making.

As a result of these and other errors, students’ were not able to write intelligible sentences due to uncertainty

of English syntactic structure. It was noted from students' writing that, good writing skills were not adequately developed and the result was lack of coherence and comprehensibility in the written assignments. This is consistent with (Paavola, Lipponen & Hakkarainen, 2004; MacLellan, 2001) who reiterate that writing is a complex process that is influenced by several factors including the teachers' and students' own language proficiency levels, experiences and approaches to teaching, students' approaches to learning, student support, learning capabilities, curriculum, assessment, and prior learning.

8. Conclusion and Recommendations

This paper sought to examine the challenges in both academic writing and speaking faced by Namibian students undertaking the ESL bridging course at Great Zimbabwe University. The idea was that it is through SoTL that reflective practitioners can develop new knowledge and understanding about teaching and learning. This new knowledge is significant because it may lead to the development of educational practice (Gall, Gall & Borg, 2003). The results of this study revealed that; most of the forty two Namibian students were unable to produce quality academic written and spoken discourses. The study also highlighted that errors and weaknesses in students' assignments consequently impacted negatively on the quality of assignments in particular and students' academic performance in general. Their inability to communicate effectively in writing and to take an active part during lectures is influenced by a range of social, historical economic and pedagogic factors entrenched within the broader social context in and outside the learning situations. Most of these problems emanate from; their limited proficiency in the language of learning, lack of knowledge about the conventions and styles of academic writing, lack of practice in academic discussions and from being in educational environments that have different culture of instructional practices. In addition, students' learning practices were affected by the fact that they also had to adjust to many issues including forming new social networks and communicating with local students and familiarizing with library use. This scenario undoubtedly posed a lot of demands which if not quickly averted would result in poor academic achievement. Students may also be demoralized and lose interest in studying in a country other than their own. In view of these findings, this study recommends that;

- Academic writing should be taught explicitly and consistently across different curriculum areas to give students adequate practice in the writing process.
- Various subject areas need further exploration/attention if students have to be successful in their learning.
- Lectures at Great Zimbabwe University conceptualize and adopt pedagogies that support students in acquiring the necessary English language skills for effective learning.
- In turn, students should also make a lot of effort to listen to/and/or read academic discourse and texts, and practice the skills of academic writing.
- The library staff, lecturers and students exercise patience and tolerance when dealing with foreign students whose English pronunciation was different from their own.

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Animal Experimentation in Higher Education: A Teaching Strategy Based on Prieto's Semiology

Marcela Teixeira Godoy, Carlos Eduardo Laburu
(Universidade Estadual de Londrina, Paraná, Brazil)

Abstract: Didactic planning developed based on the semiology seems to favor the construction of scientific knowledge and the attribution of meanings by students, favoring the understanding of the content studied. This study discusses the first part of some research based on the messages and signs semiology proposed by Luis Jorge Prieto, bringing to light the conceptions of science professors and teachers to be on Animal Experimentation. The approach joined the dialogical/univocal discourse process to the multimodal representation reference to inform the Scientific Education learning process. The study was developed during a teacher development course, comprising fifteen attendees, university students and professors in the Biological Sciences area. Data was collected through open/close ended question questionnaires which were applied before and after the didactic intervention. The analysis of the semiotic act potential and the importance of analyzing messages and signs for the development of a meaningful teaching strategy that leads students to build up concepts on animal experimentation was carried out through the interaction of multimodal representation and dialogical/univocal discourse. The study also provided some insight on the human beings relationship with animal and non-human species.

Key words: animal experimentation, semiology, teaching sciences

1. Introduction

This study presents the results of the first part of some research related to animal experimentation in higher education, a controversial theme in the initial qualification of Biology teachers. The final analysis is supported by Semiology as the science of meaning. An analytical tool based on the Semiology assumptions might bring essential elements to underlie the teacher's teaching practice and help the discussion and understanding of scientific concepts which involve animal experimentation as a whole. The aim of this study is to propose didactic communication semiology to leverage the understanding of meanings in the classroom.

A discussion on the teaching strategy which was carried out with the university students and professors in the Biological Sciences teaching course, during the initial qualification and teaching development course on animal experimentation is presented.

The main aim was to observe the efficacy of a teaching strategy, planned in the light of the multimodal reference and analyzed employing some of the semiotic theories, mainly Luis Jorge Prieto's, which involves the

Marcela Teixeira Godoy, Student in the Science Teaching PhD Program, Universidade Estadual de Londrina; research areas: science education. E-mail: biogodoy@yahoo.com.br.

Carlos Eduardo Laburu, Advisor in the Science Teaching PhD Program, Universidade Estadual de Londrina; research areas: science education. E-mail: laburu@uel.br.

interpretation of messages and signs to build meanings.

The research long tradition in the eminent field of conceptual change (DUIT, 2003) developed in the 80s and 90s posed as an objective to face the learners' previous conceptions replacing them with scientific ideas. However, its theoretical background towards this objective was proved limited when trying to promote significant improvements in this sense (Hubber et al., 2010). More recent studies have challenged and complemented the purely conceptual orientation of learning in this cognitive field. As a result, more emphasis has been given to the role of different forms and ways of representation employed in different languages, the importance of personal characteristics and contextual aspects to understand science concepts and to seek semiotic references (Laburú, Silva, 2011), so that the messages conveyed by the scientific signs can be better understood.

This project proposes to join the multimodal representation reference (PRAIN; WALDRIP, 2006) to the dynamics of dialogical and univocal discourse genres (Scott et al., 2006) as a teaching strategy for the learning of scientific concepts on animal experimentation. The idea is to use elements of semiology to guide and inform the analysis of the efficacy of messages and signs (Prieto, 1973) sent by the professor to the student during the teaching strategy application.

The first part of the study presents the interlocutors' conceptions before and after the didactic intervention.

2. Theoretical Background

The approach based on controversial socio-scientific themes has become a necessity in the Biological teaching courses. In addition to aid the construction of scientific concepts by the students, the discussion of such controversial themes should leverage interactions in the classroom that seek the qualification towards ethics and citizenship (Mortimer & Santos, 2009; Charbel & Conrado, 2006; Krasilchik & Silva, 2013).

The experimentation with animals and non-humans is one of these controversial themes which have been addressed in scientific reports regarding Sciences teaching (Melgaço I. C, Meirelles R. & Castro H., 2011; Hummel E. & Randler C. 2012; Fossati P. & Pezza F., 2006).

Exaggerated certainty of one's own virtue, shameless bad taste and irresponsible activism are the main obstacles to the discussion of non-human animal theme in depth by all sectors of the society (Regan, 2006) and mainly in higher education. Regarding the animal experimentation, there is the perpetuation of an anthropocentric, speciesist and utilitarian model in most Brazilian universities (Greif, Trez, 2000). Teachers' education in universities is essential for the spread, construction and understanding of concepts among students. Utilitarian, speciesist, anthropocentric and even common sense concepts might be reproduced in schools as a consequence of a utilitarian, speciesist and anthropocentric qualification. Denis (2010) points out the educator's responsibility when transmitting knowledge and examples based on anthropocentrism. One of the reflexive practice tasks is the development of critical, unsatisfied and rebel curiosity (Freire, 2011). Therefore, it is highly relevant to question the educator's role as a mediator and motivator of this criticism. Not approaching the theme related to animal experimentation, not showing the backstage of exploitation based on scientific and ethical arguments is to ignore the symbiosis that exists between the cruel practices of animal exploration and the utilitarian and anthropocentric view of the world; it is to accept an industry of animal subjugation; it is to approach environmental education in a shallow way, ignoring the economic and social context in which it is inserted.

Brugger (2004), draws attention to the "environmental taming" that occurs in schools, once it excludes the moral dimension, reducing education to aspects merely technical (and not semantic) which contribute very little, if

so, to the qualification based on scientific education. Therefore, in the educative action there is no way to ignore ethical values in the discussion about the meaning of scientific knowledge, as they have a central role in the axiological system and determine motivations and models of behavior. Speciesism, a concept originally created by Richard Ryder in the 70s, can be considered a kind of prejudice rooted in the humankind and that appears explicitly in the justification given to the use of non-human animals in animal experimentation. The author defends that speciesism and racism are both kinds of prejudice based on appearance – if the other individual has a different aspect, then they are considered morally inadmissible. Racism is nowadays condemned in most social spheres and it seems simply logical that these people should extend their concern to other races and other species as well. Speciesism, racism and sexism disregard or underestimate the similarities between the prejudiced one and those who suffer prejudice, and these kinds of prejudice express selfish disregard of the others' suffering or interests.

Felipe (2007) suggests some reflection upon two kinds of speciesism, the elitist and the elective, or affective. The elitist speciesism considers the rational beings' interests always more relevant, just for the sake that the beings able to reason are members of the *Homo sapiens* species. While the elective or affective speciesism considers important to defend an animal interests, only when its appearance or kind of interaction provokes some empathy, kindness or compassion in the rational being. In the elective speciesism practice, the subject remains indifferent to the suffering of animals which are not part of their preferences (Felipe, 2007). Bravo (2008) studied the speciesist conceptions present in science school books. The books under study pointed to a speciesist conception as predominant in the school context.

Regarding animal experimentation, there is predominance of the common sense when the people are made to believe that they are dependent on the use of medicine, believing that their lives depend on the death of animals. Even knowing how to avoid cancer, diabetes and other degenerative diseases, people put their health in risk and later depend on the miracle of medicine to cure them. This cure is obtained through drugs, which most of the time only work in experimental animals (Greif, Trez, 2000).

Despite being one of the most profitable businesses in the world as it involves "products" such as animals, cages, contention devices, laboratory maintenance, animal food, research funds, the only ones who benefit from it are the ones who get financial profit from these industries. In Brazil, the vivisectionist research is one of the best funded (Greif, Trez, 2000). While many post-graduation students lack funding from public institutions, the institutions animal houses (facilities specially built to breed animals for experimentation) receive millionaire investment. However, few citizens are aware of the destination of their money in the institutions, or who is going to benefit from such research.

Welchman (2004), when approaching the theme of animal experimentation, defends the elaboration of ethical guidelines to animal experimentation. The author argues that "to meet their negative duties to prevent cruelty and minimize interference with animal welfare, pragmatists cannot be complacent about the laboratory practices permitted. Pragmatists should insist on the development of ethics review guidelines that extended the same protection to every species of animals considered for laboratory use and should support research into and the development to alternative techniques. But beyond these obvious points, pragmatists should do their best to retain the sense that the decision to use animal is tragic: always to be regretted and whenever possible avoided."

The semiotics as the science of meaning might bring essential elements to base the teachers' teaching practice and aid the students' construction of knowledge and meaning.

According to Postman and Weingartner (1971), teachers do not work with materials. They work with what is

available in their heads and what the students have in their heads. A semiological analysis of teaching communication might help to clarify the meanings shared by students and teachers aiming to understand the messages and signs produced throughout the lesson.

The intentionality, in this context, according to Buysens (*apud* Santaella, Nöth, 2004) is the central criterion for the communication to take place. For this author, nobody reaches collaboration from others without some intention or premeditation. A semiotics of meaning allows the analysis of intentional and unintentional signs observed in the message producer.

The meaning of sign forms undergoes syntactic analysis, by considering the semantic values and by the induction of conditions and situations of their use (Fidalgo, Gradim, 1995). Mankind relation to the world is not direct, but mainly mediated by signs. The development of superior psychic functions is carried out through the internalization of sign systems culturally produced. The signs have a cognitive role while they work as a support to the memory and a powerful tool in the mediation of language and thought development, increasing our capability to act upon the world (Oliveira, 1993). Without the possibility of characteristic and permanent exterior signs as memory aid, substituting individual representations harder to distinguish and manage, there would not be any superior spiritual life or science (Husserl *apud* Fidalgo, 1998). Kubli (2005) says that individual consciousness is fed by signs and can only grow from them. To Peirce (*apud* Eco, 2003), every time we think we experiment some kind of feeling, image, conception or another representation that is a sign. According to him, the human being can only think through words or other external signs. And once each thought is a sign, then the human being is a sign. With this metaphor the author highlights the vital importance of a sign to the characterization of human beings and complements his position by stating that both the human beings and the words or any other external symbols are educated reciprocally, once each enrichment of human information involves — and is involved by — a corresponding enrichment of the word information (ECO, 1985). Moreover, Kubli (2005) remarks, even the meaning cannot be separated from the reign of signs exchanged among the members of a community and is not restricted to an individual mind. Therefore, when emotions, actions, reactions and other experiences are shown, these give the thought a body (Santaella, 2005), producing meanings. First, there is no complete meaning *per se* and it does not occur in an isolated way, but is always dependent on the different sources of information and the contextual mastering of experiences and social significance (Jaipal, 2010). Thus, a specific message the producer tries to transmit, needs to be favored among several and different messages, which is possible through the indication of a sign and the circumstances that draw the receiver's attention (Prieto, 1973). The circumstances are all the facts that must be known by the receiver when the semiotic act occurs. It is the whole context previously known by the receiver, prior to the emission of the semiotic act sign and which specifies the sign message among the several possibilities that carry the same sign. That is, the indication received from the sign, regarding the message, is not enough for the receiver to ascribe the sign a specific message, as the number of different messages admitted by a sign is basically infinite (Prieto, 1973).

According to Edwards and Mercer (1993), misunderstandings in the classroom are not only related to the content that is being taught or learnt (facts, theory, terms, procedures, etc.) These are the most trivial issues. The deepest misunderstandings might be those which are implicit in interpretation. In this context, the didactic communication is best understood as a process which requires increasing share of mental concepts through which several educational discourses become clear to those who use them.

As regards Prieto's semiology, it is important to highlight two points. The first is that the terms receiver and producer of messages and signs are widely used in his theory. But it is important to observe that in this study,

when transporting his theory of messages and signs to the scientific education, these terms do not have the meaning of vertical transmission of knowledge/content from the teacher to the students. As in Prieto's theory, the terms producer and receiver are used to point to the meaning of the message. And in Scientific education, sometimes the teacher, sometimes the students take turns in the role of producer and receiver of messages and signs. According to Prieto's (1966) terminology, good comprehension takes place when the messages between producer and receiver of the message are coincident. That is, in fact, the receiver understands exactly what the producer wanted him to comprehend. In this case, the semiotic act is considered successful. The author mentions two categories of semiotic act failure: one, named bad comprehension, that is, the message that the producer tries to transmit and the one the receiver links to the sign, are not the same and only message. The receiver understands something, but this is not what the producer wanted them to comprehend. The second failure regards the misunderstanding of the semiotic act: the receiver is unable to ascribe a particular message to the sign, that is, they do not comprehend what the producer wanted to say.

The second point regards the central objective of Prieto's theory which is the comprehension of messages and signs. It is relevant to emphasize that Prieto's semiology seeks to understand the concepts worked and not necessarily to convince the message receivers. It is in this sense that the author defends that saying is not necessarily convincing, and understanding is not necessarily accepting. When agreeing, the receiver admits that what the producer is trying to tell them is true and by obeying the receiver acts the way the producer intended to make them act. For the author, the semiotic act receiver might accept the influence that the producer tries to exert on them or not. A receiver who has understood what was said is not necessarily a receiver that accepts the influence that is tried on them. According to Prieto (1977), it is the saying of the producer and the understanding of the receiver, and not in the convincing and acceptance that communication and meaning are situated. Although a change in perspective of the students' views on animal experimentation has been evidenced throughout the discussion and analysis of this study, it is important to clarify that the methodology employed in this study was intentionally planned aiming to comprehend the concepts and not to convince the students.

3. Methodology

The sample comprised fifteen participants from which thirteen were students in the Biological Sciences teaching course, and two teachers of basic education with qualification in the same area, one of them with a Masters degree in Biomedical sciences. Data was collected through a questionnaire, applied before the instructional process (Appendix A). After the instructional process, the participants were asked to revise the questions in the first questionnaire and alter the points that had suffered any change of perspective in relation to scientific or ethical aspects. Individual interviews with the participants complemented the information. The students also provided a written report on the tasks. The main topics approached were: animal abolitionism and welfare; the four contemporary models of ethics; implications of animal experimentation in teaching and research; myths on animal experimentation; conscience objection and its practical results; vivisection laws; companies and institutions that carry out tests with no-human animals and some which do not, among others. Videos about animal experimentation, testimony of researches in favor and against the experimentation, textual production, alternate use of dialogic/univocal discourse, slides with image and theoretical background on the theme, and bibliographic reference for further information were employed. It is important to highlight that in this study the only analysis carried out was the one on the efficacy of the signs consciously planned produced by the professor throughout the

instructional process, while the non-conscious signs, according to Prieto's terminology, are considered object of further studies.

4. Analysis and Discussion

Ten out of the fifteen interviewees chose the Biological Sciences teaching course based on the possibility of carrying out laboratory experiments, which demonstrates the emphasis on a pragmatic conception of science. Four of them think that this possibility includes experiments with animal vivisection. When asked, before the intervention, on the reason for their option based on vivisection, all the answers were related to the conception that good scientists and science teachers can only be educated through vivisection. After the intervention, it was seen that all of them reported some urgency in revising their concepts about science based on vivisection. It is important to mention that the use of animals in teaching does not follow the same regulations as the research use. Therefore, the influence of the current hegemonic discourse and the common sense was noticed, which might be more associated to the students' curiosity regarding animal experimentation than to the learning to teach obtained from these practices.

Eight students reported that their graduation courses did not provide any information on Ethics or Animal rights throughout the instructional process. The remaining interviewees mentioned that, although there was reference to Ethics, it was related to the proper management of animals used. This reinforces the elective and elitist speciesism concept pointed at the beginning of this text. When asked to number in crescent order some animal groups according to the easiness to carry out experiments without students' emotional involvement, only two participants reported difficulties to elect one group as more important than another for this objective. Eight participants presented this order: arthropods, fish, amphibians, reptiles, birds, rats, dogs, cats, monkeys. This order is the same presented in traditional biology books on the evolution of species, which poses the question whether the emotional involvement of the participants is related to a supposedly pre-established hierarchical order. The others followed the same order, only exchanging the position between dogs, cats and monkeys, justifying that those are animals they have some interaction with and, therefore, they deserve the right to more empathy and protection. This reinforces Ryder's elective speciesism conceptions, described in the theoretical background of this study. All participants reported having taken part in more than five laboratory practices involving animals in their graduation courses. All reported that they have already worked with conserved animals, eight reported having worked with animals killed a bit before the lesson and seven mentioned having worked in experiments in which the animals were alive when the lesson started and were killed during the lesson. Ten out of the fifteen reported that the professors did not justify the use of these animals in their lessons. Nine reported that there was no significant learning of the content. Among the remaining ones, the following testimony called attention: "despite thinking I had learnt some content, I could have learnt much more with another method that did not use animals, as I was more worried with the animal suffering than with the content in itself" (interviewee 06). Eleven out of the fifteen interviewees are in favor of some substitute method to animal experimentation. The others believe that these experiments cannot be replaced. None of them knew the Conscience Objection Law. One declared having heard about it in one of the Bioethics lessons but could not explain it. All of them reported having felt emotionally disturbed during the experiments that involved vivisection. But nine believe this is a necessary evil in favor of the science. None of them agrees with the use of animals in religious rituals or entertainment such as circus or rodeos. But eleven stated being in favor of the use of animals in teaching and research. This data

reveals a permission to the science to produce knowledge through animal suffering, while their use in religious rituals and others was completely refused. The subjects listed by the participants as the ones that most use vivisection were, in this order: Human physiology (07), Zoology (04), Embryology (02), Immunology and Education Psychology (02).

After the instructional process, the participants were asked to revise their answers to the first questionnaire and later on alter the points that had suffered any change of perspective in relation to the scientific and ethical aspects. The main points altered by the participants and their remarks were:

the conception that practices involving animal experimentation are essential for the best education in the Biological sciences teaching course. Interviewee 1, who had agreed with that before the intervention, reported the following after the intervention: *"I am ashamed of having been in favor of animal experimentation for all these years. Many times we follow procedures automatically without really thinking that we are only reproducing some discourse or procedures that do not contribute to our education, but do contribute to the continuity of a system based on animal exploitation"*. Interviewee 02 complemented: *"this course broadened my awareness on the efficacy of my learning, which I had never questioned before. I realized that I was much more driven by curiosity than the importance of my education"*. Another strategy used was to expose the students to images and oral presentations revealing the backstage of laboratories and all the chain that supports vivisection, focusing on the most used kinds of experiments. After that, data was presented about the main myths involving animal experimentation. It was seen, during the instructional process, that the participants identified and established the objective of the messages and signs in each semiotic act provided by the professor. Interviewee 03 reported that *"the most interesting part of the course was to acquire a consistent theoretical background which I had never known of and realize how out of date our courses are in relation to this information"*. This participant also reveals some knowledge acquired about the levels of experimentation: *"I learnt that a demonstration is not a practical lesson. Why is it necessary to repeat the same experiment hundreds of times using a large number of animals when the objectives and results achieved are already known?"*

Interviewee 05 reported that *"this mini-course revealed a world that I had no knowledge of regarding the exploitation of animals in teaching and research. How much suffering and cruelty is embedded in the products we use and in the lessons we attend. We are not aware of the number of animals which are pointlessly sacrificed"*.

As regards the fact that most of the participants reported never having questioned science based on vivisection, the utterance provided by interviewee 08 is emblematic: *"this intervention overcame my expectations. I learnt several concepts that I had never seen before. The professor managed to expose those concepts very clearly. I realized that the ethics with animal experimentation goes beyond what is exposed in the university classroom. Certainly this course provided me with serious changes in my perception of these themes. I am thankful to have had the opportunity to realize that some situations can be different"*. Interviewee 07, who works as a vivisectionist and gives rats and other animals anabolic agents and other drugs, reported that: *"I had never thought of some of the points that the professor addressed such as the diseases that affected mankind and were never predicted through tests in animals. I really have to revise my concepts and redirect my procedures"*. Regarding the scale of importance given to animal groups previously mentioned in this text, all the participants, after the intervention, declared that taking the viewpoint of the Biocentric ethics animals cannot be classified as more or less important. It was seen that, even if ethical arguments are based on anthropocentric and speciesist concepts, the scientific arguments found and approached are enough to demonstrate the inefficacy of animals in teaching. After the instructional process, fourteen participants that had marked the option "religious rituals" when

asked about in which situations they disagreed with the use of animals, added the option “teaching” to the alternatives chosen.

According to the data collected, it can be said that there was no failure of the semiotic act, and that it was successful. That is, there was no disagreement between the messages and signs intended by the professor and received by the students. After the end of the instructional process, the target scientific message produced understanding of the content worked through the approach used by the professor. Taking into consideration as a circumstantial indication an environment that seemed to be unfavorable to the learning of the concepts intended by the professor, once most of the participants were vivisectionists and defended this practice in teaching, the suitable selection of multimodal representation in interaction with the dialogic/univocal discourse production, based on scientific assumptions, revealed an efficient strategy to the conceptual change, even if in a preliminary analysis.

5. Final Consideration

Through this didactic intervention, it was seen that the messages and signs previously planned by the professor can contribute to the students' understanding of concepts under study and moreover, to the broadening of students' previous conceptions related to the main concepts of animal experimentation. Bringing this theme to discussion in higher education might result in the problematization of the exploration and animal suffering issue and other aspects regarding animal experimentation in teaching, providing students with the chance to make their own decisions. The arguments presented in this study, through the teaching strategy based on messages and signs, demonstrated to have enough teaching force to change the current situation of a curriculum based on the utilitarian ethics model, consequently anthropocentric and speciesist. Further research is suggested on the origin of these hegemonic conceptions and actions within a civilization that grew believing in the naturalization of animal use, and consequent disregard of animal rights or the understanding of their use as a cultural asset.

Although this intervention was a simulation to provide the refining of some aspects regarding the reapplication of this teaching strategy to other contexts, it was possible to realize that the conscious planning of messages and signs produced by the professor, mediated by multimodal representation served as a didactic provocation to favor the understanding of concepts worked in the teaching-learning process related to the implications of animal experimentation in the Scientific Education.

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