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PEDAGOGICAL SCIENCE OF THE REPUBLIC OF MOLDOVA. MAIN DIRECTIONS AND PROBLEMS

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Abstract: *This article does not set itself a comprehensive analysis of the state and development of the Moldovan pedagogical science over the 30-year period that has passed since its independence. This sort of work requires a collective monographic study and, possibly, more than one. This article represents a brief overview of those trends and areas of pedagogical science that have been formed over the past decades in the Republic of Moldova.*

Keywords*: The Republic of Moldova, pedagogical science, pedagogy, educational institutions.*

For many centuries, the development of pedagogical thought has been determined by the level and depth of scientific research in the field of pedagogy. Thus, these are the theoretical basis of this field of knowledge, that stimulate the development and implementation of new technologies and methods of a unified system of teaching-learning-testing; improvement of pedagogical practice in accordance with the requirements of modern society; increasing the effectiveness of the management of educational institutions, as well as the development and practical implementation of fundamental documents at all levels and forms of the education system.

As a result of the collapse of the Soviet Union, and the emergence of sovereign states, along with fundamental changes in their political, economic, and social structure, pedagogical science has undergone profound changes. Instead of the once unified integrated scientific community, rich in its national diversity, separate independent national scientific and pedagogical schools and centre's have emerged in the post-Soviet space, focused, to a greater extent, on a different coordinate system,

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personal and family values, as well as integration into the international educational system.

In this dynamic developing process, pedagogical thought and scientific research in the field of education of the Republic of Moldova did not become an exception.

This publication does not set itself a comprehensive analysis of the state and development of the Moldovan pedagogical science over the 30-year period that has passed since the date of gaining state independence. This kind of work requires a collective monographic study and, possibly, more than one. The same message is a brief overview of those trends and areas of pedagogical science that have been formed over the past decades in the Republic of Moldova.

Nowadays, as in the previous period, the main goal of pedagogical research in Moldova continues to remain unchanged, consisting of analysis, generalization and clarification of the educational phenomenon, through the prism of structural changes, new methodologies, methods and techniques.

Theoretically, the state and prospects for the development of education should be the most urgent, paramount problem of the modern society, including the Moldovan one, since it is the particularity that is the basic element ensuring the formation and development of the individual, along with the moral and spiritual values. Meanwhile, in real life, there is a significant gap between theory and practice, between the desired and the actual. The study of the educational phenomenon allows us to correlate the process of personality modelling with the needs and educational standards of society, due to the need to form and develop those skills and qualities that will contribute to the speedy adaptation to the rapidly changing socio-economic conditions of the country and the requirements of the free market.

In recent years, the topic of trends and problems in pedagogical research in the Republic of Moldova has become increasingly relevant, along with special scientific research published in specialized journals[1], collective monographs also appeared[2].

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[1]. Victor Țvircun, Tatiana Callo, (*Tendințe moderne în cercetarea pedagogică din Republica Moldova) Modern trends in pedagogical research in the Republic of Moldova.* In: Academos. Science, Innovation, Culture and Art Journal, Chișinău, 2017, No.1(14), p. 135-141; Tvircun Victor, *Tendințe și probleme în cercetarea pedagogică din Republica Moldova. Trends and problems in pedagogical research in the Republic of Moldova.* In: Pedagogical Universe Journal no. 4(64) Chișinău, 2019, p. 3-7. Cuciureanu Gheorghe, Pișcenco Marina,

Among the most famous Moldovan researchers who are actively and fruitfully involved in the educational policy of the country, analysing existing problems in the pedagogical field, developing and implementing scientific principles in the process of educating a person and training professional personnel, as well as developing new methods and techniques for improving the effectiveness of pedagogical activity, one can name the names of the following scientists: - Vladimir Gutu[3] , Vasile Cojocaru[4], Dumitru Patrascu[5], Tatiana Callo[6], Larisa Kuznetsova[7], and Lilia Pogolsha[8].

Analysis of the current situation in pedagogical science reveals that in terms of generalization, especially of the processes, trends and problems that exist in the pedagogical science of the Republic of Moldova, show some lagging.

The evolution of pedagogy as science has always been and remains conditioned by pedagogical research, which is a determining factor in innovations and improvements in education. In this context, the goal of

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Callo Tatiana, Daniliuc Aliona, Minciună Vitaslie, (*Tendințe în atestarea personalului științific și științifico-didactic din republica Moldova în anul 2019) Trends in the attestation of the scientific and scientific-didactic staff from the Republic of Moldova in 2019*. In: Academos. Scinece, Innovation, Culture and art Journal, Chișinău, No. 1, 2020, p. 17-26.

[2]. T. Callo, (Coord.) V. Țvircun, L. Pogolşa, Vl. Guțu, L. Cuznețov, V. Cojocaru, (*Interogații pedagogice) Pedagogical Investigations*. Chişinău: IŞE, „Impressum" Publishing House, 2017, 208 p.; Răileanu Olga, (*Consilierea și educația familiei în instituția de învățământ: Ghid metodologic. Family counseling and education in the educational institution: Methodological guide),* Olga Răileanu; coordinator: Cuznețov Larisa; The Ministry of Education, Culture and research of the Republic of Moldova, The State Pedagogical University "Ion Creangă". – Chişinău: UPS „Ion Creangă" Publishing House, 2020, 163 p.; *(Educație incluzivă timpurie: Ghid metodologic) Early Inclusive Education: A Methodological Guide.* Vasian Tatiana, Bulat Galina, Eftodi Agnesa; general coordination: Gînu Domnica; The Ministry of Education, Culture and Research of the Republic of Moldova, Lumos Foundation Moldova. – Chişinău: „Print-Caro" Publishing House, 2020, 224 p.

[3]. Vladimir Gutu, (*Pedagogie) Pedagogy.* Chişinău: CEP USM, 2013. 507 p.

[4]. Vasile Cojocaru, (*Timpul ca dimensiune a vieții şi a înfăptuirilor) Time as the dimension of life and accomplishments.* Chişinău; Balacron Publishing House, 2018, 304 p.

[5]. Dumitru Patrașcu, (*Tehnologii educaționale) Educational Technologies, Chișinău,* Central Publishing House 2005, 698 p.

[6]. Tatiana Callo, (*Pedagogia practică a atitudinilor) Practical pedagogy of attitudes* Chişinău: Litera Educațional Publishing House, 2014, 240p.

[7]. Larisa Cuznețov, (*Consilierea ontologică complexă a familiei) Complex ontological counseling of the family.* Chișinău: Primex-com SRL Publishing House, 2018, 488 p.

[8]. Lilia Pogolşa, (*Teoria şi praxiologia managementului curriculumului) Theory and praxiology of curriculum management.* Chişinău: Lyceum Publishing House, 2013. 368 p.

pedagogical research is to find ways to improve education in order to increase its specific effectiveness in relation to the established norms.

Since it is precisely education that ensures both the formation and development of the individual and the training of highly qualified specialists strictly necessary for the national economy Presently, the issue of education is becoming a priority for the Moldovan society. At the same time, the research of pedagogy, studies the educational phenomenon which is organized and developing in order to form and shape a person's personality, capable of adapting to rapid changes in the world[9].

A comprehensive study in the field of pedagogy in the Republic of Moldova is aimed at scientific explanation, conceptualization and understanding of educational activities, as well as its improvement by introducing fundamental changes in the fundamental issues of education, changing mentality and attitudes, significant changes in educational policy.

The peculiarity of modern Moldovan pedagogical science is that after the signing of the Bologna Declaration in 2005 and the country's entry into the common educational space of the European states, the structure and content of the system for training scientific and pedagogical personnel changed radically. The existing changes were introduced in the new law on education of the Republic of Moldova (the second one after 1995), adopted in 2014. According to this law, postgraduate studies became the third stage, after the licentiate (3-4 years) and master's degree (1.5 - 2 years), and higher education. As a result, starting from 2015, all research institutes and centres were deprived of the right to have postgraduate studies and train scientific personnel. To preserve and reproduce their scientific potential, consortiums were created that unified research centers with the country's leading universities. On their basis, the so-called. doctoral schools for the preparation of PhD (candidates) and full PhD (*habilit*) of sciences. Currently, there are 39 doctoral schools in the Republic of Moldova, 6 of which specialize in the training of scientific personnel in the field of pedagogy.

As of the above, it is possible to trace the most obvious trends, directions, and problems of scientific research in the field of pedagogy in the Republic of Moldova.

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[9]. Lilia Pogolșa, Nicolae Bucun, *(Evaluarea în sistemul educațional – deziderate actuale.* Materialele Conferinței științifice Internaționale) *Assessment in the education system - current goals.* Materials of the International Scientific Conference. Chişinău, The Institute of Educational Sciences of the Republic of Moldova. 9-10 November, Lyceum Publishing House, 2017, 488 p.

First of all, the existing trend in the theory of education, echoes in various scientific fields: sociology, philosophy, educational psychology, family pedagogy, group pedagogy, leisure pedagogy, and social education in general. Thus, pedagogical research today can be viewed in a generalized form as a strategy of permanent regulation and self-regulation of the system and process of education, a strategy that makes a significant contribution to solving complex educational problems in socio-economic sense. Given the specifics of the study and the possibility of constructing theories and paradigms, specialists in the field of education are increasingly argumenting the current state of scientific pedagogy, pursuing the idea that pedagogical research is integrative in its nature[10]. Depending on the complexity of the researched educational fact, pedagogical research can be poly- or interdisciplinary.

The next trend in pedagogical research is the intensification of research activity within the framework of the constructivist paradigm, which, in fact, is the basis of research. Constructivism sheds new light on the epistemology of cognition through explaining the nature and how the individual realizes the cognition of reality: how he understands, how he relates the old understanding to new orientations, how he introduces a new understanding, how he relates different interpretations, how he argues the ideas attached to us, and then how to use them.

Pedagogical research demonstrates a tendency towards conceptualization through the prescriptive attitude of researchers, which materializes in the form of a direct nomination: conceptualization of the assessment of students' communication abilities, conceptualization of teacher training, conceptualization of perspective education, conceptualization, and design of discipline in high school, education, conceptualization of extracurricular activities, etc. Since lack of conceptualization would seriously affect educational practice, this approach works as a constant trend, being a kind of an intra-educational and extra-educational regularity, without which pedagogical discourse practically could not exist.

The result of conceptualization is an answer with a certainty value, from which other truths can in turn be inferred. What characterizes the

[10] Victor Ţvircun, Tatiana Kallo, (*Tendinţe moderne în cercetarea pedagogică din Republica Moldova) Modern trends in the pedagogical research of the Republic of Moldova.* In: Academos. Science, Innovation, Culture and Art Journal No.1. Chişinău, 2017. p.135-141. ISSN 1857-0461.

product of conceptualization is the correctness, accuracy, and objective handling of facts on which the researcher's analysis is based.

The conceptualization trend is complemented by another one – an intensive development of strategies and technologies, such as interactive high school learning strategies, communicative language learning technologies, personalized learning strategies, etc.

The balance between these two tendencies is set by a specific framework of edecation-learning, which de facto should be considered not as a problematic relationship, but as a tense relationship, as an analytical direction with projective dominance.

Researchers approaching educational strategies and technologies are more open to diversity, show a strong tendency to question why certain pedagogical phenomena occur, look for fundamental answers, and, in addition, show greater research courage. It is they who are able to problematize and turn reality into a problem that needs to be solved, and to understand the pedagogical phenomenon as a creative project.

The next direction in the pedagogical thought of Moldova is the research in the field of teaching and skill development in students, first of all, the formation of environmental competence of students, the formation of research and search competence among schoolchildren and students, etc.

One of the trends in this area becomes more and more noticeable in the interpretation of general problems that are trying to operate with the transition to a historical and social approach to pedagogical phenomena that can more accurately activate the development of pedagogical science.

The tendency of increased attention to the research problem is quite pronounced, which is a kind of mental "pre-organization" in the theoretical plan of the future project, inclusion in the experience of the researcher, in the facts of his previous observations. Sometimes the formulation of the problem appears as a surprise, which, apparently, the researcher could not even think about. The research topic is the "external" side of the process of scientific knowledge. What is being pursued is the "internal" aspect. The formulation of an appropriate research problem encourages reflection when the researcher anticipates his research by designing a certain scientific activity.

The research series consists of several new areas such as assessment, communication, culture, performance, creativity, competence, curriculum, learning, teaching, lifelong learning, continuous education, teaching the adults etc.

One of the most relevant and most demanded in the scientific community of the pedagogical community of modern Moldova is the study of the problems of managing the educational process, the activities of educational institutions at all levels, as well as extracurricular programs[11].

Another, absolutely new direction for pedagogical science of the Republic of Moldova is the research of problems of gender equality in upbringing and the educational system[12], as well as the problems of family pedagogy and upbringing in the family[13].

Among the topics actively developed by Moldovan scientists, a special place is occupied by the theory and methodology of educational work with children of preschool and primary school age. Thanks to the work and organizational talent of Professor St. Chemortan[14], a new direction and scientific school was founded in pedagogical science of the Republic of Moldova.

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11. Lilia Pogolşa, (*Teoria şi praxiologia managementului curriculumului) Theory and praxiology of curriculum management.* Chişinău: Lyceum Publishing House, 2013. 368 p.; Cojocaru V. Gh. (*Factorul Timp În Reconsiderarea temporală a procesului educational) The Time Factor in the temporal reconsideration of the educational process*. In: Pedagogical Universe No. 3 (63) 2019, p.3-8; Moldovan E., *(Educarea personalității elevilor de liceu prin activități turistice extradidactice. Teză de doctor în pedagogie) Educating the personality of high school students through extradidactic tourist activities. Doctoral thesis in pedagogy,* Chişinău: USEFS Publishing House, 2006. 232 p.; Manolachi V., (*Managementul şi dezvoltarea durabilă a sportului. Monografie) Management and sustainable development of sport. Monography*), Chişinău: USEFS, Publishing House 2016. 304 p; Patrașcu D., *(Lidership educational) Educational leadership,* Chișinău: UPS „Ion Creangă" Publishing House, 2019, 455 p.

12. Valentina Bodrug-Lungu, (*Teoria și metodologia educației de gender) Theory and methodology of gender education*: Thesis for the degree of Doctor Habilitatus in Pedagogy, Chisinau, USM Publishing House, 2009, 386 p.

13. Larisa Cuznețov, (*Tratat de educație pentru familie. Pedagogia familiei) Family education treaty. Family pedagogy,* Chișinău: CEP USM Publishing House, 2008, 624 p.; Pereu Tatiana. (*Familia din perspectiva eficienței personale), The family from the perspective of personal efficiency*. In: Scientific Annals of doctoral students and competitors, Vol. XVI. 2nd Part („Probleme actuale ale științelor umanistice") Current Problems of Humanist Sciences, Chișinău, UPS „Ion Creangă" Publishing House, 2017, p.164-172.

14. Stella Cemortan, (*Competențe de cunoaștere prin conținuturi integrate) Knowledge skills through integrated content,* Chișinău: Epigraf Publishing House, 2004. 136 p.; Cemortan Stella, *(Dimensiuni psihopedagogice ale școlarizării copiilor de vârstă timpurie) Psycho-pedagogical dimensions of the schooling of preschooler children.* Chișinău: Epigraf Publishing House, 2015, 112 p.

Since mid-90s of the last century, a scientific school of sports pedagogy has been formed and actively developed in the Republic of Moldova. Along with the study of pedagogical aspects in the process of training highly qualified athletes in various sports, a significant part of the scientific work has been and continues to be focused on the study of sports education in secondary school. It became paradoxical that a decade later, the number of PhD0 dissertations in this area amounted to more than 60% of the total number of dissertations submitted in pedagogical disciplines[15]. Currently, this percentage has decreased significantly, but nevertheless, continues to remain relatively high - about 30-32%.[16]

With the independence of the Republic of Moldova in the early 90s of the last century, an absolutely new phenomenon arose in the pedagogical science of the country, which from year to year acquires new quantitative and qualitative parameters. We refer to the training of scientific and pedagogical personnel not only for the needs of the national education system, but also for other countries. According to statistics, from 1993 to 2021, 744 foreign researchers from 45 countries submitted their PhD dissertations to the specialized scientific councils for pedagogical science of the Republic of Moldova. Most of them are scientists from Romania - about 600 people[17].

Along with stating several trends and directions in the modern pedagogical science of the Republic of Moldova, we cannot ignore the problems that it faces. The main one is closely related to the level of funding for the entire education sector, which has been steadily declining in recent years. If in the 2010/2011 academic year 7.5% of GDP was allocated for education, then in the 2020/2021 academic year this figure dropped to 6.1%[18]. The next objective reason that negatively affects the quantity and quality of scientific research in the field of pedagogy is closely related to the demographic crisis that has gripped the country. Mass migration of recent decades has led to the fact that the number of students from 2010 to 2020 decreased by 119.6 thousand, totalling to 438.2

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[15]. Consiliul Național pentru Acreditare și Atestare al Republicii Moldova. The National Council of Accreditation and Attestation of the Republic of Moldova. info@cnaa.md.

[16]. Ibidem.

[17]. Ibidem.

[18]. Biroul Național de Statistică al Republicii Moldova. The National Bureau of Statistic of the Republic of Moldova - https://statistica.gov.md/public.

thousand people[19]. Accordingly, these changes led to a decrease in the number of general education schools and higher educational institutions. For example, over the past decade, the number of public and private universities has decreased from 33 to 24. At the same time, the number of students decreased from 59,000 in 2010 to 49,000 in 2020. The same trend can be seen among the teaching staff of universities. If in 2010 the number of scientific and didactic personnel working in them totalled 6,493 people, then ten years later it reduces to 4,114 people[20].

In addition to the traditional problems that have affected the pedagogical science of the Republic of Moldova over the past decades - the chronic lack of sufficient financial, material and human resources, the decline in the public prestige of professors and researchers - the solution of which depends solely on the legislative and executive authorities of the country, there are others, which the scientific community in the field of pedagogy can take up.

First, we should note the need for a comprehensive analytical and generalizing research of the development of pedagogy and pedagogical science in the Republic of Moldova from gaining independence to the present. Three decades is long enough to draw lessons and necessary conclusions.

Almost 20 years have passed since the accession of the Republic of Moldova to the Bologna system. However, until now there are no special scientific studies devoted to the process of integration and adaptation of the Moldovan education into a single educational space of European states. Meanwhile, the time has come to analyse this period, identify the successes and shortcomings, the positive and negative aspects of Moldova's entry into the Bologna system.

As noted above, during the last 30 years, two laws on education of the Republic of Moldova have been adopted. Unfortunately, there are still no scientific studies showing their positive and negative effects, as well as their impact on the quality of education in our country.

Other problems undeservedly overlooked by scientists, are the ones related to the activities of various non-governmental structures in the field of education. There is no clear understanding of the effectiveness and usefulness of the projects and programs they develop for the current state

[19]. Ibidem.

[20]. Biroul Național de Statistică al Republicii Moldova. The National Bureau of Statistic of the Republic of Moldova - https://statistica.gov.md/public.

of teacher education and the prospects for its development. Often there is a lack of coordination of their activities with the policies and programs developed by the Ministry of Education.

There are no comprehensive analytical studies on the prospects for the development of domestic pedagogy. There is no comparative analysis and selection of the most effective and successful educational models in the world that could be successfully implemented in the Republic.

There are almost no international scientific projects and programs in which Moldovan scientists, representatives of pedagogical science would be taking part in. Most ongoing scientific conferences and symposiums on educational issues are of a local or regional. The only international conference in the last decade dedicated to the cardinal problems of education, organized under the auspices of the UN Secretary General, and bringing together leading scientists from more than 20 countries, was held in Chisinau in April 2015[21].

Unfortunately, there are not enough monographic studies, as well as PhD dissertations about famous scientists, researchers - founders of schools and scientific departments in the field of pedagogy in the Republic of Moldova.

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TEACHING ROMANIAN AS A FOREIGN LANGUAGE IN THE VIRTUAL CLASSROOM. OPPORTUNITIES AND CHALLENGES

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Abstract: *Teaching Romanian as a foreign language (RFL) to an often heterogeneous group is a challenge in itself. The COVID-19 pandemic that has affected the whole world has required a rethinking of methods and materials for teaching RFL with the imposition of the transfer of courses to the virtual classroom. This study will discuss the opportunities and challenges that both teachers and students have encountered in teaching and learning RFL. We will thus bring into discussion both theoretical aspects, such as the differentiation between online courses and virtual classroom courses, and pragmatic aspects such as the ways in which we have made the transition to the virtual classroom by adapting traditional teaching methods and materials. At the same time, we will also discuss the new role that the teacher has acquired in this new online teaching reality compared to his/her traditional role.*

Keywords*: pandemic, virtual classroom, Romanian language, teaching methods.*

Introduction

Teaching Romanian as a foreign language (RFL) to an often heterogeneous group is a challenge in itself. It requires the coherent use of many different teaching methods and materials to benefit each learner, regardless of linguistic, cultural, religious, economic and academic background. Moreover, teaching Romanian as a foreign language also involves an important cultural component by exposing learners to intercultural contexts in the target language.

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The COVID-19 pandemic that has affected the whole world has required a rethinking of methods and materials for teaching RFL with the imposition of the transfer of courses to the virtual classroom.

Since spring 2020, teachers and students have been confronted with a new academic reality that has offered both opportunities and challenges in the teaching-learning process.

Starting from the response that the government and higher education institutions in Romania have had to the COVID-19 pandemic, we will discuss the opportunities and challenges that both teachers and students have encountered in teaching and learning RFL. This study is based on both the relevant literature and on our experience as teachers in the preparatory year of Romanian language at the Technical University of Civil Engineering of Bucharest (UTCB). Since the beginning of the pandemic, with the transfer of the courses in general and of the Romanian language courses in particular, we have directly benefited from the opportunities offered by this new teaching reality, but we have also faced the challenges it brought.

Thus, we start this study from the hypothesis that teaching RFL in the virtual classroom has presented not only disadvantages, but also advantages, opportunities for improving the teaching act that we can benefit from once we return to the traditional face-to-face teaching format.

We will thus bring into discussion both theoretical aspects, such as the differentiation between online courses and virtual classroom courses, and pragmatic aspects such as the ways in which we have made the transition from the real to the virtual classroom by adapting traditional teaching methods and materials. At the same time, we will also discuss the new roles that the teacher has acquired in this new online teaching reality compared to his/her traditional role.

1. Higher Education in the Covid-19 Pandemic Context

11 March 2020 is a turning point for humanity. It is the date on which the World Health Organisation confirms the pandemic nature of the COVID-19 virus infection[1]. In response, governments around the world had to take immediate action to reduce the spread of the virus, affecting all areas of activity, especially transport, health and education.

[1] World Health Organisation, avilable at https://www.euro.who.int/en/health-topics/health-emergencies/coronavirus-covid-19/news/news/2020/3/who-announces-covid-19-outbreak-a-pandemic, consulted on February 20, 2022.

In many countries, governments decided to move education from the traditional classroom to the virtual classroom, in order to reduce contact between individuals. One of the major factors that were taken into consideration when this decision was made was the increasingly popular internationalization of tertiary education, which implied a high degree of academic mobility of both students and teachers and, consequently, a higher risk of spreading the virus.

From an epidemiological point of view, the response seemed ideal, but, in practice, the transfer of education from the traditional classroom to the virtual classroom posed problems for many educational institutions around the world, regardless of each country's level of development.

Universities are among the most resilient institutions in the world, managing to survive despite the many crises that have occurred over the years, whether economic, religious, political or health-related. Higher education institutions were no strangers to online learning, as they were among the first to adapt to technological developments with the spread of internet access. From the 1990s onwards, Open Universities took off, which, although previously offering open access distance learning, saw massive growth thanks to the advent of the internet which facilitated the delivery of academic content online. In 2019, around 8 million students worldwide were attending an Open University (Paul, Tait, 2019:i)[2]. Moreover, many educational institutions around the world offer online courses, so-called MOOCs, with 2012 being considered the "year of the MOOC". (Schrum, Sleeter, 2013:35)[3]

However, the online nature of courses in academia is sporadic and optional. The pandemic has, nonetheless, made it mandatory for most teaching activities to take place entirely online. This has posed problems for higher education institutions around the world, both in terms of poor infrastructure to support teaching entirely in cyberspace and lack of digitisation of teaching materials. These issues are compounded by poor digital training in many cases, both for teaching staff and students.

After more than two years of teaching in the virtual classroom, during which educational institutions have tried to adjust to the new reality, both academically and administratively, most of them consider distance

[2] R. Paul, A. Tait, „Open Universities: Past, Present and Future". *International Review of Research in Open and Distributed Learning.* Volume 20, Number 4, 2019, pp. i–vii.

[3] K. Schrum, N. Sleeter, „Teaching History Online: Challenges and Opportunities". OAH Magazine of History, Vol 27, No. 3, 2013, p. 35.

learning as one of the most effective teaching strategies in response to a health crisis situation. However, the literature is still limited to the medium and long-term effects of the pandemic on the quality of teaching *per se*.

1.1. Covid-19 Pandemic Effects on Romanian Higher Education

In Romania, by Presidential Decree no. 195 of 16 March 2020, a state of emergency was instituted. Article 49 of the decree states that "during the state of emergency, classes in all educational establishments and institutions are suspended"[4]. In the midst of the teaching process, higher education institutions were forced to suspend classes in order to transfer teaching to the virtual environment.

With the extension of the state of emergency by Presidential Decree 240 of 14 April 2020, the work in the field of education and research in the university environment was also regulated. According to Article 79, "during the state of emergency, higher education institutions in the national education system, on the basis of university autonomy, respecting the quality of teaching and assuming public responsibility, will use alternative teaching-learning-assessment methods in online format"[5]. Article 80 further specifies that "teaching and/or research activities in the curricula, not carried out during the state of emergency, shall be organised and carried out by each higher education institution on the basis of university autonomy. Teaching activities such as laboratories, projects, research activities, which require direct interaction between students and teaching and research staff in the university environment, will be recovered after the end of the state of emergency"[6].

On 18 May 2020, by Government Decision No 394/2020, the state of emergency was established, which ended on March 9, 2022. Law no. 55/2020 on some measures to prevent and combat the effects of the COVID-19 pandemic, in Article 40, further provides that "(1) during the state of alert, as well as throughout the academic year 2019-2020, higher education institutions of the national education system, based on

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[4] *Presidential Decree no. 195 of 16 March 2020*, art. 49, available at https://legislatie.just.ro/Public/DetaliiDocumentAfis/223831, consulted on February 20, 2022.

[5] *Presidential Decree no. 240 of 14 April 2020*, art. 79, available at, https://legislatie.just.ro/Public/DetaliiDocumentAfis/224849, consulted on February 20, 2022.

[6] Idem, art. 80.

university autonomy with respect for the quality of teaching, may use alternative teaching-learning-assessment methods, in online format (...). The examinations for the completion of bachelor's, master's or postgraduate studies, the defence of doctoral theses, the defence of habilitation theses may also be conducted online. (3) The participation of students and doctoral students, who during the state of emergency, necessity or alert have followed learning and teaching activities by means of alternative didactic methods of communication, in online format, in the examinations provided for by Articles 143 and 144 of Law no. 1/2011, as amended and supplemented, by students and doctoral students, shall be carried out according to the methodologies approved by the university educational institutions."[7]

Thus, the Romanian Government, evoking university autonomy, has allowed higher education institutions to manage the teaching act on their own during the state of emergency, i.e. alert, by regulating it specifically through methodologies at institutional level.

The majority of Romanian higher education institutions have transferred teaching to the virtual environment in its entirety or, where possible, with the relaxation of measures, in a mixed format. The Senates of the Universities have developed different scenarios for the organisation of courses, according to the infection rate per thousand inhabitants. The 2019-2020 academic year ended online, in the virtual classroom, and the unfavourable evolution of the pandemic has also made it necessary for the 2020-2021 academic year to take place predominantly in virtual space. The experience of a year and a half of teaching online has encouraged higher education institutions to begin the transition in the 2021-2022 academic year to resume classes in the traditional, physical format. The main platforms used by higher education institutions to organise online courses were Moodle, Google Classrom, Zoom and Microsoft Teams.

In order to facilitate the access of all students to the teaching act in the virtual classroom, through European funds, state universities were able to purchase tablets for students receiving social grants and even equipment for lecture and seminar rooms so as to increase the quality of the teaching act.

[7] *Law no. 55/2020 on some measures to prevent and combat the effects of the COVID-19 pandemic*, art. 40, available at https://legislatie.just.ro/Public/DetaliiDocument/225620, consulted on February 20, 2022.

A survey conducted by Oana Lup and Cristina Mitrea[8] between 26 April and 30 May 2020 on a sample of 3603 students enrolled at 16 university centres in Romania, shows a negative attitude towards the quality of teaching in the online environment, among the main problems identified being the high volume of topics and projects, lack of direct interaction, low quality of online courses both in terms of content and delivery, low support from universities in terms of services and information provided. After almost two years of conducting online university courses, it would be useful to repeat this study in order to get a clear picture of the ability of higher education institutions to improve their responsiveness to students' needs in a crisis.

1.2. Defining Virtual Classroom

As mentioned before, online education in higher education institutions is nothing new. What the pandemic context brought new was virtual classroom teaching. Thus, in order to better understand the challenges posed by this type of academic delivery, we need to make a clear conceptual distinction between online education and virtual classroom education.

Online education is known by several names, such as web-based learning, e-learning, Internet-based learning, online learning, distance learning, distance education, distributed learning, computer-mediated learning, and computer-assisted learning (Joksimovic et al., 2015:99).

In a study about the history and state on online learning, Sreko Joksimovic et al. (2015:100) defines online education as "a form of distance education where technology mediates the learning process, teaching is delivered completely using the internet, and students and instructors are not required to be available at the same time and place. It does not include more traditional distance education instruction methods, such as print-based correspondence education, broadcast television or radio, videoconferencing in its traditional form, videocassettes/DvDs and stand-alone educational software program"[9].

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[8] O. Lup, E.C. Mitrea, *The State Academic Education in Romania in the Context of COVID-19 Pandemic: Students' Experiences*, Făgăraș Research Institute Publishing House, Făgăraș, 2020.

[9] S. Joksimovic, et. al, „The history and state of online learning" in Siemens, G., Gašević, D., & Dawson, S. (Eds.), *Preparing for the digital university: A review of the history and current state of distance, blended, and online learning,* Athabasca University, 2015, p. 100.

Online education is based on a constructivist approach to learning, but unlike traditional education, it is student-centred, not teacher-centred, with students gaining more autonomy in the learning process. (Koch, 2014; Peterson 2008, in Joksimovic et al., 2015:97)

Compared to online education, the virtual classroom is "an online teaching and learning environment where teachers and students can present course materials, engage and interact with other members of the virtual class, and work in groups together. The key distinction of a virtual classroom is that it takes place in a live, synchronous setting. Online coursework can involve the viewing of pre-recorded, asynchronous material, but virtual classroom settings involve live interaction between instructors and participants"[10].

In the opinion of Hsu, Marques, Khalid Hamza and Alhalabi (1999)[11] the virtual classroom represent a system that offers the same opportunities for the teaching and learning process, despite the the physical limits imposed by the traditional classroom walls.

In the virtual classroom, both students and teachers retain their traditional roles, the only difference being that their interaction is computer-mediated. Yang & Liu, (2007)[12] consider that teaching in the virtual classroom also brings several advantages, as offering students new learning tools that they can access outside of class at any time: calendars, guides, books, tests, messenger, document transfer. Moreover, Phillips (2005)[13] is of the opinion that in the virtual classroom the student's way of actively engaging at home becomes more varied thanks to the online tools available to them, providing an interactive environment for work both during and outside the class. At the same time, the teacher retains his or her traditional role in the teaching process.

[10] S. Barron, „What is a virtual classroom?" *OWLLABS*. available online at https://resources.owllabs.com/blog/virtual-classroom, consulted on February 25.02.2022.

[11] S. Hsu, O. Marques, M. Khalid Hamza, B. Alhalabi, B, „How to design a virtual classroom: 10 easy steps to follow". *T.H.E. Journal*, 27(2), 1999, 98.

[12] Z. Yang, Q. Liu, Q., „Research and development of Web-based virtual online classroom". *Computers & Education*, 48(2), 2007.

[13] J.M. Phillips, „Strategies for active learning in online continuing education". *The Journal of Continuing Education in Nursing*, 36(2), 2005.

2. Teaching RFL in the Virtual Classroom

The methodology for external evaluation of the Romanian language preparatory programme for foreign citizens stipulates that, starting with the academic year 2018-2019, all higher education institutions offering this study programme will follow a similar curriculum. Thus, the standards require practical courses (oral and written communication, phonetics, vocabulary and grammatical structures, writing and composition, reception of written and oral texts) as well as courses in specialised languages and Romanian culture and civilisation as core subjects.

Picardo (2013, 20)[14] points out that the new approach to language teaching is based on three concepts: communication, cognition and socialisation. Thus, a new dimension of language teaching has emerged, the social one, which implies that the teaching-learning process is carried out through action. This is also confirmed and promoted in the Common European Framework of Reference for Languages.

Moreover, Varga (2014:3)[15] notes that the teaching of Romanian as a foreign language has always followed international trends, evolving with the advent and development of technology. Thus, she identifies four stages, depending on the adaptation or emergence of new materials that underpin the teaching process. The first stage is the use of printed materials (textbooks, written texts, worksheets), followed by the use of multimedia materials and multimodal texts. In a third stage, web pages began to be integrated into the teaching-learning process, evolving in the last stage to the virtualisation of the RFL through the use of cloud-based glass platforms.

Thus, we can see that the transfer of the teaching process to the virtual classroom has only accelerated and developed the fourth stage of the RFL in terms of the teaching materials used, since in the traditional classroom, due to the poor infrastructure, their use is not always within the reach of teachers and students.

On the other hand, during face-to-face courses, the development of the social dimension is much easier through direct, unmediated

[14] E. Piccardo, „Évolution épistémologique de la didactique des langues: la face cachée des émotions". *Lidil*, nr. 48, 2013, p. 17-37, available at http://journals.openedition.org/lidil/3310, consulted on February 25, 2022.

[15] C. Varga, „Romanian as a Foreign Language. *Free access multimedia virtual platform"* in the Proceedings of the 40th Anniversary Conference of Romanian as a foreign language at *UBB. 1974-2014*, Casa Cărții de Știință Publishing House, 2014, p. 3.

interaction between teacher and students as well as between learners, whereas in the virtual classroom this aspect was limited.

The COVID-19 pandemic has required a rethinking of teaching methods and an adaptation and diversification of teaching materials so that the transfer of teaching activities to the virtual classroom would not negatively influence the quality of the teaching process and of the delivered content. As such, the traditional teaching methods of RFL had to be revised in accordance with the regulations imposed by the government, while bearing in mind the heterogenity of the group of learners from academic, lingusitic, cultural, religious and economic point of view.

2.1. Characteristics of the RFL learners from UTCB

The teaching of Romanian as a foreign language in Romanian universities has a long tradition, but Romanian researchers started to study it as a different subject in the early 1970s when, as a result of the opening trend of the communist regime, more and more foreign students were accepted to study in Romanian higher education institutions. It should be noted that, during the communist period, higher education was offered exclusively in Romanian, which is why foreign citizens had to study Romanian first. Over time, these courses have developed into a specific study programme for foreigners who choose to study in the Romanian language. At the same time, the courses are also intended for foreign citizens, scholarship holders who, on the basis of intergovernmental agreements, benefit from a full study scholarship, conditioned by learning Romanian for one year.

According to the Order of the Minister of National Education no. 4866/21.08.2019, starting with the academic year 2019-2020, 27 higher education institutions in Romania have accredited what is known as the Romanian language preparatory year for foreign citizens. Also starting with the 2018-2019 academic year, the Technical University of Civil Engineering of Bucharest obtained accreditation for the Romanian language preparatory year, enrolling since then 10 groups of students, each group having an average of 20 students.

While in other study programmes the international students are integrated into a group composed mainly of Romanian students, in this study programme the participants in the teaching-learning process each have a different cultural, religious, linguistic, academic, occupational and economic background.

The motivations that lead foreigners to learn Romanian are different. They are either looking for a higher level of education abroad or to settle in Romania and find a workplace here. Some of them come to our country forced by geo-political circumstances, with Romania receiving over the last ten years a significant number of refugees from the Middle East (Syria, Iraq) and, more recently, from Afghanistan and Ukraine. In order to integrate them into the Romanian society, either educationally or occupationally, knowledge of the Romanian language is essential. Thus, whatever their motivation is, the Romanian language is a key tool for achieving their goals.

Since the beginning of the preparatory year program in UTCB, the class of 2019 – 2020 conducted half of the program in the online system, the class of 2020 – 2021 entirely in the online system and the class of 2021 – 2022 began the classes in the online system and, by the end of 2021, made the transition to the face-to-face courses.

In the academic year 2021-2022 a number of 56 students, aged between 18 and 35 years old, attend the Romanian language preparatory year courses at the Technical University of Civil Engineering of Bucharest. Most of them, more precisely 40, are between 18 and 25 years old. In terms of region of origin, most students come from Asia (31 students from 11 countries), followed by Africa (16 students from 12 countries), Central and North America (5 students from 4 countries) and Europe (4 students from 2 countries). Linguistic diversity is also significant. A total of 23 students are native speakers of Arabic, followed by Farsi (9 students), Spanish (4 students), French (4 students), English (4 students) and 12 other languages (Albanian, Pashto, Turkish, Somali, Urdu, Hindi, Amhara).

Even in a homogeneous group, the use of a single teaching method cannot guarantee total success in target language acquisition. Things become even more complicated in the case of a heterogeneous group in all respects, and even more so in the context of teaching Romanian in the virtual classroom. Thus, teachers need to diversify their teaching methods in order to best meet the needs of the different participants in the teaching-learning process. The task becomes even more difficult in the context of adapting these diverse methods to online teaching in the virtual classroom.

2.2. Adapting traditional teaching methods of RFL in the Virtual Classroom

During the Covid-19 pandemic, the basic thing that we all had to learn was how to adapt to an ever changing reality. In a couple of days, we had to switch from the traditional way of teaching to the online system. Even if, in the beginning, it seemed a huge challenge, as it implied learning all the functions of a digital platform in a very short time, step by step we started to see its immense potential for teaching in a modern way, with all the benefits of technology.

The students enrolled in the Romanian language preparatory year for foreign citizens found it difficult to adapt to the new requirements of the virtual classroom on Microsoft Teams, for two main reasons: they did not have professional equipment in terms of desktops, laptops or smartphones, and they had just come to Romania (the second group started the classes in February and had to switch to the online system in March), so they did not have the necessary time to understand the Romanian educational system in general, not to speak about the digital one. Therefore, we, as teachers, had to do our best to make their learning process as smooth as possible and we tried to adapt the traditional teaching methods to the realities of the virtual classroom.

Even though in the beginning we thought that the digital platform would be a distraction for the students and an incentive for them to skip the classes without the risk of being sanctioned, since the automatic attendance list could not attest their actual presence behind the screen, we were surprised to find out that they were more interested in taking the online classes than the physical ones and their willingness to answer the teachers' questions was greater, because, being "protected" by a screen, they did not feel intimidated or afraid of giving a wrong answer. Together, we gradually discovered the benefits – both educational and psychological – that the online system offered to both teachers and students, and took advantage of the interactive methods it provided us with.

It has turned out to be a very good opportunity to see the alternative to the traditional classroom teaching and learning, which might soon become obsolete. Although we have come back to the classroom and we hope from now on to use the digital platform only as an option, not as a necessity imposed by a medical crisis, we can present the advantages of the online system to the teaching of Romanian as a foreign language (RFL).

First and foremost, the virtual classroom is better suited for the needs of some young students, who are familiar with the digital environment, with communication on social networks, with all the benefits of modern technology. The educational process should not remain out of the students' main spheres of interest, but take advantage of them. For example, instead of dissuading them to use the mobile phones during the classes or to spend time on social networks, we can capitalize on their interest in this type of communication and encourage them to use the phone for looking up new words in dictionaries, for accessing websites dedicated to exercises of RFL or for talking to their teachers and colleagues on various groups, in order to develop their communication abilities in Romanian. At the same time, by making Romanian friends on the social networks, they have access to a huge amount of information in this newly learned language[16]: they can read articles, write comments and constantly receive precious feedback.

In 1997, when online communication was not near as developed as it is today, Firth and Wagner warned that teachers needed "a significantly enhanced awareness of the contextual and interactional dimensions of language use" (Firth and Wagner in Grosu-Rădulescu and Stan, 2018:180), because communication contexts were changing, students were showing an ever increasing interest in online-based tools and, consequently, teaching methods had to adapt.

The main question that arises when we decide to use virtual classroom methods instead of the traditional methods is whether students will consider this approach better, because it takes off a part of the pressure, as they do not have the teacher right in front of them and they are not under the constant scrutiny of their teachers and peers, or worse, because they do not find enough motivation to learn the new language, since their progress cannot be properly and thoroughly assessed.

If we analyze the pros and cons of either side, we shall first and foremost notice the undisputable benefits that the online platforms provide related to the listening activities, which are of great importance for learning any new language, but especially Romanian as a foreign language, in which it is essential to pronounce correctly sounds like *ă, î, ș, ț* or the groups of sounds *ce, ci, ge, gi, che, chi, ghe, ghi*. Instead of carrying a CD player to the classroom and changing a lot of CDs with all sorts of activities, we can simply have a lot of audio materials at the touch of a button. Furthermore, the online activities, which do not imply commuting to the university, allow the students to spend the saved amount of time for doing extra homework or further language practice. On the other hand, there is the disadvantage of the lack of face-to-face contact with the

[16] L.M., Grosu-Rădulescu, V.M., Stan, „Second Language Acquisition via Virtual Learning Platforms: A Case Study on Romanian Experiences" in *Rupkatha Journal on Interdisciplinary Studies in Humanities*, Vol. 10, No. 3/2018, p. 180.

teachers and colleagues, which may have negative effects on motivation and feedback. Therefore, a good idea, in our opinion, would be to combine the benefits of both systems, allowing three days per week for face-to-face activities in the classroom and two days per week for online activities on the digital platform.

As far as teaching methods are concerned, we should combine the advantages of the traditional ones, suitable for real classroom teaching, with those of the highly modern ones, more appropriate in the virtual classroom. Traditional didactics has some well-defined principles, which should be taken into consideration:

1. well-established teaching objectives, transmitted to the students in the form of quantifiable results they have to obtain at the end of each course or seminar;
2. the logical and gradual organization of each subject, depending on the students' level and progress, with rules to follow regarding memorization and reproduction;
3. establishing the students' progress in terms of success and failure, with rewards for success (i.e. bonus points, diplomas, exemption from certain tasks, good grades etc.) and penalties for failure (i.e. criticism in front of the colleagues, extra homework, bad grades etc.);
4. higher importance granted to the teacher-centered approach than to the student-centered approach (cf. Platon, 2021:111 – *our translation*)[17].

On the other hand, modern didactics pleads for adapting the teaching principles to the students' competences (i.e. student-centered approach) and to the technological means we have at hand. For example, instead of teaching the essential vocabulary about weather and clothing by asking the students to memorize lists of words and then use them in exercises of the multiple-choice or cloze type, we can take advantage of the virtual classrooms means and teach this lesson using videos with dialogues on this topic, listening exercises with a weather forecast or the description of a fashion show.

Another activity that works very well online is role-playing, in which each student can receive a clear part and act accordingly: one of the students is the weatherman and has to present the weather forecast for the following day, using both the newly acquired vocabulary and the already

[17] E. Platon, *Romanian as a Foreign Language– Elements of metadidactics*, Cluj-Napoca: Presa Universitară Clujeană Publishing House, 2021, p. 111.

known grammatical forms of the future tenses, another student is a tourist interested in the weather in order to plan a trip and has to ask a lot of questions, thus exercising the interrogative forms, and another student is the "tourist's" mother, who gives him or her advice on how to dress during the trip, depending on the weather.

The purpose of these role-plays staged in the virtual classroom is to present real-life situations, in which students have the opportunity to practice real language in a controlled environment, before using it in real communication. This type of exercise is considered successful when the students are able to play each part easily and without prompting. In order to accomplish this, many repetitions are necessary, because the students need to understand the right pronunciation, intonation, context etc. (cf. Dina, 2013:1032)[18].

For the individual study, teachers recommended new activities based on the use of technology, such as setting Romanian as the language for the online chat, in order to talk to both native and non-native speakers in this language, on everyday topics, listening to Romanian music on the internet, reading e-books or watching TV in Romanian. All these activities proved to be very efficient and students made a great progress in a short amount of time, so the use of technology for teaching purposes is now among our main goals.

In conclusion, we can consider the combination of face-to-face classes with online activities an 'electronic team-teaching partnership' (Warschauer, 1995:53)[19], in which the teacher, far from being replaced by technology, is placed in the favorable position of 'designing the new learning environment' (Meziane and Sari-Mitchell, 2014:69) [20] and developing professionally, technologically and culturally.

2.3. The roles of the RFL teachers in the Virtual Classroom

In the real classroom, teachers usually have to play three key roles:

- pedagogical;

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[18] A.T., Dina, „Successful approach for teaching Romanian as a foreign language" in *Procedia - Social and Behavioral Sciences*, No. 70/2013, p. 1032.

[19] M. Warschauer, *E-Mail for English Teaching. Bringing the Internet and Computer Learning Networks into the Language Classroom*, Alexandria, Virginia: TESOL Publications, 1995, p. 53.

[20] M.K. Meziane, S. Sari-Mitchel, „Teaching with Technology: The Place of EFL in Virtual Classrooms" in the *International Journal of Linguistics and Communication*, Vol. 2, No. 1/March 2014, p. 69.

- organizational;
- social.

The pedagogical part implies setting specific goals to be achieved by the students and giving them the right tools to achieve them, at the same time adapting the teaching methods to the level of the class. The organizational role aims at class management, by dividing the classroom in pairs or work groups, and time management, by allowing each activity a certain amount of time.

The social role deals with observing the group dynamics and taking advantage of it, by creating groups or teams that give their best while working together, and with establishing and maintaining relationships with the students, in such a way as to stimulate them to reach their highest potential.

In the online environment, there are two more roles that teachers have to play, namely that of a facilitator and that of a technician. Being more than just an organizer of the class, the teacher must facilitate the interactions between the students, by constantly experimenting with different groups in the classrooms, taking into consideration that, due to technological and social reasons, the online dynamics could be different from the real classroom dynamics. Furthermore, he/she has to adapt the teaching methods to the specificities of the virtual classroom, thus combining the pedagogical role with the organizational one.

As a technician, the teacher must learn most of the functions of the digital platform, in order to take full advantage of its advanced settings and to be able to help the students who have technical problems. He/she should also be familiar with various software and other computer equipment, for being able to take action in case of a mishap, such as a delay, a blockage or a disconnection, as well as with accessing chat forums, blogs or social media sites that could prove to be useful as teaching materials or effective communication means in real time.

As far as the pedagogical role itself is concerned, the teacher still has to set the goals that must be achieved, but he/she should also see what changes need to be made to adapt the traditional tools to the requirements of the virtual medium. According to Müller-Hartmann, there are three main phases of this adaptation to the new reality, called the 'general phases of tele-collaborative project' (Müller-Hartmann in Meziane and

Sari-Mitchell, 2014:71)[21]: establishing contact, establishing dialogue and critical reflection. These phases combine the social (and cultural) aspects with the pedagogical ones.

For example, during the stage of establishing contact, the teacher creates the pairs or groups according to students' preferences or to his/her purposes (e.g. to mix different levels of knowledge, to make students with different types of emotional intelligence interact, to facilitate communication between students with similar interests and/or technological competences etc.) and then sets a certain interactive goal, such as exchanging emails – in a language they both know – before their first online meeting, in which to provide the other with some information about themselves and their culture (cf. Meziane and Sari-Mitchell, 2014:71)[22]. Some of the most creative students – or those who do not know the common language well enough – may even improve this task, by sending not only written texts to their partners, but also pictures with their family and friends or videos about their country and its cultural peculiarities.

Later, during the first online class, the teacher could ask them what they have found out about one another and this is how the second phase – establishing dialogue – emerges. Of course, in the beginning they will use the common language that both the two of them and the teacher know (usually English or French), but, step by step, thanks to the teacher's role of a facilitator, they will learn a few words in Romanian to be able to speak a bit about themselves, their family and their country.

This task can be gradually developed up to the end of the semester, when students can be required to write an essay in which to compare and contrast their culture with the culture of their partner and the Romanian culture of the teacher. Such an activity implies searching for a lot of information on the three cultures and eliciting a lot of knowledge on the Romanian grammar and vocabulary, since they have to use a variety of tenses, degrees of comparisons, plural forms and many words belonging to different categories: food, clothing, traditions, tourism etc.

After each of the students presents their essay and answers the questions asked by their colleagues or by the teacher, the quality of their work is assessed in terms of critical reflection, in order to raise students' awareness on both their strengths and weaknesses, on both the most interesting parts and the mistakes they made, showing them various ways

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[21] M.K. Meziane, S. Sari-Mitchel, *cited article,* p. 71.

[22] Ibidem.

in which their essay or their presentation could have been better. This stage also gives them the opportunity to reflect on the aspects of the Romanian language they have to learn more thoroughly, such as the pronunciation, grammar or vocabulary.

The role of the teacher as a mediator in the traditional classroom is important, but in the virtual classroom it is essential, especially when we deal with foreign students. Since the students come from very different cultural backgrounds, they do not know each other or have not had the chance to meet in person yet and do not speak Romanian at all, even if they have come to live in Romania for at least four or five years, the social role of the teacher is to give them trust, to tell them that everything will be fine for them even if for the moment they may feel lost.

Moreover, the purpose of the teacher in a virtual classroom is to provide them with constant support and encouragement, to relieve the students from the pressure of an online encounter and to convince them to give up any prejudices, to stop being nervous and to start communicating freely. In some cases, the teachers are no longer seen as teachers, but as mentors or even friends, due to this special relationship, which is closer than with any other students.

In our university, during the Week of Foreign Languages – a traditional event of the Department of Foreign Languages and Communication – the students, including those from the Romanian language preparatory year for foreign citizens, have the chance to organize various activities together with their teachers (e.g. theatre plays, translation contests, cultural events etc.). Working together, they discover their teachers differently, in a friendlier, more relaxed, more spontaneous environment, in which the social role of the teacher is more obvious. The foreign students are delighted to learn about our traditional dishes, songs and folk dances, and to read poems and stories by famous Romanian authors. They participate wholeheartedly in all these activities, together with their teachers and colleagues, and share on social networks a lot of pictures about our university and our country, which is the best promotion we can benefit from.

Furthermore, the fact that we have some communication groups with teachers and students helps improve the relationship between us, as we try to help the students as much as possible, with explanations and advice not only about the school subjects, but also about their private problems, such as health issues, campus orientation or even shopping matters. This atmosphere of mutual respect and agreement encourages them to become more open to different people and different cultures, to learn about others and to share their own knowledge and experiences.

All in all, studying Romanian as a foreign language is seen by many students as a virtual journey in the fascinating world of the only Romance language in this part of the world, and the teacher as the guide, who, depending on the situation, assumes one role or another, in order to make this journey as safe, interesting and beneficial as possible.

3. Opportunities and Challenges of teaching RFL in Virtual Classroom

3.1. Opportunities

The foreign students who have attended the courses of Romanian as a foreign language at our university since the pandemic started in 2020 have benefitted from the advanced tools provided by the Microsoft Teams platform, for which UTCB bought the complete license, in order to have access to all its facilities. Thus they and their teachers have had the chance to discover the opportunities granted by an e-learning platform of this kind and to apply the e-learning methods and materials.

We all have had the chance to experience the so called "hybrid pedagogy, […] through which the teacher, the student and the web are interconnected" (Dina, 2013:1035) [23] , and to discover that the tools provided by this platform "offer virtual learning and teaching enhancement" (Idem). Thanks to these e-tools and web-based resources, which combine various activities, closer to everyday habits like watching films or listening to music than to the classroom-based activities, any online class has become "a successful encounter between the teacher and the students" (ibid.).

The pandemic context has forced higher education institutions to speed up the modernisation process by acquiring new devises and tools (laptops, tablets, projectors, licences for different platforms, etc.) that will allow online courses to be conducted as well as possible under pandemic conditions.

At the same time, the digitisation of existing teaching materials and their diversification was speeded up so as to facilitate the teaching-learning process in the online system.

Another opportunity created by the sanitary context that forced the transfer of courses to virtual classroom was the organisation of courses for the training/development of digital skills of both academic and

[23] A.T., Dina, *cied art*icle, p. 1035.

administrative staff, so that they could carry out their activity as efficiently as possible and help students adapt to the new reality in the shortest possible time.

On the other hand, the situation forced the teachers to improvise in terms of teaching methods, some of them becoming models of good practices in developping and inovating the teaching of RFL, which will probably be also adopted in the face-to-face courses (sending supporting study materials to help the individual study of the student outside the classroom, sending audio-video materials in support for the courses of phonetics, oral communication and understanding of the oral discourse, etc).

In addition to the abovementioned advantages, the new context encouraged the teachers to better coordinate their activities and teaching resources and to develop together new teaching materials as to meet the needs of the students in a virtual classroom in the most effective way. The same tendency has been also been observed by J. Cabrero and V. Marin (2017)[24], who praise the efforts of the academic staff in working together and exchanging good practices and know-how.

3.2. Challenges

Besides the opportunities created by transferring courses to the virtual classroom, universities have also had to face many challenges, especially in teaching Romanian as a foreign language.

One of the challenges has been for the teacher to replace the direct contact with the students and the non-computer-mediated interaction between students. In teaching a foreign language, especially RFL, these aspects are particularly important as they help the student to practise oral communication directly, since gestures contribute considerably to understanding the message and facilitating communication.

Another challenge was the heterogeneity of the group in terms of digital skills. Being of different ages and coming from countries with different education systems that put more or less emphasis on digital skills training, there was a significant discrepancy in the learners' experience of using online platforms. This meant that the teacher had to familiarise the students with the institutionally agreed platforms in addition to teaching the subject matter itself, in order to run the courses during the pandemic.

[24] J. Cabero Almenara, V. Marín Díaz, V. „The formal education of trainers in the digital age-educators of the 21st century". *Notandum*, 44-45, 29-42, 2017.

The same problem was also reported by teachers, some of whom were not themselves familiar with the online format of teaching. Thus, for teachers, adapting teaching materials to the virtual classroom, along with getting familiar with online teaching methods, was problematic at the beginning of the pandemic.

The infrastructure used to run the courses in the virtual classroom was also problematic. Both students and teachers were faced with either a poor internet connection or a lack of the necessary tools to connect to the course. This resulted in frequent interruptions during the lectures, connecting to the lectures with a considerable delay or being unable to deliver the teaching content properly or to communicate efficiently due to connection problems.

Furthermore, there was a lack of digitisation of teaching materials, which had to be adapted to be presented electronically. Students' written assessments had to be monitored more carefully, where oral assessment could not replace written assessment or project-based assessment (vocabulary and grammatical structures, drafting of written text, etc.).

Both students and teachers also reported difficulties related to the ability to concentrate on the online courses for a prolonged period. According to the timetable, the preparatory year of Romanian language courses have 6-8 hours per day. Although the virtual classroom classes followed the same schedule, including breaks, most of the time these were spent, both by the teacher and the students, in front of the computer or in a closed space, whereas during face-to-face classes, breaks were spent interacting with peers and teachers or going outside the classroom.

Another important aspect is the increased workload for both teachers and students, as, in order to assess as accurately as possible and to fix the material taught, learners were given more homework and teachers had more to correct and assess. Even during the lessons, in order to ensure student participation and to assess student progress, teachers largely marked each exercise worked on by students individually. This also happens during face-to-face courses, but requires less effort and time from the teacher.

Isolation or reduced social interaction was another potentially problematic factor as it caused psychological problems. For a foreign national coming to learn a foreign language in the country where it is the official language, interaction with native speakers and exposure to culturally accommodating contexts is crucial for assimilating linguistic and cultural competence in the target language.

Conclusions

The present study showed that, in a health crisis situation, as the one caused by the COVID-19 pandemic, the higher education institutions are among the first ones affected.

When it comes to the impact the pandemic had on teaching Romanian language as a foreign language, we could observe that the number of challenges the pandemic brought up in terms of teaching methods and teaching materials have been matched by the number of opportunities that have arisen.

On 09.03.2022, the government announced the lifting of the state of emergency in Romania and, with it, the return to face-to-face classes in all higher education institutions. We hope that the best practice lessons learned throughout the pandemic in terms of adapted teaching methods and materials to the virtual classroom can be further applied in the traditional classroom.

At the same time, it is desirable to continue the teacher's newly acquired role of "designing the new learning environment", even in the absence of a crisis situation that forces such steps. This newly assumed role is one of the engines of modernizing the entire teaching environment of RFL and of developping the scientific research in terms of teaching RFL.

Our research, which rather analysed the opportunities and challenges observed by the professors in teaching RLS, may pave the way for new scientific approaches investigating students' perceptions of teaching Romanian as a foreign language in the virtual classroom. Such an approach could complement the findings of this article and could help us to draw some general conclusions knowing the opinions of the two parties involved in the teaching-learning process, namely teachers and students.

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ACCULTURATION IN A HOSTILE LAND: THE PLIGHT OF IMMIGRANT CHILDREN IN JAPAN

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Abstract: *The present paper discusses the concept of acculturation and the specific problems immigrant children encounter in Japan against the growing and diversifying of immigration population. The author analyzes two cases of immigrant students and their acculturation difficulties in a country whose educational system is equal and accessible for all Japanese children, but which offers little support for immigrants and their unique backgrounds and vulnerabilities.*

Keywords*: acculturation, immigration, equal education, Japan*

While Japan's population continues to age and decline, the number of foreign nationals living and working in Japan is on an ascending curve. A survey published by the Ministry of Internal Affairs and Communications shows that in 2019 Japan's foreign population reached a record high of 2.93 million[1], with 278,472 children aged 0 to 18 years old[2]. Out of these, 123,830 are of elementary and junior high school age[3], with 87,033 enrolled in elementary school and 36,797 in junior high school[4].

A MEXT survey conducted in 2019 estimates that more than 20,000 foreign children of elementary to junior high school age did not attend

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1 Hiroyoshi Itabashi, *Foreign population in Japan reaches record 2.93 million at the end of December*, The Asahi Shimbun, March 30, 2020, https://www.asahi.com/ajw/articles/13256541

2 Statistics Bureau of Japan, *Zairyu Gaikokujin Toukei: Kokuseki/chiiki betsu/nenrei/danjyo betsu zairyu gaikokujin*, 2020 https://www.e-stat.go.jp/dbview?sid=0003416093

3 MEXT, *Current Situation and Tasks Regarding Education for Foreign Children*, 2020a https://www.bunka.go.jp/seisaku/kokugo_nihongo/kyoiku/taikai/r02/pdf/92746701_08.pdf

4 *Nihon ni iru gaikokujinno kodomo, yaku 2manninga fusyuugakuno kanousei – Monkasho [According to MEXT, around 20,000 foreign children might be out of school]*, Resemom, March 30, 2020, https://resemom.jp/article/2020/03/30/55564.html#:~:text=%E5%8E%9F%E5%89%87%E3%81%A8%E3%81%97%E3%81%A62019%E5%B9%B45,%E5%90%88%E8%A8%8812%E4%B8%873%2C830%E4%BA%BA

school[5]. In addition, as of 2017 only 42.2% of the foreign children attending school were enrolled in university, technical colleges or other post-secondary schools, compared to 71% of all 2017 high school graduates. 18.2% of the foreign graduates from high school were unemployed, compared to only 6.7% overall. These figures reveal that immigrant children face serious challenges with important consequences upon their identity development, academic performance and integration in the mainstream society. The present paper discusses the acculturation of immigrant children in Japan and how the egalitarianism of Japanese education breeds inequity and discrimination against those who, due to a late start in school, language barriers, and low socio-economic status fail to meet the expectations of such a system. The first part explains the definition of acculturation and the problems of adolescent acculturation. The second part presents and analyzes the cases of two young immigrants who arrived in Japan during their teenage years, their adaptation struggles and coping strategies, and the third part will offer concluding remarks.

Acculturation is "the process of cultural and psychological change that takes place as a result of contact between cultural groups and their individual members"[6]. Culture is defined as common "meanings, understandings, or referents held by a group of people"[7]. Although acculturation may occur in any instance of contact between two cultures, most of the extant literature has analyzed the changes among individuals or communities of immigrants, asylum-seekers, refugees, or seasonal workers[8] who seek a better life in developed countries of Europe or America. Immigration is a complex and stressful process of adaptation and reassignment of one's cultural values, beliefs and practices and it may be determined by economic, social, political and ideological factors.

Acculturation is greatly influenced by the immigrant policies of the country, such as *state immigration policies*, which dictate the number, type and origin of accepted immigrants, and the *state integration policies*, which elaborate the specific measures to assist immigrants' adaptation into the

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[5] MEXT, *ibidem*.

[6] J.W. Berry, *Acculturation, Reference Module in Neuroscience and Biobehavioural Psychology*, Elsevier, 2017.

[7] Bradd Shore, *Taking culture seriously*, Human Development, vol. 45, 2002, pp. 226–228; H. C. Triandis, *Individualism and collectivism*, Boulder, CO: Westview Press, 1995.

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host society [9] . Berry [10] identified four strategies of acculturation: integration, separation, assimilation and marginalization. *Integration* is related to acceptance of both original cultural identity and adoption of the receiving culture. *Separation* is the rejection of the receiving culture while maintaining one's original cultural identity. *Assimilation* refers to the rejection of the original cultural identity and the adoption of the host culture, and *marginalization* is the rejection of both original and host culture. The host country's integration, ideology, pluralistic climate and immigration policy were found to affect the immigrants' acculturation orientation[11]. Acculturation is a "bidirectional change", which impacts the lives of immigrants and their host societies[12]. Thus, massive immigration may trigger a repositioning of the host society's collective identity and it may be perceived as a threat to the "founding myths of the nation, based, for example, on the ethnocultural homogeneity of the host majority"[13]. On the other hand, immigrants are thought to adapt better to their host cultures when the context of reception (i.e., the receiving society, local communities) is positive and supportive[14].

Young immigrants are particularly vulnerable to the cultural and emotional upheaval caused by migration, and may experience depression, alienation as well as lower levels of self-esteem compared to their native-born peers [15] . Adolescents face serious challenges in connection with linguistic competence, academic competence, school adjustment, and identity building. Research indicates that younger children have less

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[9] Richard Bourhis, Lena Celine Moise, Stephane Perreault, & Sacha Senecal (1997). *Towards an Interactive Acculturation Model: A Social Psychological Approach.* International Journal of Psychology, vol. 32, no. 6, 1997, p. 370.

[9] Kim Young, *Communication and acculturation,* in L.A. Samovar & R.E. Porter (Eds.), Intercultural Communication: A reader (4th ed., pp. 379-388) 1982, Belmont, CA: Wadsworth.

[10] J.W. Berry, *Immigration, acculturation, and adaptation*, Applied Psychology: An International Review, vol. 46, 1997, pp. 5-34.

[11] Bourhis et al., *ibidem*.

[12] *Ibidem*, p. 370.

[12] Kim Young, *Communication and acculturation*. In L.A. Samovar & R.E. Porter (Eds.), *Intercultural Communication: A reader* (4th ed.) Belmont, CA: Wadsworth, 1982, pp. 379-388.

[13] Bourhis et al., *ibidem,* p. 372.

[14] Salman Akhtar, & Lois Wonsun Choi, *When evening falls: The immigrant's encounter with middle and old age*, American Journal of Psychoanalysis, vol. 64, 2004, pp. 183–191; Schwartz et al., *op.cit*.

[15] Grace Kao, *Psychological well-being and educational achievement among immigrant youth*. In D.J. Hernandez (ed). *Children of Immigrants: Health, Adjustment, and Public Assistance*. Washington, DC: National Academy Press, 2000, pp. 410–77.

difficulty acquiring the values, practices and identifications of the host culture compared to teenagers, who have memories of their lives and attachments prior to the migration.[16] This is because younger children have a less defined cultural identity, and the values, beliefs and customs of their culture are less strongly embedded, compared with teenagers.

Language is a major roadblock in the process of acculturation. Linguistic acculturation may be an indicator of young immigrants' adjustment to the mainstream culture[17]. Besides being an important predictor of academic accomplishment[18], language proficiency is essential for communication with classmates, it helps to forge friendships and promotes emotional well-being. Research demonstrated that interpersonal communication is a more valuable source of cultural learning than learning derived from exposure to mass-media[19].

School adjustment is another important outcome of acculturation and a predictor of young immigrants' long-term adjustment in society[20]. It presents a number of challenges, in particular for teenagers, who have prior experiences of school in their native countries. Adolescents are facing issues related to language competence, cultural capital and

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[16] Alejandro Portes, & Ruben G. Rumbaut, *Immigrant America: A portrait*. 3rd ed. Berkeley: University of California Press, 2006; Schwartz et al., *op. cit.*; John Goldlust and Anthony H. Richmond, *A Multivariate Model of Immigrant Adaptation*, International Migration Review vol. 8, 1974, pp. 193-216; José Szapocznik, Mercedes A. Scopetta, William Kurtines, & J.A. Aranalde, *Theory and Measurement of Acculturation*, Interamerican Journal of Psychology, vol. 12, 1978, pp. 113-130.

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stigmatization, and may feel culturally marginalized at school[21]. School belonging is an important mediator between academic outcomes and psychological school adjustment[22]. It has a positive impact on motivation and leads to better school achievement[23]. Compared to their mainstream peers, immigrant adolescents tend to experience lower levels of school belonging, which puts them at risk for truancy and delinquency, and therefore it is especially important that schools, educators and policy-makers provide supportive environments to enhance immigrant students' motivation and engagement[24].

Identity was defined as "the organization of self-understandings that define one's place in the world"[25]. Identity consists of personal identity (one's goals, values and beliefs), social identity (interaction between the personal identity and the group with which one identifies), and cultural identity (the sense of affiliation with the ideas, attitudes, beliefs and behaviors of the members of a group)[26]. It gives an individual a sense of belonging, participation and sharing of the values and beliefs of a particular cultural group[27]. Immigration has an important impact on children and adolescents' cultural identity formation. As the process of adjustment to the new culture advances, the influence of their native cultural identity becomes weaker; however, the process of building a new cultural identity may lead to an unstable sense of self, especially when facing discrimination and marginalization[28].

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[21] Lisa Ann Kennedy & Padraig MacNeela, *Adolescent acculturation experiences: A meta-ethnography of qualitative research*, International Journal of Intercultural Relations, vol. 40, 2014, pp. 126–140.

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[27] Schwartz et al., *ibidem.*

[28] Richard Alba, & Victor Nee, *Rethinking assimilation theory for a new era of immigration*, International Migration Review, vol. 31, no. 4, 1997, pp. 826-874

Despite an increasing immigrant population, Japan remains an ethnist state which does not officially recognize immigration, preferring to use the term "foreign residents" instead. Its ideology and legislation emphasize harmony, cultural and linguistic homogeneity and place utmost importance on blood ties while excluding cultural minorities[29]. Ethnist ideology perceives acculturation as an assimilation; the state obliges immigrants to adopt the public values of the host country while limiting some of their rights, such as the rights to vote or run in elections, the right to become public servants, the right to compulsory education, and the right of receiving work and social security[30]. Immigrants are not expected to integrate because the dominant majority does not intend to accept them as equal members of the host society[31]. They are granted work visas as long as they can supply the economy with much-needed cheap workforce and pay taxes; however, they will never be recognized as citizens with the same rights as the Japanese nationals. They suffer discrimination and strong assimilative pressures from the host society, which result in their ethnic and cultural separation from the mainstream society and culture. In particular, those from lower socioeconomic brackets are more likely to face discrimination and become marginalized by refusing to adopt the values, practices and identifications of the receiving culture[32]. Castles[33] summarizes this state of affairs as follows:

People who lack security of residence, civil and political rights are prevented from participating fully in society. They do not have the opportunity of deciding to what extent they want to interact with the rest of the population, and to what extent they want to preserve their own culture and norms. The choice is pre-empted by legal disabilities, which lead to isolation, separatism and alienation. The option of becoming a

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[29] Bourhis et al., *op.cit.*, p. *374;* Yoko Yamamoto, *Immigrant families and children's schooling in Japan: Trends, challenges, and implications*, In R. Dimitrova, M. Bender, and F.J. R. van de Vijver (eds.), *Global Perspectives on Well-Being in Immigrant Families,* Springer Social Sciences, NY, 2014, pp. 55-74.

[29] Kim Young, *op.cit*.

[30] Live Japan – Perfect Guide, *The rights and laws regarding foreign nationals in Japan*, March 22, 2016, https://livejapan.com/en/article-a0000239/

[31] Bourhis et al., *op.cit.*, p. 374.

[32] Ruben G. Rumbaut, *Reaping what you sow: Immigration, youth, and reactive ethnicity*, Applied Developmental Science, vol. 12, 2008, pp. 108–111.

[33] Stephen Castles, *Here for good: Western Europe's new ethnic minorities*, London: Pluto Press, 1984, p. 161.

citizen may not lead to equality and full participation, but it is a pre-condition for it.

At present foreign residents make up 2.3% of the entire population[34], and the number of permanent residents is the largest of all the other categories of immigrants (790,000 as of 2019[35]). Despite an increasing immigrant population who builds communities, forms families and raises children here, there has been little support or preoccupation for immigrants' integration in the Japanese mainstream society. State-enforced ethnist policies reflect the outlook of the dominant majority, which worries that an increase in immigration would taint the ethnic purity of the country and trigger an increase in crime rate and an added pressure on the welfare system. According to the Ministry of Justice, in 2017 the crime rate of foreign nationals in Japan was estimated at 0.4%, which is considerably higher than that of Japanese nationals, which was estimated at 0.2%[36]. Crimes committed by foreign nationals tend to be more widely mediatized compared to those of Japanese citizens, a practice which fosters public opinion bias against foreign nationals[37]. However, this crime rate might be the result of the exclusivist practices in Japanese education, which has so far turned a blind eye to the specific needs of immigrant youth.

Japanese mainstream education is perceived as egalitarian[38], equitable and non-discriminatory in practice[39]. It is in principle available and accessible to immigrant children, without being compulsory for them. It ensures that all children are treated the same, and that personal effort is a prerequisite of academic achievement. Students are taught using the same methods and materials according to unified national curricula and they

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[34] Statista, 2022 https://www.statista.com/statistics/687809/japan-foreign-residents-total number/#:~:text=In%202020%2C%20approximately%202.89%20million,2.3%20percent%20of%20the%20population.

[35] Itabashi, 2020.

[36] The University of Tokyo, *Prejudice against immigrants explained in numbers: UTokyo researcher studies Japanese people's attitudes toward non-Japanese residents*, June 16, 2021, https://www.u-tokyo.ac.jp/focus/en/features/z0508_00213.html

[37] *Ibidem*.

[38] Harold W. Stevenson & James W. Stigler, *The learning gap: Why our schools are failing and what we can learn from Japanese and Chinese education*. New York, NY: Touchstone, 1992.

[39] June Gordon, *Assigned to the margins: Teachers for minority and immigrant communities in Japan*, Teaching and Teacher Education, vol. 22, 2006, pp. 766-776.

progress at the same pace, without being held back irrespective of their academic achievements. The idea behind this egalitarian approach is that additional attention, be it positive or negative, would disrupt the harmony of the group, isolating the student from his/her peers[40]. This rigid system, which emphasizes homogeneity and uniformity and values meritocracy, may be successful for students of common heritage, culture and language, but poses serious challenges for immigrant students and ignores their cultural diversity and uniqueness.

Case 1

Jenny[41] was born in the Philippines to a Philippine mother and a Japanese father. She first came to Japan at the age of three. Soon afterwards, her parents divorced and she was sent back to the Philippines to live with her grandmother and younger sibling. At the age of 6, she entered elementary school and enjoyed an active and fulfilling school life. When she was 13, her mother decided to bring her to Japan and enroll her in a public elementary school. She was excited and her first weeks in a new environment were full of new discoveries and wonder. She made new friends at school and strived to study Japanese to keep up with her studies and communicate with her Japanese friends. However, as the novelty wore off, the bullying started. She was ostracized and left out, and there was little support or understanding for her. She felt lonely and depressed. After three months, she begged her mother to let her return to the Philippines. Back in her home country, Jenny reconnected with her old friends and classmates and worked hard to make up for the lost time. She was active and diligent in school and enjoyed playing volleyball and basketball in the school clubs. Then, when she turned 14, she decided once again to join her mother in Japan and continue her studies there. She entered a Japanese junior high school, attended Japanese language tutorials every day, and made sustained efforts to communicate with her new classmates. After six months, the bullying started again. Teachers and family were of little help, and reaching out to them and her mother only resulted in escalation of bullying. She became depressed, lost interest in school, started to cut classes and her grades dropped significantly. When she advanced to high school the bullying stopped and she managed to make friends and lead a normal school life. However, she never regained

[40] *Ibidem*, p. 767.

[41] Both participants' names were changed to protect their anonymity.

her interest for study. After graduating from high school, she entered a private university where her excellent English proficiency earned her good grades in English subjects, but she struggled with the subjects taught in Japanese, became demotivated and failed a considerable number of credits. She eventually dropped out of university.

Case 2

Suri was born in Nepal and arrived in Japan at the age of 12. After four months in a Japanese language school, she entered elementary school for one month. She recalls not being able to understand what her classmates were saying because at the language school she had only learned polite expressions, but little colloquial Japanese. After elementary school, she advanced to junior high school, which she remembers as "one of the hardest times in my life". Eager to blend in, she enrolled in the school's volleyball club. With little knowledge of the strict pecking order of Japanese extracurricular clubs, Suri often incurred the anger of her seniors by using inappropriate language or behavior. She was the only foreigner in her school, and she was ostracized or called names such as "gaijin" or "black". She became depressed and considered dropping out of school. She begged her mother to send her back to Nepal, but to no avail. Her major difficulty was not being able to understand written and spoken Japanese and not being able to express her thoughts properly in Japanese. In high school she was lucky enough to be placed in a special class for foreign students which taught mandatory subjects using simplified Japanese and offered support for adjustment. There, among students of various cultural and ethnic backgrounds, she regained her confidence and emotional well-being. She enrolled in a private university and after graduation she managed to secure employment.

These two cases reveal several major acculturation problems which young immigrants face in Japan. These are related to their status as immigrants, language difficulties and academic achievement, school belonging, bullying and teachers' and parents' intervention. Firstly, both Jenny and Suri were born to mothers or families from developing countries (Philippines and Nepal), who are generally perceived as "inferior" in Japan. Studies of immigrants in Germany indicate an important connection between the perception of cultural distance and country-level variables such as values or the level of development[42].

[42] Schachner et al., *op.cit.*, 2014, pp. 47–64.

Secondly, they faced major challenges in connection with language, school adjustment and acceptance into the mainstream culture. One important hurdle was their lack of fluency in Japanese, which was often a source of embarrassment and disengagement in curricular or extra-curricular activities[43]. As a self-declared mono-ethnic, mono-cultural country, Japan lacks linguistic diversity, and its school language policy is "Japanese only", with little or no concern for assisting with foreign students' fluency[44]. For example, by the 6th grade elementary school Japanese children are expected to be able to read and write over 1,000 kanji[45], in addition to full command of the hiragana and katakana syllabaries. This places children who transfer to Japanese schools after 3rd grade elementary school at a serious disadvantage, causing marginalization and bullying.

Thirdly, learning academic subjects in the mainstream language is also a major problem. Both Jenny and Suri struggled not only with the language, but also with studying various subjects in Japanese, which added to their stress and difficulties to blend in with their classmates. Monolingual curricula and the absence of language support and specific instruments of evaluating foreign students' language proficiency was found to increase immigrant students' pressure and school disorientation[46]. Ability to fluently communicate with one's peers in daily conversation is not necessarily a sign that the student possesses sufficient language skills to learn academic subjects[47]. It is estimated that over 51,126 foreign children enrolled in compulsory education need Japanese language support[48], a serious situation which the MEXT has done little to

[43] Kennedy, & MacNeela, *op.cit.*, p. 9.

[44] Julian Chapple, I*ncreasing Migration and Diversity in Japan: The Need for Dialogue and Collaboration in Education, Language, and Identity Policies.* Working Paper Series- 45, Afrasian Centre for Peace and Development Studies, 2009.

[45] Toshihiro Menju, *A crying need for Japanese-language instruction among immigrants*, Nippon, Dec. 10, 2019, https://www.nippon.com/en/in-depth/d00520/a-crying-need-for-japanese-language-instruction-among-immigrants.html.

[46] Yamamoto, *op.cit.*

[47] H. Ota, & M. Tsubotani, *Gakkou ni kayowanai kodomotachi: Fushuugaku no genjyou* [Children who do not attend schools: Current conditions of unschooled children]. In T. Miyajima & H. Ota (Eds.), *Gaikokujin no kodomo to nihon no kyouiku,* Tokyo, Japan: Tokyo University Press, 2005, pp. 17-36.

[48] MEXT, *Nihongo shidou ga hitsuyou na jidoseitou no ukeirejoukyoutou nikansuru chousa (Heisei 30 nendo) no kekkano teiseini tsuite*, 2020b

https://www.mext.go.jp/content/20200110_mxt-kyousei01-1421569_00001_01.pdf address so far. Acquisition of mainstream language and high academic achievement are extremely important during junior high school in Japan, as the outcomes of high school examinations, which are written, may determine their future enrollment in college and their future career prospects[49]. Immigrant adolescents enter direct (and unfair) competition with their Japanese peers most of whom attend preparatory courses or cram schools in addition to formal education. Absence of remedial policies and measures to support language acquisition and academic achievement creates a huge gap between immigrants and natives. This may result in school abandonment or enrollment in lower-ranking high schools, which hardly prepare them for higher education or middle-class jobs[50]. The goal of "equal education at all costs" by ignoring the special needs and the unique backgrounds of immigrant children fosters confusion, marginalization, and ultimately rejection of the values and practices of the mainstream society, with dangerous long-term consequences such as depression, high risk behavior, and even delinquency.

Fourthly, race and ethnicity were also insurmountable difficulties for Jenny and Suri. They were both called "gaijin", which in Japanese has a strong negative connotation of exclusion[51], as compared to the unmarked "gaikokujin", which is the standard term for foreigners. Suri, who has slightly darker complexion, suffered racial and ethnic discrimination, being called names such as "blackface" or "Nepal". Bullying or "ijime" is a serious problem in Japanese education. According to MEXT's official definition, "ijime is an act by a student, or students, toward another student that inflicts some physical or psychological consequences causing the receiving child mental or physical suffering"[52]. "Ijime" is widespread in Japanese public and private schools. In 2019, a record 612,496 bullying cases were reported at schools across Japan[53], some of which ended up in widely mediatized suicides. Bullying is more frequent during elementary and junior high school years, and tends to decrease in high school. Focus on group cohesiveness and harmony, strict discipline, fierce competition

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[49] Menju, *op.cit.*

[50] June Gordon, *Transnational migration and identity: Brazil and Japan share a workforce*. In J. Dosch & O. Jacob (Eds.), *Asia and Latin America: Political, economic and multilateral relations*. London, United Kingdom, and New York, NY: Routledge, 2010, pp. 70-85.

[51] Sandra Buckley, *The Encyclopedia of Contemporary Japanese Culture*. Routledge, 2009.

[52] https://savvytokyo.com/bullying-japanese-schools/

[53] https://english.kyodonews.net/news/2020/10/ad5b3a710eb7-japan-had-record-610000-school-bullying-cases-in-fy-2019.html

and the demands of academic excellence were identified as main stressors and potential breeding grounds for bullying in Japanese schools[54]. Although any native Japanese who is perceived as being different from the dominant group could qualify as a target, immigrant students are almost without exception victims of physical or psychological aggression from their Japanese classmates. Inability to speak Japanese like a native, having at least one non-Japanese parent, different skin color or non-Japanese features are all reasons for physical or psychological bullying. Ijime may cause immigrant children to develop feelings of shame about their ethnicity and avoid attending school[55]. School and parents offer little support; in some cases, the only effect is escalating the bullying behavior.

Parents do not seem to be aware of their children's plight, or even if so, they can do little to help, due to their limited command of Japanese language and insufficient understanding of the school system. As immigrant parents spend more time working to earn their living, the communication between children and parents becomes more difficult, in particular regarding adolescents' feelings about their school experiences[56]. Young immigrants often experience feelings of guilt regarding their poor academic results and their inability to adapt to their school environment, and they prefer to conceal these from their parents, to avoid burdening them with their problems. Jenny recalls pretending to leave for school in the morning but spending time in parks or shops instead. Her mother was unaware of her struggles, and, with little support from the schools and teachers, could hardly intervene to remedy the situation.

When facing resistance and hostility by the mainstream culture, immigrant adolescents may attempt to find a sense of social belonging by orienting towards their own ethnic groups[57], with positive psychological effects. A strong sense of ethnic belonging may help dealing with discrimination and less welcoming climate[58]. Jenny joined a community of

[54] Takashi Naito, & Uwe P. Gielen, *Bullying and ijime in Japanese schools*. In: Denmark F.L., Krauss H.H., Wesner R.W., Midlarsky E., Gielen U.P. (eds) Violence in Schools. Springer, Boston, MA., 2005.

[55] K. Shimizu, & M. Shimizu, *Nyuukamaa to kyouiku: Gakkoubunka to esunishiti no kattou wo megutte* [Newcomers and education: Conflicts between school culture and ethnicity]. Tokyo, Japan: Akashi shoten, 2001.

[56] Kennedy & MacNeela, *op.cit.*, p. 9.

[57] Colleen Ward, *The A, B, Cs of acculturation*, in *The Handbook of Culture and Psychology*, ed. D. Matsumoto, New York, NY: Oxford University Press, 2001, pp. 411–445.

[58] Schachner et al., *op.cit.*, 2014.

Philippine nationals, with whom she shares the same language, values, customs, and struggles. She reports feeling welcome, understood and supported, and she regained her confidence. Nevertheless, while her reorientation to her ethnic group might have been beneficial in diminishing the psychological stress of adjusting to the mainstream society, Jenny does not appear to have found the necessary resources to function in the dominant culture, as her repeated attempts to come to terms with the Japanese educational system ended up in failure. Suri, on the other hand, found her sense of belonging by connecting with students from various cultural backgrounds. In the second year of high school, she was placed in a special class for foreign nationals, which provided support and instruction in easy Japanese. There, in a culturally and ethnically diverse environment, she regained her pride to be different, and the shared feeling of foreignness and common struggle helped her overcome her insecurities and bond with her classmates. This is thought to have benefitted her in the long term, as she successfully graduated from university and secured stable employment.

Conclusion

Young immigrants in Japan face acculturation challenges which are common anywhere else in the world: lack of linguistic proficiency, struggling with academic subjects taught in a second language, feeling isolated at school and failing to blend in a new environment. However, although in countries with robust integration policies and little resistance from the host society immigrants learn to overcome these difficulties and manage to integrate successfully into the mainstream society, in countries with ethnist state ideology, which are hostile to immigration such as Japan, there is little concern regarding the specific educational needs of younger generations of immigrants. Despite the fact that Japan provides equal opportunities and access to education for its own citizens, the legal, social and educational policies of the country reflect little or no understanding of immigrant children's diverse backgrounds, needs and vulnerabilities. A rigid, monolingual education system which values homogeneity, discourages diversity and expects assimilation, Japanese education fosters discrimination and prejudice towards immigrant students. The "equal" treatment fails to be equitable when the participants have different cultural backgrounds. Young immigrants are left to struggle with the language, academic subjects and school life; and while some of them may see some success, many are doomed to social marginalization and failure. Academic guidance for immigrant students in schools, diversity-oriented teacher training programs, multilingual counseling and information for students' families and other similar initiatives might help reduce the burden of having to deal with the adaptation challenges of a rapidly diversifying immigrant population and lead to a more successful integration of immigrants in society.

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IMPACT OF LEARNING PHRASAL VERBS THROUGH TECHNOLOGY ON VOCABULARY ACQUISITION

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***Abstract**: The paper demonstrates the results of the experimental research conducted during the academic year 2020/21, at the EFL extra-curriculum classes. The research examines the advantages of phrasal verbs application and analyzes the impact of this technology on phrasal verb acquisition. At the beginning of EFL extra-curriculum classes, the students wrote the pre-test and at the end of the semester - the post-test was done to check the achievements and benefits of phrasal verb application. The experiment results demonstrated the improvement of phrasal verb acquisition and the participants showed better outcomes in post-test in comparison to pre-test. The findings indicate that multiple functions of phrasal verb application can benefit phrasal verb learning and enhance students' independent study.*

***Keywords**: phrasal verbs, application, EFL skills, advantages, experiment*

Introduction

EFL (English as a foreign language) has been taught as a mandatory subject in both linguistic and non-linguistic universities in Ukraine. The Ministry of Education of Ukraine has already set out several initiatives to improve foreign language learning with university students. For example, since 2021 the students of technical universities have had a twelve-credit EFL course (in comparison to five ECTS credits in 2020) comprised of General English and English for Specific Purposes. Such important initiatives seem to be less optimistic in the context of academic hours per semester. Bachelor students of all specialities have 14 academic hours a semester (118 academic hours for the whole period of study: eight semesters) and 30 academic hours for independent study (240 hours for eight semesters). Against the background of insufficient hours for foreign language learning in the EFL syllabus, the demands for EFL students' proficiency are getting higher and higher. Consequently, the tools and

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strategies that can provide both short term and effective acquiring of four basic skills (reading, writing, speaking and listening) with a strong focus on students' independent study should be integrated with the EFL classroom. Furthermore, some items in English are difficult to learn and use. One of the challenging items for both students and language instructors is the phrasal verb (PV). As PVs are an essential part of English vocabulary that constitute a huge area of meanings that overlap with hundreds of semantic-word denotations and connotations, they will always appear as complex units that EFL learners face even from different culture and background levels[1]. In addition, a lot of language instructors are lack studying hours to cover basic phrasal verbs and practice their using. The appropriate application should be integrated to provide easy, fast, multifunction learning and practising the phrasal verbs.

Literature review

Considering the issue of modelling foreign language competencies through digital tools research has been carried out in the area of improving listening[2], speaking skills using podcasts[3], CMC tools such as VoiceThread[4] and self-made Youtube recordings[5] acquiring vocabulary with the help of online platforms[6], writing skills through dictation exercises can also be carried online via the Dragon software or other programs such as Online Dictation, Evernote, TalkTyper, VoiceAssistant, Speechlogger, or PaperPort[7] and Web 2.0 tools[8], reading skills through

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digital services (Goodreads, Ponder, LibraryThing)[9]. Several research studies provided deep insights into discussing technology that can be used to improve particular foreign language skills[10]. Communication lab, video conferencing, video Library, CALL (Computer Assisted Language Learning), TELL (Technology Enhanced Language Learning), Podcasting, Quick Link Pen, Quicktionary, Programmes through educational satellites, Speech Recognition Software, Internet, blogging can not only improve the speaking skills but also motivate, help students learn at their own pace and promote autonomy in them. According to Hameed "listening and speaking are of prime importance in language learning, students should be aware of paving the way to master them to have a full understanding of what native speakers of that language say and how to communicate in their language"[11]. The researcher states that the phrasal verb is a structure that can benefit communicative skills. Fu states that phrasal verbs can improve all the skills: speaking, reading, writing and listening skills[12] The experiment conducted by Miasoiedova [13] has demonstrated the effectiveness of applying some unconventional extra-class activities, specifically Instagram educational pages Phrasal Cards and Fantastic Phrasals, as an additional tool for teaching phrasal verbs. Al Nasar[14] examined the difficulties in interpreting English phrasal verbs (PVs) and concluded that we should enhance adults learning by giving rich material covering PVs context, meaning and translation. Absent in this vision of language are notions of PV's learning with the help of PV's

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[13] Miasoiedova, S.V., *The role of phrasal verbs for successful intercultural communication and unconventional ways of their teaching*. Scientific bulletin of International humanitarian university, vol. 34, no. 2, 2018, p. 108-111.

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applications. This study is expected to contribute to EFL scope giving new insights about students' phrasal verbs mastery through technology. The present study aims to determine the advantages of phrasal verb application and experimentally prove the efficacy of using technology at EFL extra-curriculum classes will improve students' phrasal verb acquisition with a strong focus on independent work, and, as a consequence, will enhance their learning performance.

Methodology

The target population for this study consisted of 19 fourth-year bachelors who were attending extra-curriculum activities to prepare for the unified entrance exam to become Master's students during 2020-2021. The participants of the experiment were selected in a non-random way: they all attended extra-curriculum foreign language classes. The one-group pre-test-post-test design was used in the present quasi-experimental study. The students' outcomes were measured two times: once before and once after treatment. The effect of technology application in phrasal verbs learning was measured by comparing the pre-and post-test results.

Presentation of basic material of the research

Simultaneously with practising the PV with the help of Use of English B2 [15] android Phrasal verb application was approbated during the experiment carried out in Higher Education Institution «Podillia State University» in Ukraine. In addition to the platform telegram channel "English irregular verbs" was designed by the developers of the application to communicate with the subscribers on PVs. The experiment in the present study was intended to accept or reject the statement that Phrasal verb application can enhance effective PV learning. The mentioned above application was chosen according to the following criteria:

- Free download;
- The application provides the instructions concerning remembering the PVs, training exercises and testing;
- Contextual learning;
- Implementation of Ebbinghaus spaced repetition algorithm and calendar of spaced repetition;

[15] Moutsou, E., *Use of English B2*. MM publications, 2009.

- Essential word-lists of different levels (Basic, Intermediate and Advanced);
- More than 7000 PVs and their use in authentic context (popular books, magazines and sites);
- The function of learning speed is available;
- The function of learning progress (daily goal) is available;
- Sound support and translation of phrasal verbs;
- Word flashcards;

The participants of the experiment had 1 academic hour a week during extra curriculum EFL activities. At the beginning of the course, the students did the phrasal verb pre-test, and at the end of the semester – the post-test respectively. Both tests were of the same content and concentrated on PV's multiple-choice and gap-filling tasks. Twenty minutes of each EFL extra-curriculum class was devoted to learning and practising phrasal verbs via an application. First, the platform gives the phrasal verb with sound support, its meaning and context in English. Then, the platform suggests performing multiple-choice PVs' learning activities: to select the appropriate preposition and check the correct answer with the examples, to select the appropriate verb when only one preposition is given, to match one PV and one preposition to create a phrasal verb according to the meaning as shown in Image 1.

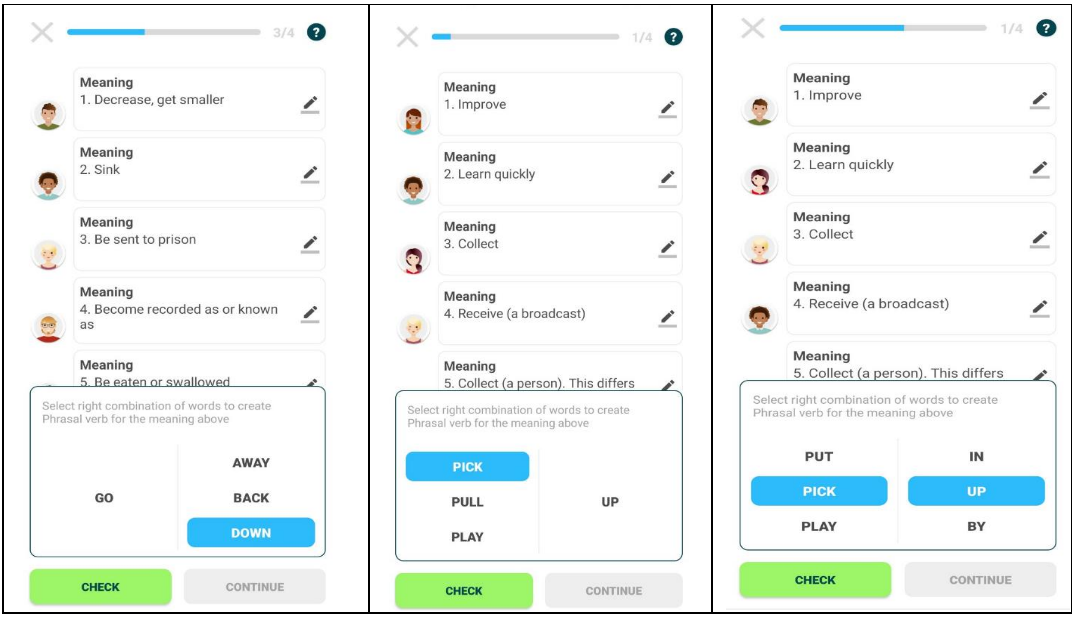

Image 1. Phrasal verbs' learning

Since each student has created an individual learning plan, the application reminds them to repeat the PV according to the forgetting curve of Ebbinghaus to “put” them into long term memory: today, next day, in two days, in two weeks in two months. Consequently, the PV's application supervises the individual work of students. During the experiment we covered basic (200) and intermediate (500) phrasal verbs. The pre-and post-test results are given in Table 1.

Table 1. Students' progress in pre-and post-test

Phrasal verb test	Results (Mean ± SD)
Pre-test	7,42 ± 3,29
Post-test	9,36 ± 2,86

To interpret tests’ results we used mean score and standard deviation. Overall marks were improved in post-test and the difference between mean scores in pre-and post-test is 1, 94. The overall mean scores showed significant improvement in the post-test scores of all the students compared to their pre-test scores.

Conclusions

The shift toward technology-based EFL learning (Godwin-Jones R., Blake R., Chaikovska O., Humeniuk I., Kuning D. and Oskoz A.) has forced the language instructors to pay attention to the issue of developing four basic foreign language skills through digital applications and devices. Providing effective learning of phrasal verbs can benefit acquiring speaking, listening, reading and writing skills. The present study is in line with the research from Miasoiedova with the suggestion that technology, specifically Instagram educational pages Phrasal Cards and Fantastic Phrasals, can improve students’ foreign language learning. This research contributes to EFL learning by demonstrating the efficacy of android phrasal verb application in students' vocabulary acquisition that, in its turn can contribute to improving basic foreign language skills. Our findings indicate that up-to-date applications are easy to work with, provide a wide spectrum of functions, use specific mechanisms for engaging long-term memory (the forgetting curve of Ebbinghaus), monitor the students’ progress and provide effective independent students’ work. The results of this research also suggest that integrating applications, phrasal verb android app, in particular, can improve students' vocabulary performance. The results of the study showed an overall improvement in the test scores after the treatment. Future work should examine the impact of phrasal verb application on taken separately foreign language skills.

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THE IMPACT OF THE USE OF INFORMATION TECHNOLOGIES (ICT) ON MINORS AND CHILDREN THROUGH ONLINE SEXUAL ABUSE AND EXPLOITATION

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Abstract: *Pornography has become a major problem of today cyberspace, extended through the Internet at the planetary scale. The phenomenon has deep social and economic implications affecting a huge number of children under the age of eighteen who are subjects of sexual abuse and exploitation. Child pornography generally refers to images or films depicting sexually explicit activities involving a child. Because child pornography involves children, the test of acceptability is much stricter than for regular pornography, as consent cannot be given either by the child or guardian. Child welfare professionals are worried that paedophiles will use the third-generation mobile technology to access child sex sites, take pictures of sex with children and trade in images of abuse.*

Keywords: *child pornography, cyberspace, the Internet, minors abused, minors sexually exploited, etc.*

Introduction

The education of citizens, the protection of their legitimate rights and interests are both the purpose and the indispensable duty of any state. a special importance in this respect, the state is also important for the

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protection of minors, who, in the conditions of social problems related to the decrease in the standard of living, the lack of adequate control of the family, the collapse of the employment system, liberalization and commercialization of sexual morality, the low level of educational institutions are increasingly becoming fertile material for the implementation of the criminal interests of adults. It is in these conditions that the need to intensify the need to intensify the fight against the production and circulation of pornographic materials and or objects with pornographic content of minors increases.

Developments in information and communication technologies (ICT) have considerably influenced the phenomenon of child sexual abuse and exploitation. Technologies have become a facilitator in committing sexual crimes against children, in producing and disseminating materials representing child sexual abuse (hereinafter – MASC), in luring children for sexual purposes, but also in their sexual exploitation.

Technologies allow abusers to interact with multiple children at the same time, to develop their own networks of abusers with the same interests on a larger scale than until recently. These networks of criminals are more innovative, act smarter and pose a great danger to children and society.[1]

The large number of children present online, who have social media accounts, creates more possibilities for abusers to recruit and contact them compared to the possibilities they have offline. According to data provided by the National Center for Missing and Exploited Children (NCMEC), in the United States, between 2010 and 2015, the number of cases of online child trafficking increased by approximately 800%, which is a direct consequence of the use of the Internet for the purpose of sexual exploitation. Communicating via text messages in chat or using the webcam in forums are common ways to establish contact with children in the virtual environment.

The actuality of this topic. Online gaming platforms increase the risk of interactions of adults with children, who can perceive chats with harmless strangers. In addition to much easier access to children, technologies also reinforce the influence that abusers can have on the victim, especially during video-chats, in which the child is "face to face" with the perpetrator.

Another aspect that facilitates the abuser's access to children are the technical possibilities to publish personal data that make it possible to

[1] Studies in Child Protection: Technology-Facilitated Child Sexual Trafficking, International Centre for Missing and Exploited Children, November 2018.

identify any person. Social networks are platforms on which enormous amounts of personal information of thousands of people can be uploaded. Since children often have a false understanding of what privacy and safety entail, especially online, they can expose themselves to imminent risks arising from actions to share personal information. New social media settings, such as geo-tagging and geo-localization („check-in"), make it easier for the abuser to locate the child.

Under these conditions, abusers use technologies to recruit new victims through websites. At the same time, sex tourists use chats, instant messaging apps, peer-to-peer file sharing apps, newsgroups, and specialized websites to gain information about potential victims, exchange MASC, or plan their travels for sexual purposes.

Websites that offer hosting for MASC can be set up and accessed much faster than they can be identified and removed. Between 2014-2018, the number of child sexual abuse URLs removed annually tripled, increasing from 31,226 in 2014 to 105,047 in 2018. Between 1996 and 2019, the Internet Watch Foundation (hereinafter – IWF) in the United Kingdom of Great Britain and Northern Ireland removed nearly half a million webpages representing child sexual abuse.[2]

The use of mobile phones and other devices, e-mails and messaging apps creates possibilities for the abuser to hide their identity and activities. Potential abusers can frequently change phones, use pre-paid SIM cards that do not require any registration, to commit child abuse or exploitation. Email accounts could be registered using fake identities, multiple trustees, public wireless (wireless) networks, making it extremely difficult to identify the person using a particular account. In addition, many Internet Cafe offers reasonable anonymity, since they do not require an authentication to log in to a particular computer, do not use monitoring systems of any kind and do not apply codes of conduct.

From the perspective of the online sexual exploitation of children as a commercial activity, ICT considerably reduces costs and efforts at all stages of producing and distributing child sexual abuse material. Digital equipment creates cheap and affordable possibilities for the massive production and distribution of materials.

Commercial companies can intensively promote these services, are easily connected to customers and consumers, which allows them to generate higher revenue from their activities. The dissemination of child

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[2] Global Threat Assessment 2019, Working together to end the sexual exploitation of children online, We Protect Global Alliance, available.

sexual abuse material can be easily achieved by creating sites on a public web platform or the Dark Web (a lot of isolated Internet networks, which do not respond to calls from outside, with addresses unregistered in official lists and indexes, also called "deep-sea networks"), without the need for the services of a Web programmer.

Technologies also create the opportunity to save money on the organisation of criminal activity. Abusers can recruit victims online, promote their services or MASC on a large scale, organize the process of exploiting minors by communicating online, developing the criminal network more easily.[3]

Materials used and methods applied. In the elaboration of this article were studied and monitored the international, regional and national normative framework that ensures the legal protection of protection against sexual exploitation of minors through ICT, as well as a vast doctrinal framework and criminal law in the field of ICT. The methods were used: logical, comparative, of analysis and synthesis, systemic.

According to the latest data provided by INTERPOL, the database on the Sexual Exploitation of Children (hereinafter – ICSE) has more than 2.7 million images and videos that helped identify 23,500 victims worldwide. More than 3,800 victims were identified using this database in 2019.[4]

In 2020, during the public health emergency, EU Member States recorded a higher number of visits to websites containing MASC. For example, in the UK alone, in April 2020, the Internet Watch Foundation reported several around 9 million attempts to access MASC that were blocked.

Some EU Member States have reported an increase in the number of MASC identified on specialised P2P (peer-to-peer) networks, where abusers share these materials most often. Also, the number of complaints from NCMEC addressed to EUROPOL was 3 times higher compared to the number of referrals in the same period of 2019. At the same time, the number of materials available on Dark Web networks increased considerably between March and May 2020. [5]

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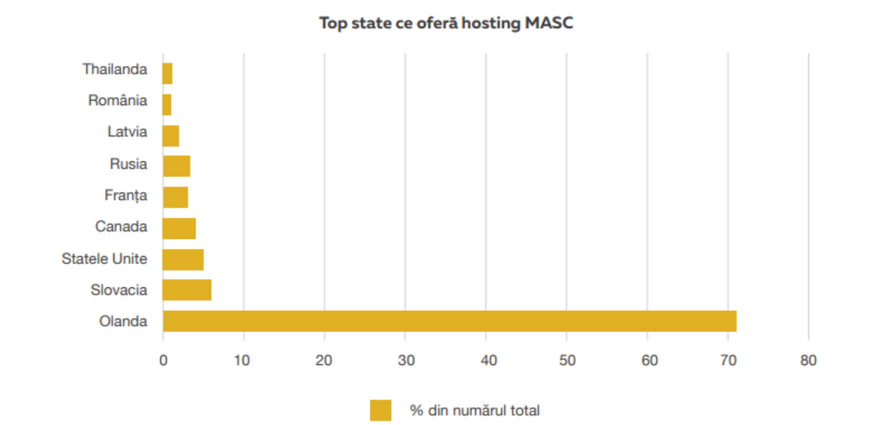
[3] *Study on the Effects of New Information Technologies on the Abuse and Exploitation of Children*. UNODC, 2015.

[4] International Child Sexual Exploitation database (interpol.int)

[5] Exploiting isolation: Offenders and victims of online child sexual abuse during the COVID-19 pandemic. 19 June 2020, EUROPOL, available at: EXPLOITING ISOLATION: Offenders and victims of online child sexual abuse during the COVID-19 pandemic | Europol (europa.eu).

Interpol's report on the impact of the COVID-19 pandemic on the online sexual exploitation of children reports a lower number of online sexual abuse and exploitation offences investigated in 2020 compared to the previous year. IINTERPOL's ICSE database has also been used less, which is explained by the fact that in 2020 some specialists from the ICT sector, but also from law enforcement agencies, had to work from home, under technically limited conditions.

However, in 2020 INTERPOL reconfirmed a considerable increase in the loading and distribution activity of MASC on the Darknet, but also in the volume of materials distributed on peer-to-peer networks. There has also been a considerable increase in potentially harmful content shared on social media platforms, which can expose children to repeated victimisation. Respectively, although the number of investigated cases was lower, the prevalence of the risk of sexual exploitation and the incidence of other indicators that signal about the scale of the phenomenon were increasing.[6]



II

Talking about some ***aspects of material law through the prism of international and national regulations*** and ***the typology of criminal acts aimed at the online sexual abuse and exploitation of children through*** the prism of international regulations and about ***sexual exploitation*** and ***online*** sexual abuse of children is one of the most serious forms of child abuse, which have been internationally recognized since the late 90s.

[6] INTERPOL, *Threats and trends, Child sexual exploitation and abuse, COVID-19 Impact.* September, 2020.

Convention No. Regulation (EC) No 182/1999 on the prohibition of the most serious forms of child labour and immediate action to eliminate them, also called the Geneva Convention, was one of the first treaties to mention the sexual exploitation of children.

For the purposes of this Convention, the use, recruitment or offering of a child for the purpose of prostitution, the production of pornographic material or pornographic performances was one of the most serious forms of child labour (Article 3(.b) of the Geneva Convention). Over time, however, approaches and interpretations of forms of online sexual abuse and exploitation of children have evolved. Respectively, in the following will be analyzed the latest forms of abuse and sexual exploitation online, according to the latest international regulations.

Child pornography and the on-line sexual exploitation of children in the case of child pornography has been recognised as one of the most serious forms of exploitation vis-à-vis children since the early 2000s, with the adoption of the Optional Protocol to the Convention on the Rights of the **Child,** on the sale of children, child prostitution and child pornography (hereinafter – Optional Protocol), but also of the Budapest Convention. The concept and approaches to child pornography have evolved over time. Thus, according to Article 2 of the Optional **Protocol,** child pornography means any representation, by any means, of children engaged in an explicit, real or simulated sexual activity, or any other exposure of the sexual organs of children, **mainly for sexual purposes.** This article has criminalised the actions of production, distribution, dissemination, import, export, offering, sale or possession for the purposes stated by pornography material.

The Budapest Convention, adopted a year later, comes with a much more complex and detailed approach to the crime of child pornography, specifying that all crimes involving such materials are carried out mainly through a computer system. Thus, actions committed intentionally and without right were criminalized:

a) the production of child pornography with a view to their dissemination;

b) the provision or making available of pornographic material on the subject of children;

c) the dissemination or transmission of pornographic material on the subject of children;

d) the act of procuring or procuring for other persons pornographic materials, having as subject the children;

e) possession of pornographic material, on the subject of children, all committed through a computer system.

There are also some differences in the way child pornography materials are defined, Art. 9, para. (2) by establishing that these are any pornographic material which visually represents:

a) a minor who indulges in sexually explicit behavior;

b) an adult, presented as a minor, who indulges in sexually explicit conduct;

c) realistic images of a minor who indulges in sexually explicit behavior.

A "sexually explicit behavior" involves:

a) sexual intercourse, including genital-genital, oral-genital, anal-genital or oral-anal intercourse, between minors or between an adult and a minor, of the same or opposite sex;

b) bestiality;

c) masturbation;

d) sadistic or masochistic abuse in a sexual context;

e) lascivious exposure of the genitals or pubic region of a minor (not relevant if the behaviour described is real or simulated).

So we note that the **sexual purpose** in which the actions must be carried out **is missing**. At the same time, it is specified that these actions must be carried out **"without right", which implies that the mentioned actions in some circumstances may not represent the crime of child pornography.** The phrase "without right" takes into account fundamental rights, such as freedom of thought and expression, but also the right to privacy. It is also accepted the hypothesis in which these materials were created in an artistic, medical or scientific context.

The Lanzarote Convention, in article 20, also defines child pornography as any material that visually depicts a child engaging in sexually explicit, real or simulated conduct, or any representation of a child's sexual organs, **mainly for sexual purposes.** And the Lanzarote Convention comes with a novelty in the sense of criminalizing the action of knowingly obtaining access, by means of information and communication technology, to child pornography. That action was not criminalised until the adoption of the Lanzarote Convention.

The creation of child pornography material **for personal use** is approached differently in international regulations. For example, Directive 2011/92/EU comes with some specific recommendations for situations where the material is produced and held by the manufacturer exclusively for his private use, insofar as the pornographic material has not been used, provided that the act does not involve the risk of dissemination of the material. Member States must decide whether to criminalise acquisitions, holding or production actions carried out solely for private use.

On the other hand, the Lanzarote Committee expressly stipulated that[7] **the possession of sexually suggestive or graphic images or videos does not constitute "possession of child pornography" if it is made for private use only, if the owner and protagonist in the image are of close age and are in a relationship.** Moreover, the voluntary and consensual distribution among children of sexually suggestive and explicit images and videos does not constitute 'the provision or making available, distribution or transmission, procuring or knowingly obtaining access to child pornography' when they are intended solely for their private use.

According to the Opinion of the Lanzarote Committee, children should be held criminally liable for actions of "child pornography" as a last resort, and priority should be given to other methods of managing their harmful behaviors (e.g. educational measures, therapeutic assistance), when:

a. the child who originally created sexually suggestive or explicit images or videos decided at some point to offer them, to make them knowingly available, to distribute them or to transmit them to others;

b. children who view sexually suggestive or explicit images of other children and/or videos without requesting them and decide not to delete them, but to keep them;

c. children who intentionally obtain sexually suggestive or graphic images and/or videos generated by children.

Article 5 of Directive 2011/92/EU lays down a minimum penalty for each of the regulatory modalities of the offence of child pornography:

- the acquisition or possession of child pornography shall be punishable by a maximum term of imprisonment of at least one year;

[7] Lanzarote Committee Opinion on child sexually suggestive or explicit images and/or videos generated, shared and received by children, adopted by the Lanzarote Committee on 6 June 2019; available at: 168094e72c (coe.int)

- knowingly obtaining access to child pornography by means of information and communication technology shall be punishable by a maximum term of imprisonment of at least one year;
- distribution, dissemination or transmission of child pornography shall be punishable by a maximum term of imprisonment of at least two years;
- offering, supplying or making available child pornography shall be punishable by a maximum term of imprisonment of at least two years;
- producing child pornography shall be punishable by a maximum term of imprisonment of at least three years.

National legislation does not delimit the penalties for the regulatory modalities of the offence of child pornography. The task of individualizing the sentence is left to the discretion of the court, based on the general criteria of individualization of the sentence, but also on the provisions of Chapter VIII, Criminal Code.

The participation of a child in ***pornographic performances*** or, literally, pornographic pectacol and the offences related to the participation of a child in pornographic performances were for the first time criminalised by the **Lanzarote Convention,** taking into account the actions of:

a) recruiting a child to participate in pornographic performances or encouraging a child's participation in such performances;

b) coercing a child to participate in pornographic performances or making a profit from it, or otherwise exploiting a child for such purposes;

c) to assist, in an informed manner, in pornographic performances involving the participation of children.

The Directive of the European Parliament and of the Council on combating the sexual abuse and sexual exploitation of children and child pornography[8] defines 'pornographic display' as a live exposure to the public, including through information and communication technology:

- of a child engaged in sexually explicit, actual or simulated conduct;
- of the genitals of a child, mainly for sexual purposes.

[8] Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography and replacing Council Framework Decision 2004/68/JHA (europa.eu).

Unlike the offences of child pornography, which criminalise all the actions carried out in relation to child pornography material (production, offering, dissemination, etc.), in the case of pornographic performances, the actions carried out **in relation** to the child who is involved in such actions are criminalized. The child's involvement in pornographic performances involves the real dissemination, that is, live, of the sexual actions in which the child is involved. In the event that the video recording of a pornographic performance is sent to another person, we are in the presence of a crime of child pornography. The European Directive, unlike the Lanzarote Convention, also establishes a minimum penalty for acts of coercing or forcing a child to participate in pornographic performances or threatening a child for this purpose, namely imprisonment of a maximum of at least eight years if the child has not reached the age of sexual consent, and at least five years if the child is over that age.

Although **the Optional Protocol to the Convention on the Rights** of the Child does not expressly criminalise actions involving a child in pornographic performances, the latest Recommendations on the implementation of the Optional Protocol to the Convention on the Rights of the **Child,** approved by the Committee of the Parties in2019, encourage the criminalisation of actions of recruitment, coercion of a child or the determination of a child to participate in pornographic performances, or otherwise taking advantage of the exploitation of a child for these purposes or knowingly participating in pornographic performances involving children.[9]

Directive 2011/92/EU establishes, in Article 4, the extent of the penalty for the sexual exploitation of the child in pornographic performances, namely:

- inciting or recruiting a child for the purpose of participating in pornographic performances or profiting or otherwise exploiting a child for that purpose shall be punishable by a maximum term of imprisonment of **at least five years** if the child has not reached the age of sexualconsent, and of at least two **years,** if the child is over that age;
- coercing or forcing a child to participate in pornographic performances or threatening a child for this purpose is punishable by a

[9] Guidelines regarding the implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, adopted by the Committee at its eighty-first session, 10 September 2019; available at: CRC. C.156_OPSC Guidelines.pdf (ohchr.org)

maximum term of imprisonment of **at least 8 years** if the child has not reached the age of sexualconsent, and of at least five **years** if the child is overthat age;

- Knowingly watching pornographic performances involving the participation of a child is punishable by a prison sentence of a maximum of **at least two years** if the child has not reached the age of sexualconsent, and at least one **year**if the child is overthat age.

Grooming according to **its Directive 2011/92/EU** envisages "the proposal, made by means of information and communication technology, by an adult, to meet a child who has not reached the age of sexual consent with the aim of committing any of the offences of sexual abuse in the event of sexual activity with a child who has not reached the age of sexual consent or the production of child pornography, where the proposal was followed by concrete facts establishing such a meeting'.

The Lanzarote Convention, in article 23, criminalises grooming, establishing that it presupposes the proposal made intentionally by an adult, by means of communication and information technologies, to meet a child who has not reached the age of sexual consent, for the purpose of committing on him or her any crime involving sexual activity with a child who has not reached the legal age for sexual life or the production of child pornography, whether the proposal was followed by material facts leading to such a meeting.

The term grooming involves preparing the child for sexual abuse, having the motivation to use the child for sexual satisfaction. This may involve establishing a friendly relationship with the child, having intimate conversations with the child and gradually exposing the child to sexually explicit material to diminish his or her inhibitions towards sex. The child can be involved in the production of child pornography by sending personal photos, using a digital camera, web-cam or webcam on the phone, which gives the abuser possibilities to control the child through threat. When a real date is established, the child may be sexually abused or harmed in another form.[10]

[10] Lanzarote Committee, Explanatory Report to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse; available at: CETS 201 - Explanatory Report to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (coe.int)

According to the Lanzarote Committee, Art. 23 is not relevant when the sexual abuse has remained online. If, for example, the manipulation actions of the adult remained online and resulted in the child being persuaded to share sexually explicit photos or in participating in pornographic performances in front of the webcam, the perpetrator may be held liable according to art. 20, para. (1): 'production of child pornography'. At the same time, if the manipulation actions of the adult have not been limited only to the production of child pornography, the adult may be held liable for other offences of child pornography – producing, offering or making available, distributing or transmitting, procuring and possessing child pornography, knowingly obtaining access to child pornography. If the abuser causes the child to make broadcasts in real regime and, effectively, the minor is involved in participating in the pornographic show, then it is welcome to approach grooming and participation of minors in pornographic performances, being possible a contest of offenses between these two offenses. As regards the recruitment of the child and coercing him or her to participate in pornographic performances, these are actions criminalised under Article 21 of the Convention "Offences related to the participation of a child in pornographic performances", and the determination of the child to witness sexual abuse or sexual activity, without directly participating in them, are criminal acts incriminated by Article 22 of the Convention, that is, "Corruption of children".[11]

Directive 2011/92/EU, in Article 6 para. (1), establishes that **the proposal** made by means of information and communication technology by an adult with a view to meeting a child who has not reached the age of sexual consent for the purpose of engaging in sexual activities with him or producing child pornography, where the proposal was **followed by concrete facts establishing such a meeting**, must be punished by a maximum of at least one year in prison. Therefore, according to the provisions of Directive 2011/92/EU, the act is consummated when the proposal is followed by concrete facts of establishing the meeting with the child, without the need to carry out the actual meeting. Similarly, states must take measures to ensure that the attempt to lure a child for sexual

[11] Lanzarote Committee, Opinion on Article 23 of the Lanzarote Convention and its explanatory note, Solicitation of children from sexual purposes through information and communication technologies (grooming), adopted on 17 June 2015; available at: DisplayDCTMContent (coe.int)

purposes, carried out by means of information and communication technologies, is punishable.

On ***the corruption of children*** or on ***the actions of sexual corruption of children*** in the Lanzarote Convention for the first time criminalized the acts of sexual corruption of children, taking into account the facts by which intentionally a child who has not reached the age of sexual consent was led to witness the commission of sexual abuse or the pursuit of sexual activities, even if he is not obliged to participate in them. This crime is of interest from the perspective of actions carried out in the virtual environment, as it may be in competition with other acts of sexual abuse or exploitation in the virtual environment, such as offering or making available child pornography, the child's participation in pornographic performances or the solicitation of the minor for sexual purposes.

Directive 2011/92/EU, in Article 3, establishes that determining, for sexual purposes, a child who has not reached the age of sexual consent to attend sexual activities, even without being obliged to participate, is punishable by a maximum term of imprisonment of **at least one year.** At the same time, if these actions are committed in relation to a child who has not reached the age of sexual consent, the acts are punishable by a prison sentence of at least two **years.**

In continuation referring to the ***sexual exploitation of the child in prostitution*** and in accordance with Article 19, para. (2) of the Lanzarote Convention, ***child prostitution*** shall cover the use of a child for sexual activities when money or any other form of remuneration or reward is offered or promised, regardless of whether such payment, promise or reward is offered to the child or to a third person. In this context, each Party shall take the necessary legislative or other measures to ensure that the following intentional acts are criminalised:

a) recruiting a child to engage in prostitution or inducing a child to participate in prostitution;

b) coercing a child into prostitution or profiting from that activity, or otherwise exploiting a child for such purposes;

c) recourse to child prostitution.

In line with the recommendations of the Committee of the Parties on the implementation of the Optional Protocol to the Convention on the Rights of the Child, States should criminalise any form of sexual exploitation of children in prostitution,[12] **including when it occurs with**

[12] CRC. C.156_OPSC Guidelines.pdf (ohchr.org)

the use of ICT. According to art. 3, para. (1), lit. b) of the Optional Protocol, the actions of offering, obtaining, procuring or supplying a child for prostitution must be criminalized. Such actions represent the sexual exploitation of a child in prostitution when they are carried out for some form of remuneration. The Committee stresses that the promise of remuneration or any other form of consideration should be considered sufficient to constitute a criminal offence, even where such remuneration or consideration is not actually paid or offered.

Article 4 of Directive 2011/92/EU lays down the following penalties for the offences of sexual exploitation of a child in prostitution:

- determining or recruiting a child for the purpose of participating in child prostitution or otherwise benefiting or exploiting a child for such purposes shall be punishable by a maximum term of imprisonment of **at least eight years** if the child has not reached the age of sexualconsent, and of at least five **years,** if the child is over that age;
- coercing or forcing a child into child prostitution or threatening a child for such purposes shall be punishable by a maximum term of imprisonment of **at least ten years** if the child has not reached the age of sexualconsent, and of at least five **years** if the child is over that age;
- engaging in sexual activities with a child, resorting to child prostitution, shall be punishable by a maximum term of imprisonment of **at least five years** if the child has not reached the age of sexualconsent, and at least two **years** if the child is over that age.

For its part, Directive 2011/93/EU – combating the sexual abuse of children, sexual exploitation of children and child pornography[13] aims to improve the protection of children against sexual abuse and exploitation. To achieve this, it requires EU countries to:

- adopt preventive measures;
- to protect child victims;
- investigate and prosecute criminals.

In order to facilitate the prosecution of criminals, thebDirective:

- criminalises a wide range of situations of child sexual abuse and sexual exploitation of children (20 offences and attempts);

[13] DIRECTIVE 2011/92 / EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 13 December 2011 https://eur-lex.europa.eu/legal-content/RO/TXT/?uri=celex%3A32011L0093

- introduces increased levels of punishment. The maximum levels set by national law must not be below certain levels ranging from 1 to 10 years of imprisonment, depending on the seriousness of the offence. A number of aggravating circumstances must also be taken into account;
- extend the limitation period after the victim has reached the age of majority;
- removes the obstacles created by confidentiality rules for reporting by professionals whose main task is activities with children;
- introduces extraterritorial jurisdiction for criminals who are nationals, so that they can also be prosecuted in their country for crimes they commit abroad;
- calls for the removal of procedural obstacles to the prosecution of crimes committed abroad;
- ensure that effective investigative tools are made available to the police, such as those used against organised crime and serious crime, and that special units are designated to identify victims of child pornography.

In order to protect child victims, the Directive introduces rules requiring:

- extensive assistance and support measures for child victims, in particular to prevent child victims from suffering further trauma through their involvement in criminal investigations and proceedings;
- access to assistance and support as soon as there are reasonable grounds for suspecting a criminal offence;
- special protection for children who report family abuse;
- the unconditional provision of assistance and support to cooperation in criminal proceedings;
- protecting the privacy, identity and image of the victim.

In order to prevent criminal offences, the Directive provides:

- subject all convicted offenders to an assessment of the danger they pose and the risks of reoffending in any sexual offences against children;
- making programmes or measures of preventive intervention (such as treatment) available to convicted criminals and those who fear that such crimes could be committed by EU countries;
- exclusion of convicted offenders from professional activities involving direct and regular contact with children;
- the right of employers for professional or organised volunteering activities involving direct and regular contact with children to request

information on convictions and disqualifications and the better exchange of criminal records between countries, so that convictions from one country are included in criminal record certificates issued in other countries in order to facilitate background checks;

- the obligation of EU countries to ensure the prompt removal on their territory of web pages containing or disseminating child pornography and to endeavour to achieve the removal of those websites if they are hosted outside their territory. They may also decide to block users' access to such web pages in their territory through safeguards to prevent abuse;
- for EU countries to carry out prevention activities by educating, raising awareness, and training civil servants.

In 2016, the European Commission published two reports. The first report looked at the Directive as a whole and the second report specifically analysed the measures introduced with regard to websites containing or disseminating child pornography (Article 25 of the Directive).

Global Alliance against Child Sexual Abuse Online

In a separate but related initiative, which is a joint initiative run by the EU and the US, 54 countries around the world joined a global alliance against child sexual abuse online in 2012. They are committed to achieving key policy objectives aimed at:

- a large number of rescued victims;
- a more effective prosecution; and
- an overall reduction in the number of child sexual abuse images available online.

The global alliance merged with the WEProtect initiative in the UK ([1]) to lay the foundations for the Global WeProtect Alliance with the aim of ending the online sexual exploitation of children, bringing together more than 80 governments, 20 global technology companies and 24 leading international and non-governmental organisations to protect children from online sexual exploitation.

The directive has applied since 17 December 2011 and EU countries were required to transpose it into their legislation by 18 December 2013.

Referring to ***mechanisms and practices of international cooperation*** in accordance with the general principles established by the Budapest Convention, international cooperation must be carried out between all the signatory parties, as well as more widely possible, aimed at both the investigation of cybercrimes and the collection of data, and be carried out based on international cooperation agreements in criminal matters. The Optional Protocol and the Lanzarote Convention extend the areas of international cooperation, establishing that States are obliged to cooperate in a more extensive form for the prevention, detection, investigation, trial and punishment of perpetrators who have committed a crime of sexual abuse or exploitation of children. The areas of cooperation shall cover effective detection and case reporting systems, information exchange mechanisms, the protection and transmission of digital evidence of criminal offences in a timely manner. Cooperation must also be aimed at assisting victims in their recovery, reintegration and repatriation, if it is non-cessive.[14]

Most of the signatory states to the Budapest Convention, including the Republic of Moldova, have also ratified the European Convention on Mutual Assistance in Criminal Matters. The Ministry of Justice and the Prosecutor-General's Office are the competent authorities for handling mutual legal assistance requests. The Republic of Moldova is also a party to the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters, which creates levers for direct communication and cooperation between judicial authorities.[15]

The Budapest Convention establishes several forms of international cooperation in cases of online sexual exploitation of children: extradition, mutual assistance in the field of interim measures, mutual assistance on investigative powers and the establishment of a network 24/7.

Extradition is a measure applicable to the commission of the offence of child pornography, provided that it is punishable under the laws of both parties involved, by a custodial sentence of which the special maximum is at least one year or by a heavier penalty. The Convention establishes that this measure must be applied even in cases where there is no criminal mutual assistance treaty between states, which also provides for the extradition measure, and the Budapest Convention can be invoked as a legal basis.

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[14] Guidelines regarding the implementation of the Optional Protocol to the Convention on the Rights of the Child on the Sale of children, child prostitution and child pornography, 10 September 2019; available at: CRC. C.156_OPSC Guidelines.pdf (ohchr.org)

[15] Revised Assessment Report (2018) on International cooperation on cybercrime in the Eastern Partnership region, prepared by the Cybercrime Programme Office of the Council of Europe, 2018/DGI/JP/PMM1963, May 2018; available at: *16808f1e38 (coe.int).

Mutual assistance in the field of interim measures and investigation provides for special measures deriving from the specificities of crimes committed using ICT.

Results obtained and discussions:

Cyber data retention measures are often not provided for by the laws of several states, but procedures for on-the-spot investigations or for the seizure of data are applied. Therefore, States often do not send such requests for mutual assistance to preserve computer data. Even in cases where **mutual assistance**for data conservation istaken, they are not followed by mutual legal assistance to produce data. There is often a lack of ways to inform states about the need for legal mutual assistance in case of receiving an effort to preserve computer data. In states where there are no legal provisions regulating the preservation of computer data, the requested data will be deleted, if the data preservation process is not accompanied by a request for the establishment of a rogatory commission for the maximum period allowed for data retention. Also, due to the lack of legal and regulatory framework for the implementation of these international provisions, the implementation of the rapid disclosure of it data is problematic in practice.[16]

Mutual assistance about investigative powers shall involve the following possibilities:

- mutual assistance in accessing the stored data;
- cross-border access to the stored data, with consent or where they are accessible to the public;
- mutual assistance for the real-time collection of traffic data;
- mutual assistance in the field of interception of content data.

Usually, the following types of information are requested through the mutual assistance measure in investigations:[17]

- subscriber data (in more than 50 % of cases);
- traffic data, usually IP addresses, the period of time the Internet was accessed and end-to-end connections;

[16] Revised Assessment Report (2018) on International cooperation on cybercrime in the Eastern Partnership region, prepared by the Cybercrime Programme Office of the Council of Europe.

[17] Ibid.

- hearing witnesses, suspects or victims;
- the content data is usually the object of search and seizure, accompanied by the devices holding or transmitting such content;
- information about financial transactions and identification of account holders, from banking institutions or virtual currency operators.

The 24/7 network is another form of international cooperation established by the Budapest Convention, which involves the designation of a contact point, available 24 hours a day, 7 days a week, to provide immediate assistance for investigations into cybercrimes concerning computer systems or data, or to gather evidence of a criminal offence in electronic form. The 24/7 contact points in the signatory states are established within the Ministry of Internal Affairs, except for the Republic of Moldova, which has established the contact point within the Prosecutor's Office. These contact points usually represent people from units specialising in the fight against cybercrime. The key responsibility of these units lies with the preservation of data, but it is only effective in cases where the laws of the states also regulate the obligation of Internet service providers to maintain data related to traffic.[18]

Most of the data requested through the 24/7 contact points may be provided by Internet Service Providers. Respectively, the existence of functional mechanisms for cooperation with these entities are necessary to ensure the efficient functioning of the 24/7 contact points. In the absence of an explicit legal framework, the situation could be remedied by formal memoranda of cooperation with INTERNET service providers, following the model of the Council of Europe on Recommendations for cooperation between law enforcement authorities and Internet service providers against cybercrime.[19]

In conclusion

The existence on the market of child pornography material has generated, in a totally justified way, an increased concern at international and national level, in order to discourage and sanction the circulation of

[18] Revised Assessment Report (2018) on International cooperation on cybercrime in the Eastern Partnership region, prepared by the Cybercrime Programme Office of the Council of Europe, 2018/DGI/JP/PMM1963, May 2018; available at: *16808f1e38 (coe.int)

[19] Recommendations for cooperation between law enforcement authorities and Internet service providers against cybercrime, adopted on 2 April 2008, available at 567 prov-d- guidelines provisional2 _3 April 2008_Romanian (coe.int)

these materials. This type of pornography was known even before the appearance of the Inteenet. However, the development of new technologies has had the gift of resuscitating discussions on this phenomenon, given that Internet services have a formidable capacity to disseminate child pornography, to reproduce it, to make it accessible even to minors and even to facilitate, in different ways, however bizarre it may seem, to justify it by various interested groups.

Preventing and combating various forms of child pornography has discouraged the international world to some extent, and the pressure of civil society has led the governments of the world's states to take individual measures in this regard and especially to rethink regional and global strategies to fight this scourge. Governments, intergovernmental agencies, international institutions and structures, non-governmental organizations are working together today to achieve this common goal. The coordination of individual actions and the harmonisation of national legislation on the punishment of paedophiles, the prevention of child pornography and the protection of child pornography are the main objectives, the fulfilment of which is conditional on stopping the scale of the phenomenon. Regardless of the continent, the measures taken to prevent and combat child pornography are similar but, at the same time, they are also adapted to regional or zonal specificities. As a result, the countries of the world are obliged to find global solutions transposed into common international norms and cooperation programmes drawn up with a view to the uniform application of these regulations. Due to the fact that child pornography presents a high social danger, seriously affecting the fundamental rights and freedoms of the minor, the criminal norm is an essential tool, central even, of the activity of preventing and combating this anti-social phenomenon. As we have proposed, this paper mainly presents an analysis of the substantive criminal rules on child pornography. It is carried out on the basis of three perspectives - international, regional-European and national.

At present, child pornography develops a complex problem for all states of the world, including our country, bringing to attention the role of criminal law and attempts to harmonize national criminal systems, social security policies, police cooperation, the role of the main international organizations in combating and preventing child pornography. It is precisely these aspects that demonstrate, if necessary, that the fundamental differences, of a political, social, economic and cultural nature, specific to each national community, sometimes hinder the practice of the fight against pornography, limiting its efficiency. We must recognize that, in any field, including the present one, the actions of the states of the world are guided by their own interests and only in the secondary plane by the common, planetary good. From this perspective, the SANCTIONING SYSTEM of the UN often proves ineffective, the economic and political conjuncture dictating the accountability of member states for non-fulfilment of their obligations, including in the case of child pornography.

Internationally, other good practices of international cooperation stand out.

1. **Databases containing interconnected online child sexual abuse material**that facilitates the process of identifying victims. An example would be the International Database on the Sexual Exploitation of Children (ICSE), managed by Interpol and funded by the European Commission. This allows investigators to exchange information with colleagues around the world. According to the latest interpol data, in October 2020 the ICSE database had more than 2.7 million images and video clips that helped identify more than 23,500 victims worldwide.[20]

2. **Europol's Focal Point Twins Unit contact point** plays a crucial role in identifying victims at EU level. Within this unit there is a Working Group that has the task of identifying victims (Victim Identification Taskforce), involved in operations on cases of online sexual abuse of children. In the case of victims in third world countries, EUROPOL, in addition to its collaboration with INTERPOL, also maintains contact points with law enforcement agencies and NGOs in those countries.[21]

3. **Establishment of illegal content reporting services on-line INHOPE[22]**. This network consists of 51 hotline services from 45 countries of the world, including EU countries. These services have memoranda of collaboration with law enforcement agencies and establish response procedures in case of reports received from Internet users. If they identify some illegal content, Hotline services refer the matter to the police and in many cases – the Internet service providers who offer hosting these materials. However, the implementation of these memoranda of cooperation is challenging in the context in which there is no harmonised legislation between Member States on the removal and blocking of illegal

[20] International Child Sexual Exploitation database (interpol.int)

[21] Combating sexual abuse of children, Directive 2011/93/EU, European Implementation Assessment, April 2017, available at: EPRS_STU(2017)598614_EN.pdf (europa.eu)

[22] INHOPE | Home

content in accordance with the provisions of Article 25 of EU Directive 2011/93/EU.

In the Republic of Moldova, international cooperation on the causes of online sexual abuse and exploitation of children investigated by national authorities is carried out in accordance with the provisions of Chapter IX of the Code of Criminal Procedure and the provisions of the Law on International Legal Assistance in Criminal Matters. At the time of requesting international legal aid on the categories of offences constituting online sexual abuse or exploitation, international legal aid may be requested, referring in the application to the provisions of the Budapest Convention and the Lanzarote Convention. In the absence of a legal framework governing the preservation of data according to the standards of the Budapest Convention, mutual assistance in this area is problematic. Such requests for mutual assistance in preserving computer data cannot be implemented by national authorities.[23]

Another challenge is the lack of a national service for reporting illegal content in the **INHOPE network.** According to NCMEC, the number of loaded materials in the Republic of Moldova was 10,516 materials in 2019 and 5,993 materials in 2020, which represents 30% of the total number of materials loaded in the Netherlands. Therefore, in the absence of a national reporting service and collaborations with Internet providers to ensure the erasure of MASC, the protection of children from sexual abuse and exploitation remains a vulnerable area, as it cannot be fully ensured by national authorities.

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[23] Law nr. 371-XVI from 01.12.2006 on international legal assistance in criminal matters, in force since 04.03.2007. (Monitorul Oficial of the Republic of Moldova from 02.02.2007, no. 14-17, art. 42).

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THE ISSUES OF SPEECH COMPETENCE DEVELOPMENT AT FOREIGN LITERATURE LESSONS

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Abstract: *This article deals with the problems of speech competence development in the system of foreign literature studying. It was established that basic directions of studying in the 7th form are to comprehend the text (emphasizing the theme, main thoughts, making plans of images etc.), develop independent thinking and an ability to analyze and make own judgments.*

An important task of literature education of V-VII form students is to develop an ability to clearly pronounce their thoughts and to choose and use extracts from the texts in verbal and nonverbal speech properly.

Based on these criteria of language development for students of each "language age" we develop our own criteria and levels that serve as guidelines for the organization of language activities at the study of literature.

Thus, in the work on the development of students' speech in connection with the study of literature, it is necessary to combine three approaches: psycholinguistic, based on the theory of language activity; linguodidactic, which studies the patterns of teaching native and foreign languages and methodological-literary, which takes into account the possibilities of literary studies, criticism and theory of public speaking.

Keywords: *speech competence development, students, connected speech, foreign literature.*

Introduction

Speech development work is a purposeful and organized process of enriching children's vocabulary. It is based on the following principles: the relationship of language development with a complex of moral and aesthetic education; the relationship between language development and

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deepening students' knowledge of literature and improving analytical skills; the principle of practical orientation of work on speech development; the principle of systematicity; the principle of taking into account interdisciplinary links.

The main directions of work on the development of speech: vocabulary and phraseological work aimed at enriching the vocabulary of students and to intensify its use; teaching students oral and written expressions of different genres; work to enhance the emotionality and imagery of speech.

We consider oral speech to be one of the main skills at the lessons of foreign literature at school.

Work on speech development is carried out in special lessons and in lessons devoted to the study of literary works.

Purpose of our work is to define the approaches to enhance the speech and literary competence in students of V-VII forms, and to establish the criteria of speech competence development.

Materials and methods of research

The course of foreign literature is based on a personality-oriented model of learning, the condition of effective application of which is the use of such methodological approaches, which involve the student's position as an active co-creator of the lesson within the process of studying literature.

This position is formed due to the systematic use of inter-literary connections and interdisciplinary integration, the creation of a system of project activities (research, creative, etc.) and conditions for self-knowledge of the student's personality while studying foreign literature. Thus, the authors of the program noted that the lessons of foreign literature should create conditions for the implementation of the principles of national and multicultural education, motivation of creative activity, the formation of creative experience and emotional and value perception of the world.

Literature Review

The problem of speech development has always attracted the attention of linguists, methodologists and practicing teachers. And this is no accident. After all, the development of speech is at the same time the development of a personality, his/her spiritual abilities – intelligence, thinking, moral qualities.

The problem of speech development is reflected in the teaching of literature (domestic and foreign) in the works of methodologists N. Voloshina[1], O. Demyanenko[2], Yu. Kovbasenko[3], T. Ladyzhenska[4], M. Lvov[5].

In the 60s of the 20th century, the principles of speech development were substantiated. The development of speech is based on the theory of speech activity (L. Vygotsky[6]), on the theory of gradual formation of mental actions (P. Halperin[7]), and on the theory of development of linguistic personality (Yu. Karaulov[8]).

Speech competence development at the foreign literature lessons in middle school

Types of lessons on speech development: lessons on learning creative works from life experiences and works of art; lessons on spoken replies, reports; lessons on making compositions; lessons of analysis of written works of schoolchildren.

In addition to the lessons devoted to the development of speech, in school practice there are special lessons for the development of oral and written speech. Students' special skills are improved at the lessons. For example: a lesson on the development of students' speech can be built as follows:

I. Introductory word of the teacher (as a sample of oral speech).

II. Vocabulary work

III. Conversation or dialogue with students (at this stage, students learn to formulate questions and answers)

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[1] N.Y. Voloshyna, *Scientific substantiation of the literature study contents: characteristics of teaching program*, Scientific ground of literature methodology, Textbook, Kyiv: Oberih, 2002, pp. 52-66.

[2] O.O. Demianenko, *Program of system implementation of art tasks while studying foreign literature, and its letter of explanation*, 5-8 forms. Foreign literature, Kyiv, 2004, vol. 9. pp. 34-35.

[3] Yu. I. Kovbasenko, *The art of analysis and interpretation of literary text*. World literature and culture at schools of Ukraine, Civil scientific journal, Kyiv: Oberih, 2003, vol. 7, p. 25.

[4] T.A. Ladyzhenskaya, *Oral speech as the means and the subject of teachin*g, Moscow: Flinta, 1998, p. 92.

[5] M.P. Lvov, *Methods of elementary school-children speech development: Teacher's book*. Moscow: Enlightment, 1985, p. 76.

[6] L.S. Vygotskiy, *Psychology of child development*. Moscow: Eksmo, 2003, p. 45.

[7] P. Ya. Galperin, *Psychology of cognition and teaching on gradual formation of cognitive processes*. Study of cognition in Soviet psychology, Moscow: APN of USSR, 1966, p. 35.

[8] Yu.N. Karaulov, *Russian associative dictionary*. Moscow: Pomovski and Partners Publishing house, 1994, p. 95.

IV. Narration or story (exercises for the development of coherent speech of students).

V. Expressive reading (development of students' ability to clearly read prose or lyrical texts).

VI. Listening to author's or actor's readings (i.e. teaching expressive reading by example).

VII. Discussion of expressive reading of the actor or student (development of the ability to comment on the reading of the text).

VIII. The final word of the teacher (briefly draw a conclusion).

Some elements of speech development lessons are used in the analysis of a literary work. For example: the scheme of the lesson of a literary work analysis with elements of speech development.

Lesson 1. Introductory lesson.

I. The opening speech of a teacher.

II. Conversation or dialogue with students.

III. Retelling of previous tasks.

IV. Explanation of unintelligible words, interpretation.

Lesson 2. Reading and analysis of a literary work.

I. Expressive reading of the text.

II. Drawing up a plan.

III. Different types of transfers.

IV. Oral and written answers to questions.

V. Work on the text of a literary work (to find out the point of view, visual means of expression).

Lesson 3. Conclusion.

I. Generalizing word of the teacher.

II. Answers to specific questions.

III. Composition.

IV. Creative experiences of students.

In speech development lessons, students gain not only certain skills, but also certain type of knowledge: composition theory; literary theory (figurative means and compositions of speech); lexicology (synonyms, antonyms, paronyms); phraseology.

The school program allocates special hours for this work, the program includes a system of knowledge and skills for speech development.

In the middle forms, in the process of analyzing literary works, students perform special exercises to develop culture of oral speech.

System of tasks on development of	
Oral speech	**Written speech**
5 form 1. Expressive reading (practice expressive reading based on composition). 2. Reading by heart (based on samples). 3. Stories about the life of the writer. 4. Detailed translation (on the example of literary texts). 5. Transfer with a change of identity of the narrator. 6. Selection and description of paintings in the read work (based on works on the description of nature. 7. Answers to questions on text analysis. **6 form** 1. Expressive reading. 2. Reading by heart. 3. Stories about the life of the writer. 4. Translation of the text with detailed citation 5. Stories about the life of the character according to a collective plan. 6. Answers to questions. 7. Characteristics of the character. 8. Oral report on books read at home (at the beginning of the school year, the teacher gives a list of texts that students must read independently). **7 form** 1. Expressive reading. 2. Stories about the life of the writer. 3. Retelling the text. 4. Creative investigation. 5. Stories about the life of the character. 6. Answers to questions. 7. Characteristics of the character	**5 form** 1. Detailed presentation of small works or excerpts. 2. Summary (based on works). 3. Drawing up a plan of the composition and the passage. 4. Written answer to the question. 5. Composition-description of a collective plan. 6. Writing a small work in the genre of description (from personal impressions). 7. Making a written story based on the picture, the illustration. **6 form** 1. Detailed statement. 2. Summary. 3. Writing a screenplay based on short stories. 4. Drawing up a plan of a work or passage (complex plan). 5. Answer the question. 6. The work-characteristic according to the collectively made plan. 7. Description of personal impressions. 8. Composing a story based on a picture **7 form** 1. Detailed statement. 2. Writing a screenplay. 3. Drawing up a plan of the work. 4. Answers to questions. 5. Work-characteristic according to the independently made plan. 6. Description of personal impressions. 7. Composing stories based on the picture and on a particular topic.

according to his own plan. 8. Report on the book for home reading (the content and evaluation of the book must be provided).	

Thus, one of the main skills in the formation of a certain competence at the lessons of foreign literature at school, we consider oral speech.

Speech development work is a purposeful and organized process of enriching children's vocabulary.

Work on speech development is based on certain principles, the main of which, in our opinion, is the principle of interconnection of language development and deepening students' knowledge of literature and improving analytical skills and the principle of practical orientation of speech development.

In addition to the lessons devoted to the development of language activities, in school practice there are special lessons for the development of oral and written speech. The school program allocates special hours for this work; the program includes a system of knowledge and skills for speech development.

In the middle grades, in the process of analyzing literary works, students perform special exercises in the culture of oral speech.

In the work on the development of students' speech in connection with the study of literature, it is necessary to combine three approaches:

1. Psycholinguistic, based on the theory of language activity.
2. Linguistic-didactic, which explores the patterns of learning native and foreign languages.
3. Methodical-literary, which takes into account the possibilities of fiction, literary studies, criticism and theory of oratory.

Achieving the greatest effectiveness of work on the development of students' speech contributes to its implementation in communicative activities, so the theory and practice of language development included the psycholinguistic term "language activity", which means a system of language actions characterized by unity of communication, thinking and speech expression. T. Ladyzhenska[9] defined the correlation of the concepts of language activity very precisely, claiming that language acquires certain functions, being included in language activity with different tasks it

[9] T.A. Ladyzhenskaya, *Oral speech as the means and the subject of teaching*, Moscow: Flinta, 1998, p. 89.

becomes a means of communication only in the context of speaking activities.

Linguodidactic approach orients teachers and students to the formation of skills to purposefully build language works that have certain stylistic features and significant effectiveness. Such skills are considered higher by domestic and foreign language teachers and for their development and improvement offer the following groups of exercises, the implementation of which is well consistent with the specifics of literature as a subject and help increase language and literary creativity of students.

1. Exercises to implement the role principle of speech development.
2. Exercises with elements of development of productive speech artistry.
3. Development of skills of art criticism.
4. Development of skills of aesthetic analysis of the text.
5. Exercises to involve students in the research procedure when working with the text, for example, creating directorial remarks, exercises such as "find pieces of text that should be read in the same voice", etc.

The activity approach to the development of students' speech in the process of studying literature is specified in the following principles of improving language activities: the interaction of moral education, intellectual, artistic, aesthetic and language development of students in the process of understanding literature; organic interrelation of work on speech development with all components of literature classes, which provides both the improvement of students' language activities and the deepening of their perception of literary material; a variety of methodological forms and techniques that stimulate creative language activities of students on the material of literature classes; compliance with the continuity of the content and types of language activities of students carried out in primary, secondary and senior classes; practical orientation of work on the development of students' speech and bringing it closer to real life situations and some art forms; systematic nature of work to improve students' speech; taking into account interdisciplinary links of literature, language, history and other subjects in the process of organizing language activities of students.

The methodology of teaching literature puts forward the following areas as the main targets of work on the development of students' speech, provided that the approach is implemented:

1. Vocabulary and phraseological analysis of the text of the work of art and literary-critical materials.

2. Teaching students different types and genres of monologue expressions on literary topics from textual translations to individual creative expressions.

3. Organization of language activities of students in the process of dialogic communication.

4. Creating language situations that stimulate the development of students' speech on an activity basis.

5. Intensification of interdisciplinary interactions in literature lessons in the aspect of language activity.

As a result of systematic work on the formation and development of language activities in literature lessons in cooperation with the study of language and other humanities such methodologists as O. Isayeva[10], Yu. Sultanov[11] put forward the following criteria for language development, which students achieve in the period from V to VII forms. These include:

1. Using active vocabulary that characterizes the spiritual world of the writer and character of a literary work, moral and psychological characteristics of the human personality.

2. Using socio-philosophical and scientific terminology, its use in characterizing the era, worldview and creativity of the writer.

3. Using theoretical-literary and art terminology, its implementation in the process of analysis of literary text and various statements of literary and literary-critical nature.

4. Using pictorial and expressive means of speech, including proverbs, sayings, aphorisms, their use in contextual speech of different levels.

5. Understanding the features of the type and genre of expression in accordance with its purpose, the situation of communication and the ability to practically own it (analytical translation, artistic translation, answer, message, report, artistic and biographical story, word about the writer, etc.).

6. The content of the statement.

7. Clarity, logic, harmony of the composition of the statement.

8. Mastering the techniques of communication with listeners during the performance.

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[10] O.O. Isaieva, *Organization and development of reading activity of school-children while learning foreign literature: Teacher's book*. Kyiv: Lenvit, 2000, p. 13.

[11] Yu.I. Sultanov, *Foreign literature lesson: problems, experience, perspectives*. World literature at middle schools of Ukraine, Kyiv, 2000, vol. 12, pp. 5-6.

9. Conducting a dialogue on literary topics.

10. Independence in the preparation of the speech.

11. Using features of this or that language style according to a certain genre of expression and a communication situation.

Based on these criteria of language development for students of each "language age" we develop our own criteria and levels that serve as guidelines for the organization of language activities in the study of literature.

Conclusion

Thus, in the work on the development of students' speech in connection with the study of literature, it is necessary to combine three approaches: psycholinguistic, based on the theory of language activity; linguodidactic, which studies the patterns of teaching native and foreign languages and methodological and literary, which takes into account the possibilities of literary studies, criticism and theory of public speaking.

As a result of systematic work on the formation and development of language activities in literature lessons in cooperation with the study of language and other humanities, we have put forward a number of criteria for language development, which students achieve in the period from V to VII class. The main of them we consider the following: possession of active vocabulary that characterizes the spiritual world of the writer and character of a literary work, moral and psychological characteristics of the human personality; mastery of pictorial and expressive means of speech, including proverbs, sayings, aphorisms, their use in contextual speech of different levels and understanding of the type and genre of expression in accordance with its purpose, communication situation and ability to practically master it (analytical interpretation, artistic interpretation, answer, message, report, artistic and biographical story, a word about the writer, etc.).

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THE GOVERNMENT SECURITIES MARKET AND ITS ROLE IN FINANCING THE STATE BUDGET DEFICIT

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Abstract: *Over the years, countries around the world have faced the problem of finding sources to finance their budget deficits. Moreover, in the context of the growing budget deficit, caused by the unprecedented in the history of the world the COVID-19 pandemic, is increasingly attracting the attention of national and international policymakers. The purpose of the research is to show the importance of internal sources, like government securities, in financing the state budget deficit. Using the research methods as statistical, comparative, deduction, etc. were analysed the evolution of the government debt for different countries, particularly in the Republic of Moldova. The paper concludes that the developing of the government securities market is a complex process associated with the development of the financial market of each country. Thus, there are highlighted the ways of the development government securities market, in order to provide the needs financing of the state budget balance (deficit) at an acceptable level of expenditure on medium and long term to achieve economic growth.*

Keywords: *budget deficit, government securities, public debt, economic growth.*

Introduction

Hundreds of years ago, if not thousands the countries borrowed to protect their borders from invasions. We can consider the nineteenth century as a period of transition, when governments used borrowings besides financing wars, for building roads, railways, ports, and investing in education. In the twentieth century can be highlighted a sharp public debt growth due to multiple wars but also as a result of recessions, financial crises. The end of the last century can also be characterized by an increase in debt-to-GDP ratios not only as a consequence of wars or financial crises but also as a result of increasing expenditures for pensions, health care, and other social services. In the twenty first century, a new reason has emerged for governments to borrow – fighting with the COVID-19 pandemic, which as a consequence led for increasing in

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sovereign debt to finance the budget deficit.[1] The fall of 2020 was very sudden and profound compared to previous global crises. In half the time off during the global financial crises, the world production has almost declined about three times.

The COVID-19 pandemic has caused an unprecedented slowdown in global economic activity due to the cause quarantine, social distancing, travel restrictions, etc. Governments around the world, in the fight against the COVID-19 pandemic, are becoming more indebted, even exceeding the Second World War.[2] According to the Institute of International Finance in Q2 2021, the total global debt declined to $296 trillion.[3] Typically, government debt consists of two main types: debt securities and loans. The development of the domestic government securities market is an essential tool in diminishing the foreign exchange risk. The debt security market is a reliable source of financing budget deficit, and includes many other positive effects. A well-regulated, predictable, reliable, and liquid market can play a critical role in supporting economic growth. That is why in many developing countries the development of the domestic bond market has become the top priority. When we analyse the debt, it is important to distinguish between public sector debt, general government debt, central government debt, and sovereign debt, because they are often used as the same sense, but in reality do not represent the same thing. Although government debt, public debt, and the national debt is called sovereign debt.[4]

The study contributes to the literature in many aspects: it is provided a comprehensive view of public debt around the world, the difference between domestic and external sources of financing budget deficit, and at the end it is highlighted what are the problems related to debt management and what are the ways for the development government securities market.

Literature review

A large budget deficit can cause an increase in the inflation rate, difficulties in repaying back debts but also other undesirable phenomena that negatively influences the process of macroeconomic stabilization and economic progress. The classical school of finance considers that the

[1] Olesea Speian, *The historical evolution of the government securities market in the Republic of Moldova*, Svishtov, Tsenov Academic Publishing House, 2021, Vol. I, pp. 378-385.

[2] https://www.bloomberg.com/graphics/2021-coronavirus-global-debt/

[3] https://www.iif.com/Research/Capital-Flows-and-Debt/Global-Debt-Monitor/

[4] https://www.investopedia.com/terms/s/sovereign-debt.asp

budget deficit has a negative impact on the economy and it is as a danger for the government and it contributes to maintaining inflation because the government makes large expenditures putting in circulation additional sources without appearing goods and services on the market.[5]

High sovereign debt, as debt to GDP, contributes to the increase in aggregate demand in the short term and at the reduction of private capital expenditures.[6] According to the Ghudik et al. the relationship between sovereign debt and economic growth is influenced by the quality of institutions, the degree of financial deepening, historical debt, and political stability.[7] In comparison with the global standards the result, for example, 56% debt to GDP for developed countries seems to be modest but for developing countries, it is high.[8] For instance, Japan's public debt currently exceeds 200% of GDP and the inflation rate is around zero.[9] With high government debt outstanding existing in many countries, Bianchi et al. recommended that fiscal policy should adopt an emergency budget with a debt to GDP ratio ceiling.[10]

Sources for financing government deficits depend on the internal policy of the countries. They can borrow from external or domestic sources. External financing is more attractive than internal because of lower interest rates but implies currency risk, in the case of a flexible exchange rate regime. The governments can also borrow from domestic sources, even the costs are higher but the dependency is less on external partners. External debt involves transferring resources into the economy from abroad, which can help at achieving the consumption smoothing on the business cycle but domestic borrowing does not bring in additional resources.[11]

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[5] R. Cernit, *The management of the state's financial resources through the treasury system* (Ph.D. Thesis), Chisinau, Academy of Economic Studies of Moldova, 2017, p. 22.

[6] M. Eberhardt, A.F. Presbitero, *Public debt and growth: Heterogeneity and non-linearity*, Journal of International Economics, 97(1), 2015, pp. 45-58.

[7] A. Chudik, K. Mohades, M.H. Pesaran, M. RAISSI, *Is there a debt-threshold effect on output growth?* The Review of Economics and Statistics, 99(1), 2017, pp.135-150.

[8] S. Chikalipah, *Sovereign debt and growth in Zambia: determining the tipping point,* Social Sciences & Humanities Open, No. 4, 2021, pp. 2-10.

[9] D. Ehnts, M. Paetz, *COVID 19 and its economic consequences for the Euro Area*. Eurasia Business and Economics Society, No. 11, 2021, pp. 227–249.

[10] F. Bianchi, R. Faccini, L. Melosi, *Monetary and Fiscal Policies in Times of Large Debt: Unity is Strength*, National Bureau of Economic Research Working Paper, No. 27112, 2021, p. 5.

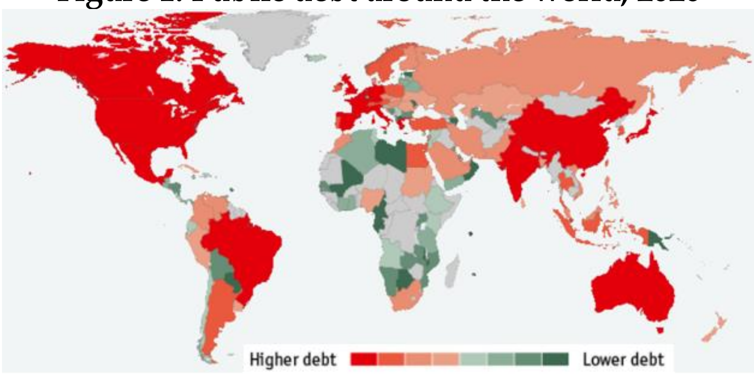
[11] W. Paczos, K. Shakhnov, *Defaulting on Covid Debt: Foreign or Domestic?* Covid Economics, No. 45, 2020, pp. 167-178.

The larger is the budget deficit, the greater are the needs for financing this and as a result, the sovereign debt is increasing. There are different views about budget deficit and economic growth. According to Keynesian, there is a positive relationship between the budget deficit and economic growth, while neo-classical views consider that there is a negative relationship between budget deficit and economic growth, and Recardian theory says that there is a neutral relationship between budget deficit and economic growth.[12] It is gratifying that according to the IMF projection, the global economy will grow 4.9 percent in 2022.[13]

Sovereign debt around the world

The COVID-19 pandemic affected the economic output and government expenditure. The lockdowns have reduced economic activities and as a result, the budget deficits have increased. The governments have to find out ways for financing these unexpected deficits. Of course, they can increase the level of debt, but they must take into account its sustainability. The global map of public debt looks as follows:

Figure 1. Public debt around the world, 2020



Source: The Economist[14]

According to Figure 1, can be mentioned that developed countries have a higher levels of debt. The theory says that governments should borrow to smooth national consumption or to invest in a project that could

[12] F. Ahmad, R. Benazir, *The Relationship between Budget Deficit and Economic Growth: A Study on Bangladesh*, ASA University Review, No. 2, Vol. 11, 2017, p. 2.

[13] https://www.imf.org/en/Publications/WEO/Issues/2021/07/27/world-economic-outlook-update-july-2021

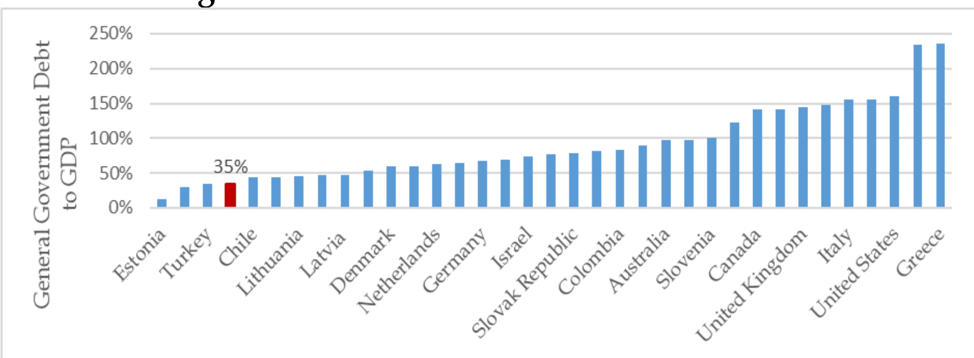
[14] https://www.economist.com/content/global_debt_clock

not be financed by their own sources.[15] It does not mean that countries borrow only for financing budget deficit but also for financing different projects to increase the quality of life.

Countries around the world were put in the situation to borrow more to finance the budget deficit, which was affected by the pandemic crisis. According to Bloomberg, the world's debt is to reach the level of 281 trillion USD at the end of 2021.

In 2020 new need for government borrowing appeared – financing budget deficit caused by the unprecedented COVID-19 pandemic. As a result, the size of the ratio of General Government Debt to GDP increased in 2020:

Figure 2. General Government Debt to GDP



Source: own elaboration based on World Bank data[16]

Figure 2 shows that Japan and Greece have the highest General Government Debt to GDP ratio, above 200%. Although Japan has the largest public debt in the world, it has avoided the kind of economic problems that affect nations like Greece or Portugal, as the unemployment rate is low and the population is the main buyer of government securities. Though, the majority of economists do not expect that Greece will be caught in the medium-term in a financial crisis similar to the one from 2010.[17]

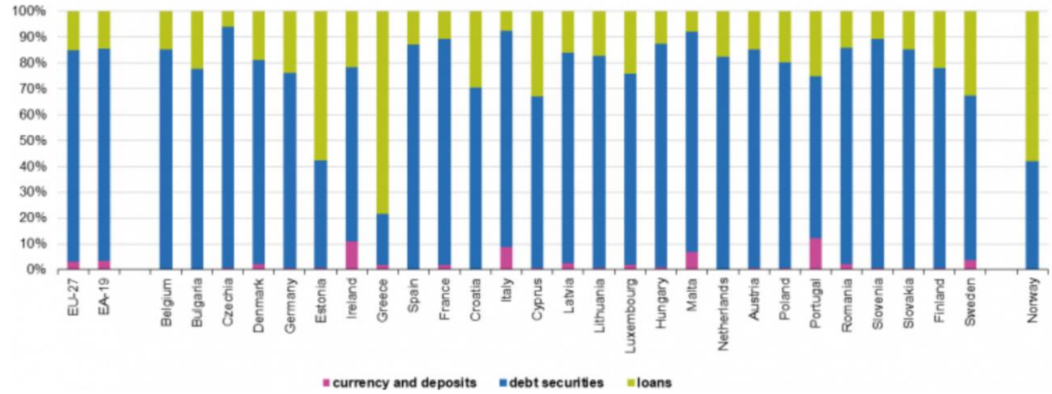
Once again, it is good to mention that public debt is not always a bad think if it is managed in the right way and there is a good management of public finance. For achieving the targets, the governments have to design

[15] A. Janelle, *Developing Country Borrowing and Debt*, Texas, Tech University, 2011, p. 5.
[16] https://data.worldbank.org/indicator/GC.DOD.TOTL.GD.ZS
[17] https://greekreporter.com/2021/06/30/greece-third-highest-debt-gdp-ratio/

the policies in such a way, to exist the interdependency between fiscal policy and public financial management.

As usually, in the composition of General Government Debt predominate debt securities:

Figure 3. Composition of General Government debt by instrument, 2020



Source: Eorostat[18]

As it is shown in Figure 3 the most countries have a big share of debt securities in the General Government debt at the end of 2020. The General Government debt was made preponderant of debt securities, except Greece, Estonia, and Norway, which registered high shares of loans. For the European Union, 81.8% of the General Government debt was made up by debt securities, 15.1% was made up by loans, and 3.2% by currency and deposits.

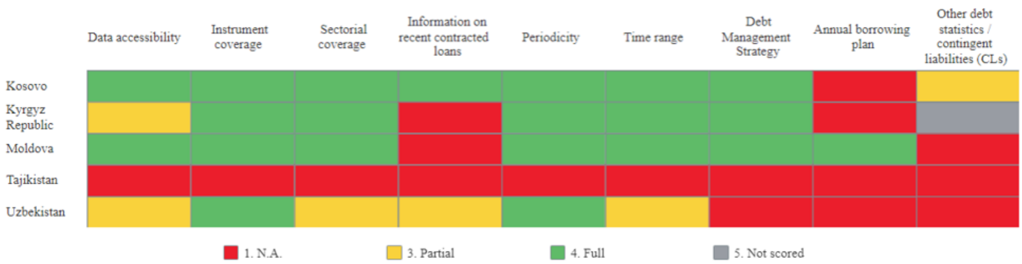
For financing the government deficit, it is necessary to analyse different options. The main objective of public debt management is to cover budget financing needs at minimum cost in the medium and long term taking into account all related risks. That is why the World Bank and IMF have developed The Medium-Term Debt Management Strategy (MTDS) framework for guiding debt management decisions. Using MTDS Analytical Tool governments manage the risk exposures arising from debt portfolio, analysing different scenarios for reducing macro-financial risks and contributing to the development of the government securities market. About 68 countries around the world have published their Medium-Term Debt Management Strategies.[19]

[18] https://ec.europa.eu/eurostat/databrowser/view/gov_10dd_ggd/default/table?lang=en (gov_10dd_ggd)

[19] https://www.worldbank.org/en/programs/debt-toolkit/mtds

The publication of MTDS is assessed as part of the Debt Reporting Heat Map:

Figure 4. Debt Reporting Heat Map, Europe, and Central Asia, 2020



Source: World Bank[20]

As we can mention, the Debt Reporting Heat Map is very representative and easily can be seen what kind of information is provided by each country. It is mentioned that the Republic of Moldova does not publish only two types of information: recently contracted loans and other debt statistics/contingent liabilities.

Government Securities market in the Republic of Moldova

In the Republic of Moldova, the government securities market was set up in 1995. Since then, the Ministry of Finance, as the issuer of government securities, in cooperation with the National Bank of Moldova, as the fiscal agent of the state, has undertaken several measures to develop a modern financial market:[21]

- the organization of the primary market of the government securities on the principles of major transparency and fair competition;

- the creation of the primary dealer system for buying government securities in the own name and for its account or in the own name and for the account of its clients;

- the ensuring a high level of security and safety for the government securities, etc.

The development of the domestic government securities market is a long-term strategic objective of the Ministry of Finance, provided annually

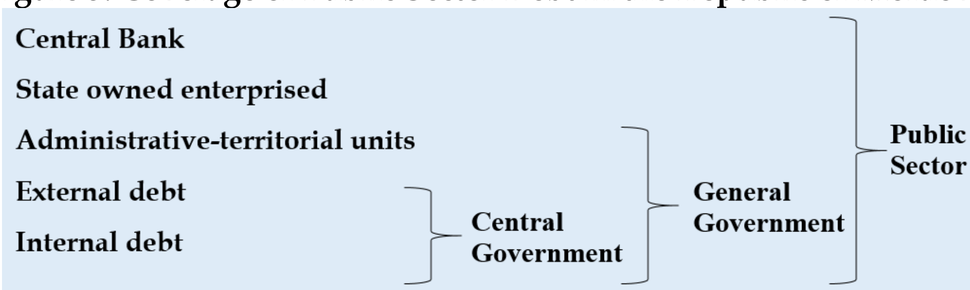
[20] https://www.worldbank.org/en/topic/debt/brief/debt-transparency-

[21] https://mf.gov.md/en/datoria-sectorului-public/pia%C8%9Ba-primar%C4%83-a-vms

in The Medium-Term Debt Management Program.[22] Thus, to develop the government securities market, a lot of measures have been taken. A major step was the elaboration of new Regulation on Placement, Transaction, and Redemption of Government Securities in Book-Entry Form, approved by the Executive Board of the National Bank of Moldova no.170/2018 and the Order of the Minister of Finance no.129/2018. At the elaboration of this Regulation were taken into account the recommendations of the international experts within the technical assistance of the European Union for the improvement of the public finance management in the Republic of Moldova.

Schematic, the coverage of Public Sector Debt in the Republic of Moldova can be presented as follows:

Figure 5. Coverage of Public Sector Debt in the Republic of Moldova



Source: own elaboration

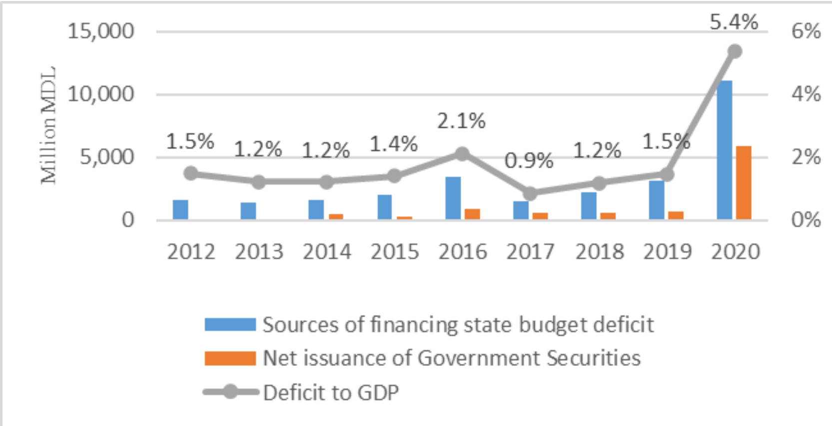
Central Government Debt is the main share of the Public Sector. In 2020 it was 93% of Public Sector Debt.

The Central Government debt includes the current and due pecuniary contractual obligations of the state, and the due and unpaid interest, arising from the quality of the debtor or guarantor state, being contracted, on behalf of the Republic of Moldova, by the Government, through the Ministry of Finance, in national or foreign currency.

During the last years, state budget deficit to GDP has ranged from 0,9% to 1,5%, except for the year 2020, when was 5,4%, as a consequence of the COVID-19 pandemic:

[22] https://mf.gov.md/ro/datoria-sectorului-public/programe-pe-termen-mediu

Figure 6. The sources of financing state budget deficit, Republic of Moldova



Source: own elaboration based on Court of Accounts of the Republic of Moldova[23]

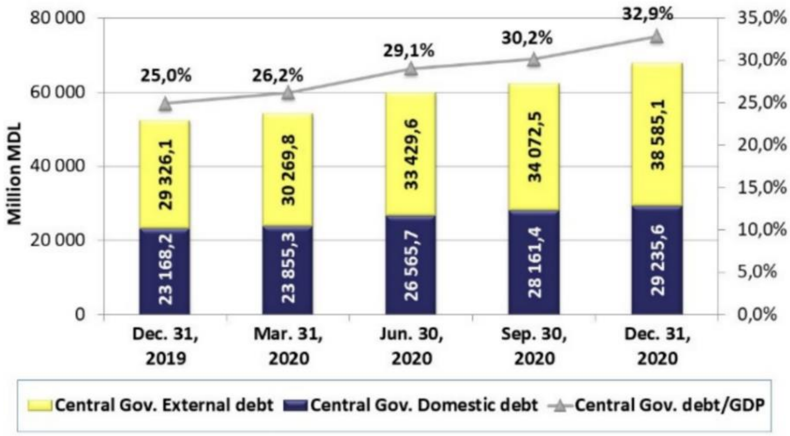
As we can mention in Figure 6, the share of the government securities in the total sources of the financial state budget deficit is increasing. For the period 2012-2013, the amount of net issuance of the government securities was not significant, around 540 – 648 thousand MDL. The Ministry of Finance for financing state budget deficit is issuing on the primary market two types of government securities:

- Treasury bills – with the maturity of up to one year;
- Government Bonds – with the maturity of one year and more. The government bonds are with fixed and floating rate (2 years), and fixed rates (3, 5, and 7 years). As we can see, the highest maturity of the government bond is up to 7 years, that implies the high level of rollover risk.

In 2020 the share of the Central Government Domestic Debt in total Government Debt is increased up to 44%:

[23] https://www.ccrm.md/en/decisions

Figure 7. Central Government Debt Outstanding



Source: Ministry of Finance of the Republic of Moldova[24]

As it is shown in Figure 7 the issue volume of the government securities market is increasing. The development of the government securities market is a long-term strategic objective of the Ministry of Finance, provided annually in the MTDS. On this line, a lot of actions are undertaken: the transparency of the government securities auctions, liability debt management operations, strengthening communication with market participants, evaluation of the primary dealers' activity, expanding the maturity of the government securities portfolio, etc. Therefore, the development of the domestic government securities market remains a priority for debt managers is to provide for the needs financing of the state budget balance (deficit) at an acceptable level of expenditure on medium and long term, provided that the risks involved are limited.

Conclusion

The government securities market plays an important role in financing budget deficits. The creation and development of the domestic government securities market is a long and complex process that requires certain key preconditions. Many factors can inhibit the development of the domestic market, such as macroeconomic or political instability, low levels of savings, financial controls, the unpredictability of the issuance policy, and the lack of developed infrastructure.

[24] https://mf.gov.md/sites/default/files/Monthly%20bulletin%20December%2020 20.pdf

Could be mentioned the following preconditions for the development of the government securities market:

- The credibility of the government as an issuer of government securities. The governments should have a secure political environment. The legal framework should be transparent, without any gaps. Investors and primary dealers need the protection of their rights, transactions with government securities have to be transparent, the fair tax system and the security that they will receive the invested amount at maturity plus interest. Uncertainties about macroeconomic conditions, especially the level of the inflation rate, will influence the extension of the maturity of the yield curve. If the inflation rate is increasing then respectively the interest rates will be high, and investors will focus on investments in government securities with short term maturity. That is why it is important that Central Bank to maintain the inflation target.
- The government's commitment to debt service. Even in the legal framework, it is mentioned that debt service is a priority as against expenses for salaries, scholarships, pensions, etc.
- Transparency for the debt management strategy (MTDS). If the government elaborates and publishes MTDS, then investors can analyse the debt management objectives, risk indicators, the evolution of the public debt portfolio. At the same time, it is desirable to publish the annual borrowing plan, where investors can get acquainted with the annual issuance calendar for government securities.
- Developing secondary market of the government securities. Building the secondary market has proven to be a real challenge for many countries. Usually, the performance of the primary market is higher than the secondary market, which in most cases is illiquid one. Many investors prefer to hold their securities until maturity.
- Diversified investors based.[25] The primary dealers are the major investors in government securities. Institutional investors such as pension funds, insurance companies, and mutual funds will provide a natural market for medium and longer-term government debt. However, to diversify the investor base and for the purpose of the financial education of the population, it is recommended to develop retail market.
- Sound banking system. An undeveloped banking system will negatively influence the development of the government securities

[25] O. Speian, *The role of the secondary market in the development of the government securities*, Iasi, Performantica, 2021, Vol. XL, pp. 447-454.

market. That is why it is important for the banking system to be subject of prudential regulations, to meet high international standards.

- Developed infrastructure. There is no need for complicated technical infrastructure, but for a secure one. As transaction numbers and participants are increasing, a more efficient system for the registration, custody, clearance, settlement, and payment for debt instruments must be established to support further market development.

The potential obstacles that would hold back the development of domestic bond market depend largely on the general level of the development of the country. The quantification of previous results for each type of risks such as macroeconomic risks (e.g., from terms-of-trade, growth, exchange, and interest rates); contingent obligations (e.g., government guarantees); public-private partnerships and state owned enterprises; implicit risks; risks related to natural disasters provides background to policies aimed to mitigate such risks in future. For the construction of a developed and liquid market, each country must develop its appropriate reform plan that would suit itself.

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SUPERVISOR AND SUPERVISEE RELATIONSHIP: THE LEGAL AND ETHICAL ISSUES CONCERNING ACADEMIC THEFT IN NIGERIA TERTIARY INSTITUTION

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Abstract: *Scholars have rated academic research as an engine room for nation-building and development. However, research writing for publications has become a prerequisite in appraising and promoting academia in Nigeria higher institutions. Unfortunately, given the sheer desperation of most academia to meet up with publishing researchable articles for promotion, it has degenerated to a sharp and unwholesome practice of academia publishing their supervised student's research project alone or as the first author. In this regard, this study adopts a hybrid method in ascertaining the rate of academic theft of supervisee research project by a supervisor and its legal implications in Nigeria. An online survey questionnaire was sent to 219 respondents (randomly selected under-graduate to post-graduate students) who reside in Nigeria. The data obtained was analysed via a descriptive and analytical method. The study found that there are incidences of supervisors publishing a supervised student's research project alone or as*

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first author, despite the fact that there are international and national laws that condemn academic copyright theft. Therefore, the study concludes and recommends that the management of higher institutions in Nigeria should prohibit and prosecute academia indulging in publishing student's research project alone or as a first author via policy and the available legal framework.

Keyword: *Legal, Copyrights-Act, Academic-Theft, Berne Convention, WIPO Treaty, Nigeria*

1.0. Introduction

Research project writing is one of the fundamental requirements students in a higher institution must fulfill before graduating from or being awarded an academic degree in any course of study in Nigeria[1]. This condition is an old tradition established by the regulatory bodies for students who desire to acquire a first or second degree in any course of study in the country[2]. Research project writing often aims to find a solution to a specified problem, using acceptable guidelines and formats, which largely depend on the particular discipline, level of study, and institution[3].

Essentially, while carrying out this exercise, the students are expected to work independently. But in some cases, they are shared into small units or groups for the execution of a particular project due to the complexity or financial involvement of the project[4]. In any case, the project students are usually assigned to a lecturer for close supervision throughout the exercise to offer guidance, mentorship and eventually give scores to the student based on the outcome of the research project[5]. Sometimes, where there is doubt about the accuracy of the assessment given by the supervisor,

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[1] J. Idiegbeyan-ose, C. Nkiko, and I. Osinulu, 'Awareness and Perception of Plagiarism of Postgraduate Students in Selected Universities in Ogun State, Nigeria', *Library Philosophy and Practice (e-journal)*, 2016, pp. 1-25.

[2] Ibid

[3] A. Maina, M. Maina, and S. Jauros, 'Plagiarism: a Perspective from a case of a Northern Nigeria University', *International Journal of Information Research and Review* 24 Vol. 1 no. 12, 2014, pp. 225-230.

[4] E. Adeniyi, and S. Taiwo, 'A Study of Incidence and Prevalence of Academic Dishonesty among Nigerian College of Education Students'. *European Journal of Humanities and Social Sciences* Vol 4 no. 2, 2014, pp. 45-76.

[5] U. Chukwuemeka, F. Gbenga, N. Sunday, and E. Ndidiamaka, 'Academic dishonesty among Nigeria pharmacy students: A comparison with United Kingdom'. *African Journal of Pharmacy and Pharmacology*, 2013, pp. 34-56.

perhaps based on victimization of the student or undue favour to the student, an external supervisor may be invited to provide an independent assessment of the work[6]. Thus, in this arrangement, a unique relationship between the supervisor (lecturer) and the supervisee (student) is established. The supervisor plays a crucial role in mentorship, with an overwhelming influence on the student.

However, since the turn of the 21st century, publications in a credible and highly rated journal have become a major criterion for the appraisal and promotion of academics in various higher institutions, including Nigeria[7]. Unfortunately, this requirement has given rise to numerous unwholesome practices such as plagiarism and copyright infringement among project supervisors.

In the quest for more academic publications by university lecturers, some have likened the relationship between a supervisor (lecturer in an institution) and a student to a master and servant relationship[8]. It is against this unchecked highhanded of some project supervisors in Nigeria higher institutions. Some project supervisors have been emboldened to shamelessly steal part or the whole dissertation belonging to the student just to publish the same product of their study. Others perceive it to be less dignifying pressure the student to process their dissertation to a publishable manuscript for them either alone or with the student with the lecturer name coming first, as the lead author. Apparently, these practices by supervisors are unethical and unlawful as it infringes on the intellectual rights of the students. This position is uncontrovertibly true, considering the amount of time, ingenuity, and effort put into the work by the students. A student project research study, in actual consideration, ought to be the student intellectual property as the student-authored the research project[9].

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[6] O. Aluede, E.O. Omoregie, and G.I. Osa-Edoh, 'Academic Dishonesty as a Contemporary Problem in Higher Education: How Academic Advisers can Help'. *Reading Improvement* Vol. 43 no. 2, 2006 pp. 97-106.

[7] E.M. Malachy, O.G. Chekwubechukwu, and F. O. Nwobi, 'The Contributions of Impact Factor Publication Policy to Academic Development in Nigeria Higher Institutions of Learning: A Critical Evaluation', *International Journal of Research*, Vol. 6 No. 11, 2018 pp. 398-408.

[8] J. Aina, Ab. A. Opeyemi, S.S. Olanipekun, O. Tayo, 'Nigerian Higher Education Research and the Challenges of Sustainable Development', *American Journal of Creative Education,* Vol. 4 no. 1;2021, pp. 1-9.

[9] E. Owushi 'Protecting Copyright Owners in Nigeria: A Panacea for Intellectual Development', *International Journal of Knowledge Content Development & Technology*, Vol.

Given the above, this study tends to embark on a doctrinal and non-doctrinal method to ascertain the level of academic theft students project research writing by some supervising academia in Nigeria Institution. In addition, the study will also examine the international and Nigerian local legal framework concerning academic theft of copyright and further proffer possible solutions.

2.0. Methodology

The study adopts a hybrid method of research which includes a doctrinal and non-doctrinal research method. The essence of the doctrinal is to enable the researchers to identify and critically examine relevant international treaties or convents and Nigeria's local legal framework that regulates copyright and academic theft.

The non-doctrinal methods enable the researcher to collate extensive data using online questionnaire surveys (Google form). The study further adopts an analytical and descriptive approach in statistically, numerically, and mathematically analysing the data obtained via the online questionnaire. The essence of non-doctrinal research is to ascertain the extent to which the respondents are aware of academic theft and the incidence of a supervisor publishing a supervisee thesis or dissertation in Nigeria.

3.0. The Trending of Academic Theft between a Supervisor and a Supervisee in Nigeria Tertiary Institution.

Since the turn of the 21st century, publications in a credible and highly rated journal have become a major criterion for the appraisal and promotion of academics in various higher institutions, including Nigeria[10]. Unfortunately, this requirement has given rise to numerous unwholesome practices such as plagiarism and copyright infringement among project supervisors. According to C.C. Aguolu *et al.*[11], a study investigating the issue of copyright violations concerning literary work reveals blatant

10, no. 1, 2020, pp. 21-34; P. Egielewa and P.A. Aidonojie, 'Media and Law: An Assessment of the Effectiveness of the Freedom of Information Act by Journalists in Nigeria using Auchi, Edo State as a Case Study', *International Journal of Current Research in Humanities*, Vol. 25, 2021, pp. 415-434.

[10] *Op.cit.*, note 7.

[11] C.C. Aguolu, I.E. Aguolu, and A.S. Potiskum, 'Publishing and Copyright Protection in Nigeria: The Awareness Factor', *Education Libraries Journal (ISSN 0957 9575)* Vol. 43, no., 2000, pp. 1-25.

abuse of copyright in large-scale copying and reprinting of text by various groups, including lecturers of tertiary institutions. The issue of plagiarism is not only among lecturers but students as well. While commenting on this issue, Prof. Peter Okebukola, a former Executive Secretary of the National Universities Commission (NUC), called it another form of "academic corruption."

Currently, there is an emerging trend among project supervisors in the higher institution whereby project supervisor adopts the project thesis or dissertation presented by their student in fulfillment of their requirements for Bachelors or Doctoral degrees with minor or no modification for publication to increase the numbers of their publications. Academic research among scholars has been noted as the engine room for nation-building. Sadly, very few are desirous of building the nation with their research. Often time, it is for the promotional requirement attached. Stakeholders in the past had decried the lack of funds for researchers. However, it has been reported that some lecturers who are able to secure a grant for research purposes divert the money to other personal uses such as the purchase of cars and new houses, including other frivolous activities that have no bearing to the purpose for which it was given[12].

Also, there has been a contemptible situation in recent times where lecturers solicit research papers from their students, others in sheer desperation, request their project students to publish a completed research project in a reputable journal with their names coming first as the lead author. Again, just to meet up with the urgent promotional requirement. No doubt, it's pure mental laziness on the part of the lecturer. It must be noted that there is nothing immoral or unethical for a lecturer to collaborate with his student to engage in a ground-breaking research exercise to grow and improve knowledge. However, what is wrong is taking undue advantage of the privileged teacher-student relationship to exploit and infringe on the intellectual rights of the student.

4.0. Incidence of Nigeria Tertiary Institutions Lecturer Plagiarism

Plagiarism is a menace most prominent among academics. It ranges from the simple uplifting of someone else's words or idea without giving proper acknowledgment to the source or copying an entire article from another person from a distance jurisdiction and present same it as a

[12] N.J. Ogunode and A. Musa, 'Higher Education in Nigeria: Challenges and the ways forward', *Electronic Research Journal of Behavioural Sciences*, Vol. 3, 2020, pp. 90-109.

product of one's research to obtain promotion. The erudite scholar and former National Universities Commission's Boss, Prof. Peter Okebukola, expressed worry over the rising cases of plagiarism in Nigeria's tertiary institutions. According to him, plagiarism means copying somebody without attributing it to someone. He also gave a scenario where students and lecturers copy the contents in Wikipedia and paste them as if they are the author. This ugly trend has no doubt reached a crescendo, a fact which the authorities cannot dispute.

In 2013, two lecturers from the Department of Chemistry of the Federal University of Technology (FUNNAB), Abeokuta, Ogun State, were relieved of their appointment based on the allegation of plagiarism. These two lecturers were demoted from lecturer I to lecturer II based on the allegation of plagiarism[13]. However, in 2017, the National Industrial Court presided over by Justice J.D. Peters, reinstated the two sacked lecturers of FUNAAB, in reinstating the lecturers to their offices in the University, the Court stated that the process adopted by the school was contrary to section 18 of the Federal University of Agriculture Act[14], which stipulates the procedure for Workers discipline and therefore, was in breach of the principle of natural justice and fair hearing. Consequently, the dismissal was declared null and void. In this regard, their reinstatement was because they were found guilty of the act of plagiarism, but because the procedure for dismissal was not duly adhered to by the institution.

Similarly, in March 2013, four lecturers were reportedly sacked by the University of Calabar for plagiarism. The dismissed staff were from the English and Literary Studies department, department of Marketing, and the Department of Linguistics and Communication Studies[15].

The Nigerian academic community received a shock in August 2017, when 17 lecturers from Delta State University (DELSU), Abraka, were reprimanded for plagiarism by the University Governing Council. This was based on the Senior Staff Disciplinary Committee (SSDC). Notable

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[13] D. Kayode-Adedeji 'Nigeria's Agriculture University, FUNAAB, sacks professor, two other lecturers for plagiarism'
https://www.premiumtimesng.com/news/135438-nigerias-agriculture-university-funaab-sacks-professor-two-other-lecturers-for-plagiarism.html accessed 6th January, 2022.

[14] Federal University of Agriculture Act, Cap. F22, Laws of the Federation of Nigeria 2004.

[15] A. Amoo '5 Times Nigerian Lecturers Sanctioned for Plagiarism'
https://educeleb.com/5-times-nigerian-lecturers-sanctioned-plagiarism/ accessed 6th January, 2022.

among the disciplined staff was the provost of the Oleh Campus of the University and the Department of Political Science. As part of his chastisement, he was barred from holding any position in the University for five years, beginning from November 2015[16].

The above could be said to the characterized incidence of plagiarism by some academia in Nigeria institution which most supervisee student has been suffering from. Although, most graduates who have had such encounters are often scared to lay their complaints, giving the fear of being victimized by the said perpetrator.

5.0. International Legal Framework Concerning Academic Theft

All over the world, intellectual theft is perceived as an actionable wrong and a grievous offence against an individual's right resulting from his intellectual activity. An intellectual property right is regarded as the legal right which may be asserted in respect of the product of the human intellect[17]. The protection of these rights is justified by various theories; prominent among them is the Lockean theory of labour. The Lockean theory of labour postulates that a person should be entitled to own the product of his intellect just as much as he or she might own a piece of furniture he or she has carved from a tree. In other words, "people have a right to enjoy the fruits of their labour, even where the labours are intellectual." Another emerging view of intellectual property protection is the "Development theory." The proponents of this theory view intellectual property protection as a means to the desirable end of socio-economic and technological development. This, perhaps, is the basis for its regulation in the international space by various international treaties and conventions. Notable among these Conventions are; The Berne Convention[18], The Rome Convention [19] , World Intellectual Property Organization (WIPO) Copyright Treaty 1996.

[16] I. Isangedighi, 'DELSU sanctions 15 lecturers for plagiarism' https://www.today.ng/news/nigeria/delsu-sanctions-15-lecturers-plagiarism-220687 accessed 6th January, 2022

[17] J. Phillips and A. Firth, *Introduction to Intellectual Property Law*, (4th Ed., London: Butterworth, 2001) 4.

[18] The Berne Convention for the Protection of Literary and Artistic Works 1886.

[19] The Rome Convention for the Protection of Performers, Phonogram Producers and Broadcasting Organizations 1961.

5.1 Berne Convention

The Berne Convention was initiated and adopted in 1886, revised in Paris in 1971, and amended in 1979. Currently, there are 179 contracting parties to the Convention, including Nigeria. Interestingly, Nigeria became a signatory in 1993 underclass VII membership. In a nutshell, the Convention seeks to protect the works and rights of authors in literary and artistic works and also to attribute to them the power to determine how the work will be used and by whom, provided it satisfies the three basic principles:

i. The work originates from any of the contracting member states, in this case, Nigeria;

ii. The author need not fulfill any formality for his work to be protected. In other words, the work is automatically protected upon creation;

iii. The protection given by a contracting state may be differed by the minimum provided by the convention.

An author in this regard is simply a person who creates literary, dramatic, musical, and artistic works. For this purpose, the students in Nigeria's institution could be rightly regarded as the author of their research project. In addition, the basis for awarding marks to the student in the project is that it was the student's original work and not a plagiarised work of another writer elsewhere, whether from offline or online materials or a previous project thesis written by another student. In this regard, once the work's originality is determined, the student could be awarded the appropriate marks. Therefore, under this convention, to use the research work or any part of it without the necessary permission/consent of the student amounts to an infringement. Unless the use of the research dissertation comes under any of the known exceptions in Article 10 to wit;

a. Lawful right of quotation;
b. Utilisation for teaching purposes;
c. The use of the Articles in Newspapers and periodical
d. The use of the works in reporting of current events
e. Reporting of lectures, addresses, and other similar works

5.2 Rome Convention

Just as its name suggests, the Rome Convention is an international convention for protecting performances of performers, phonograms producers, and broadcasts for the broadcasting organization. A total of 96 countries are parties to this convention, including Nigeria[20]. According to Article 3 of the Convention, a performer could be regarded as any of the following; actors, singers, musicians, dancers, and other persons who act, sing, deliver or otherwise perform literary or artistic work. On the other hand, Phonogram is defined as any exclusively aural fixation of sounds of a performance or other sounds.

The Convention provides minimum protection for performers, Producers of Phonograms, and broadcasting organizations, which are limited by specific exceptions equivalent to copyright.[21] To wit, private use; use of short excerpts in connection with the report of current events; ephemeral fixation by a broadcasting organization within its facility; and use solely for academic purposes for teaching or scientific research.[22]

The minimum duration of protection according to the Convention is 20 years from the end of the year in which: (a) the fixation was made in the case of Phonogram, (b) the performance took place in the case of performance, and (c) the broadcast took place- for broadcast.[23]

6.0 Nigeria Legal Framework Concerning Academic Theft

In response to the need to make provision for the protection as well as provision for a remedy for copyright infringement in literary and other auxiliary matters in Nigeria, the National Assembly, according to its powers in section 315 and item 13 of the second schedule of the exclusive list to the 1999 Constitution (as amended) of the federal republic of Nigeria[24], enacted the Copyright Act[25]. This legislature aimed to offer legal protection to authors of literary, musical, and artistic work in the country and encourage innovations in these areas, boosting the nation's social-economic development.

The Nigeria copyright legislation has its origin in the old English Copyright Act of 1911, which applied to the Protectorate of Northern and Southern Nigeria[26]. According to Adejoke O. Oyewunmi, the 1911 law

[20] WIPO

[21] Article 15 of the Rome Convention, 1961

[22] ibid

[23] Article 14 of Rome Convention, 1961

[24] Constitution of the Federal Republic of Nigeria (as amended 2010)

[25] Copyright Act Cap C28 Laws of the Federation of Nigeria (LFN) 2004

[26] O.O. Adejoke, *Nigeria law of intellectual property*, (university of Lagos press and bookshop limited, Lagos, 2018) p.24

itself evolved from the Statute of Anne of 1709, which is generally regarded as the first true Copyright law in the world.[27]

Copyright is one of the several rights protected under the broader heading of intellectual property. It is the owner's exclusive right over his intangible intellectual work to prohibit or authorise the use of an article in a particular way. In a nutshell, this right is vested on the creator of the work, and so he becomes the only qualified person to define the scope and manner of its usage. However, for any work to qualify for protection under the Act, the work must satisfy the four (4) conditions stated below.

6.1 Qualifications for Copyright Protection in Nigeria

Copyright in Nigeria is conferred on an individual who is a citizen of Nigeria or is domiciled in Nigeria. In the case of a corporate entity, it must be incorporated under the laws of Nigeria provided that the author or publisher engages in the creation of any of the specified subject matter contained in section 1(1) of the Copyright Act, such as literary works, musical works, artistic work, and cinematograph, etc. In addition, the author (as in the case of a student project research writing) must have expended sufficient energy in making the work to give it original character. Lastly, the work must have been expressed in a definite medium that can be perceived, reproduced, or communicated either directly or indirectly by using any machine or mechanical device. The above pre-conditions for copyright protection will now be considered concerning lecturer and student's project supervision.

6.1.1 Eligible Subject Matter for Copyright Protection

A cursory look at the opening paragraph of section 1(1) of the principal enactment under consideration will reveal that the category contained therein for copyright eligibility in Nigeria is exhaustive. However, for this study, our focus will be on "literary works," which appears in paragraph (a). The Act, rather than define the term, decided to provide an elaborate description of the items falling under this category. According to the Act[28], "literary works" includes; Novels, stories, and poetic works; plays, choreographic works; computer programmes, textbooks, treaties, histories, biographies, essay and articles, letters, reports and memoranda, lectures, addresses, and sermon, law reports,

[27] ibid

[28] Section 51 Copyright Act

excluding decisions of the courts; written tables or compilations. The idea of describing rather than defining to cover a wide area of works appears to align with other jurisdictions. According to Peterson J. in *University of London Press v University Tutorial Press*[29], 'literary work' was described as a work expressed in print or writing. Again, this wide description gives room for admitting other works into this category for legal protection. In this regard, it suffices to state that a student's project, thesis, or dissertation can be categorised as literary works capable of being protected by the Nigeria Copyrights Act.

6.1.2 Originality

It is instructive to note that once the subject matter is determined as falling within any of the above categories, another issue of concern will be to determine whether the particular work fulfills the requirement of originality as stipulated in section 1(2)(a) of the Copyright Act. According to Adejoke, in the realm of copyright law, originality means that the expression of the work must have been as a result of the author's intellectual creation through the direct application of independent skill, labour, and judgment. However, according to the Act, originality means using sufficient effort in creating the work. In this case, a student's thesis or dissertation could be said to be original when the work is a product of their effort without plagiarism. As mentioned above, it is based on its originality that the student is scored and the work accepted by the faculty member; otherwise, he may be asked to repeat the exercise.

6.1.3 Fixation

The third requirement for copyright eligibility in Nigeria is as contained in section 1(2)(b) of the Copyright Act. It provides that the qualified subject matter must be fixed in a definite and recognizable medium of expression available now or to be developed later. It can be perceived, replicated or otherwise transferred either directly or indirectly or with the aid of any machine or mechanical device. The point being made here is found in the popular expression "copyright does not protect ideas, but rather the method in which they are expressed." Thus, in the English case of *Green v Broadcasting Corp of New Zealand*[30], the Judicial Committee of the Privy Council was of the view that there was no

[29] (1916) 2 Ch 601
[30] (1989) 2 All ER 1056

copyright infringement where the defendant copied the format for a television talent show. In reaction to this decision, Karapapa & McDonagh opined that what had been taken from the program was the mere idea. Hence, it does not amount to an infringement. However, Farwell J captured the essential differences between an idea and its expression when he said in *Donoghue v Allied Newspapers,* [31] "An idea may be conceived by one person for a story or a play and if that person decides to communicate that idea to another person. If that work in the form of a play or story is produced or expressed in any form to the second person, the copyright, in this case, will become that of the second person and not the owner who originally conceived the idea. This requirement is necessary perhaps to prevent unfounded claims by a litigant who may lay claim to ideas that were never executed. In this regard, it is trite to opine that a project student, however, the fixation is found in the writing of the work and the subsequent binding of the entire work, which are available at all times to the supervisor as a result of his supervisory position in carrying out the exercise.

7.0 Ownership of Copyright and Right to Claim Authorship in Students Project Research

Ownership and copyright are two distinct but related issues in copyright law in Nigeria and can be vested in different persons. It is critical to distinguish the terms because it is the owner that is vested with the powers to assign, licence, or sue for infringement of copyright. Generally, by section 10(1) of the Copyright Act, copyright ownership is vested initially on the author. Perhaps because of his authorial role in creating the work. This rule applies even when he was paid by someone or a lecturer to create it either by a contract of employment or being commissioned.

Similarly, where a work is commissioned by a person who is not the author's employer under a contract of service or apprenticeship, or where work not having been so commissioned, is made in the course of the author's engagement as an employee. The author shall be the owner of the copyright in the first instance unless otherwise stated in a written agreement. In contrast to other jurisdictions like the United Kingdom, particularly in respect to work made in the course of employment, section 11(2) of the Copyright, Designs, and Patents Act[32] provides that literary,

[31] (1938)Ch 106

[32] Copyright, *Designs, and Patents Act 1988* ('CDPA')

dramatic, musical, and artistic works and films created in the course of employment belong to the author's employer, subject to any contractual agreement to the contrary.

Another exception is found in section 10(3) of the Copyright Act. It states that where the author makes a literary, artistic, or musical work in the course of employment by the employer or proprietor of a newspaper, magazine, or any similar periodical under a contract of service as to be made for publication in any of the periodicals mentioned above, the proprietor shall in the absence of any written agreement to the contrary, be the first owner of the said copyright in work, as long as the copyright relates to the publication of the work in any periodical such as magazine, newspaper or similar periodic publication or to the replica of the work for its being so published, but in all other circumstances, the author shall be the first owner of the copyright in the work.

On the other hand, Authorship concerning the category of work under discussion means the creator of the literary work[33]. The term may also refer to someone who creates an expressive work or a business that hires another to create an expression work[34]. It applies to a broad range of occupations, including writers, artists, programmers, choreographers, and translators[35] section 12(1)gives the author the right to claim authorship of his work in connection to any of the acts listed in section 6 except where the work is included accidentally or incidentally in reporting current events by means of broadcasting also included in this right, is the power to seek relief in connection with any distortion, mutilation or other modification of and any derogatory action concerning the work, such that the action would be or prejudicial to his honour or reputation[36]. This right applies not only to the author himself but includes his heirs and successors in the title. Worthy of note is the fact that these rights are perpetual, inalienable, and imprescriptible[37].

Section 6(1)(a)(i) -(ix) of the Copyright Act listed acts to which the copyright holder has exclusive control over in respect of his literary work, whether in whole or in part[38]. They are;

a. The right to reproduce the work in any material form;

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[33] Section 51 of the Copyright Act

[34] Black's law dictionary 11th Edition

[35] ibid

[36] Section 12(1)(b)

[37] Section 12(2)

[38] Section 6(2) of the Copyright Act Cap C28 Nigeria Laws of the Federation 2004.

b. The right to publish the work;

c. The right to perform the work in public space;

d. The right to produce, reproduce, perform or publish any translation of the work;

e. The right to distribute the work, for commercial purposes, copies of the work, by way of rental, lease, hire, loan or similar arrangement;

f. Make any adaptation of the work etc.

From the preceding paragraphs, the following are deducible concerning Student research projects or academic thesis:

a. The research students are both the author and owner of their work;

b. Except where there is an agreement to the contrary between the student and the institution or the supervisor, the copyright in work belongs to the student;

c. Only the student has the power to authorise the doing of any of the prohibited/ restricted acts concerning the work as mentioned in section 6 of the Copyright Act;

d. There is usually no agreement assigning the copyright in research project writing to the Institution or the supervisor, and as such, the latter cannot publish the work as his or her own;

e. The student is not made by the course of employment, as the school did not employ him for that purpose, hence the sole author and owner of the research;

f. The student has the right to seek relief in the event of violations of his copyright in the research work.

Presentation and Analysis of Data

Concerning the data obtained from the online questionnaire, the researchers, therefore, analyse the data as follows:

Sample Size and Techniques

The study adopts an online questionnaire survey generated through a google form, given the Covid-19 pandemic social distancing rule and most respondents' remote or distance area[39]. In this regard, the questionnaire

[39] P.A. Aidonojie, O.O. Ikubanni, N. Okoughae, A.O. Ayoedeji, "The challenges and relevance of technology in administration of justice and human security in Nigeria: Amidst the Covid-19 pandemic" *Cogito Multidisciplinary Journal*, Vol. 13 no. 3, 2021, p. 149 – 170; P.A. Aidonojie and Q.A. Odojor, "Impact and Relevance of Modern Technological Legal Education Facilities amidst the Covid-19 Pandemic: A Case Study of Law Students of Edo University Iyamho", *KIU Journal of Humanities*, Vol. 5 no. 4, 2020, pp. 7-19a.

survey was sent through several social media platforms (such as WhatsApp, Facebook, email, and telegram) to the respondents living in several states of Nigeria. The researchers use a simple random technique to select respondents. The simple random technique was adopted because, according to Aidonojie et al., stated in their study that a simple random technique is suitable, apt, and seemly reliable in choosing respondents from a heterogeneous nation like Nigeria. It was also argued by Bajpai *et al.*[40] that a simple random sampling technique possesses or has the advantages as follows:

i. A simple random technique is considered a hassle-free sampling method.

ii. It enables the researchers to reduce or avoid bias in influencing the outcome of data generated via the questionnaire.

Concerning the sample size, the study used 219 respondents living or residing in several states in Nigeria.

Data Analysis

The data obtained through the online questionnaire (given the Covid-19 pandemic) is at this moment analysed as follows:

Research Question One

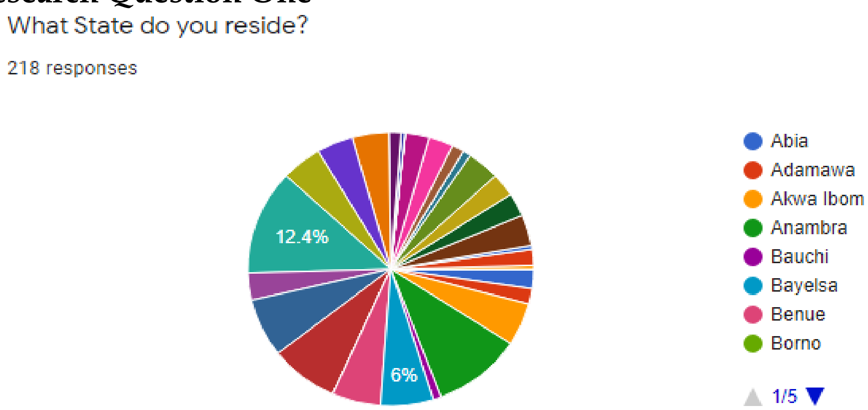

Figure 1: Identification of the various states the respondents' reside in Nigeria

[40] P.A. Aidonojie, A.O. Odojor, and P.O. Agbale, "The Legal Impact of Plea Bargain in Settlement of High Profile Financial Criminal Cases in Nigeria" *Sriwijaya Law Review*, Vol. 5, no. 2, 2021, pp. 161-174; P.A. Aidonojie; A.O. Odojor, and O.O. Oladele, "An Emperical Study of The Relevance and Legal Challenges of An E-contract Of Agreement In Nigeria", *Cogito Multidisciplinary Research Journal*, Vol. XII. no. 3, 2020, pp. 170-190.

Table 1: Valid responses of respondents identifying the states residing in Nigeria

S/N	States in Nigeria	Responses of Respondents	Percent
1	Abia	5	2.3%
2	Adamawa	4	1.8%
3	Akwa Ibom	11	5%
4	Anambra	22	10.1%
5	Bauchi	2	0.9
6	Bayelsa	13	6%
7	Benue	12	5.5%
8	Borno	Nil	Nil
9	Cross River	17	7.8%
10	Delta	15	6.9%
11	Ebonyi	7	3.2%
12	Edo	27	12.4%
13	Ekiti	10	4.6%
14	Enugu	9	4.1%
15	(FCT) Abuja	9	4.1%
16	Gombe	Nil	Nil
17	Imo	3	1.4%
18	Jigawa	Nil	Nil
19	Kaduna	Nil	Nil
20	Kano	1	0.5%
21	Katsina	Nil	Nil
22	Kebbi	Nil	Nil
23	Kogi	6	2.8%
24	Kwara	6	2.8%
25	Lagos	3	1.4%
26	Nassarawa	Nil	Nil
27	Niger	2	0.9%
28	Ogun	8	3.7%
29	Ondo	6	2.8%
30	Osun	6	2.8%
31	Oyo	8	3.7%
32	Plateau	1	0.5%
33	Rivers	4	1.8%
34	Sokoto	1	0.5
35	Taraba	Nil	Nil
36	Yobe	Nil	Nil
37	Zamfara	Nil	Nil

Figure 1 and Table 1 above is a data presentation representing the valid responses of respondents identifying the various states they reside in Nigeria.

Research Question Two

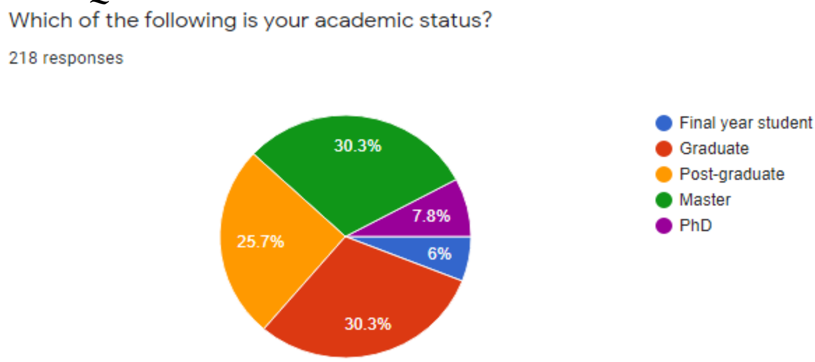

Figure 2: Respondents' identifying their academic status

Table 2: Data representation of respondents' identifying their academic status

Academic Status of Respondent	Response	Percent
Final Year Student	13	6%
Graduate	66	30.3%
Post-graduate	56	25.7
Master	66	30.3
PhD.	17	7.8
Total	**218**	**100%**

Figure 2 and Table 2 above are respondents' identification of their various current academic statuses when responding to the questionnaire.

Research Question three

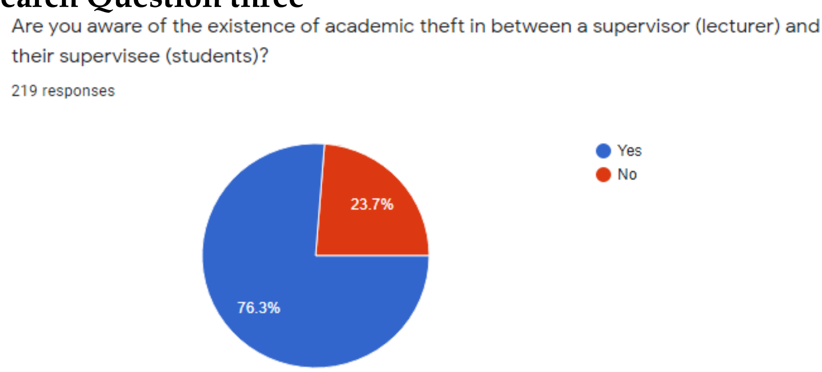

Figure 3: respondents stating that they are aware of supervisor academic theft of their supervisee research work

Table 3: Valid respondents stating that they are aware of supervisor academic theft of their supervisee research work

	Response	Percent
Valid Yes	167	76.3%
Valid No	52	23.7%
Total	**219**	**100%**

Figure 3 and Table 3 are valid respondents' responses identifying that they are aware of the incidence of academic theft by a supervisor of their supervisee research work during their supervision.

Research question four

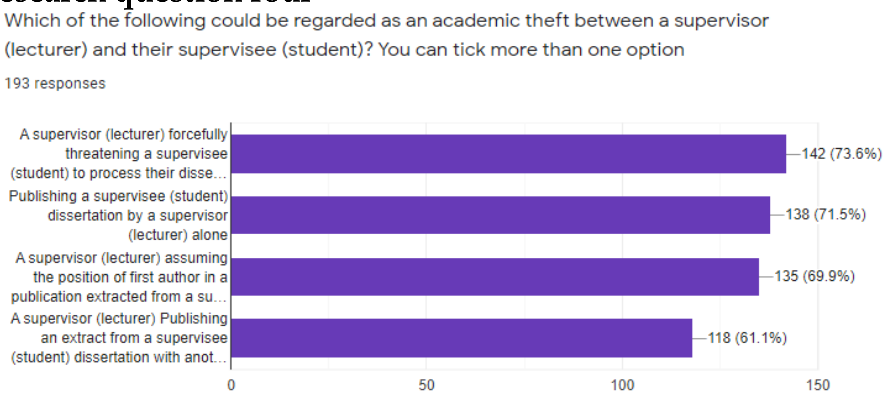

Figure 4: respondents identifying some act of academic theft perpetrated by a supervisor (lecturer)

Table 4: Valid respondents identifying some act of academic theft perpetrated by a supervisor (lecturer)

Acts of a Supervisor (Lecturer) that constitute Academic Theft	Responses of respondents	Percentage
A supervisor (lecturer) forcefully threatening a supervisee (student) to process their dissertation to a publishable manuscript for them	142	73.6%
Publishing a supervisee (student) dissertation by a supervisor (lecturer) alone	138	71.5%
A supervisor (lecturer) assuming the position of the first author in a publication extracted from a supervisee (student) dissertation	135	69.9%
A supervisor (lecturer) Publishing an extract from a supervisee (student) dissertation with another individual	118	61.1%

Figure 4 and Table 4 are respondents' valid responses identifying some acts of a supervisor that could constitute an act of academic theft often condemned by law.

Research Question five

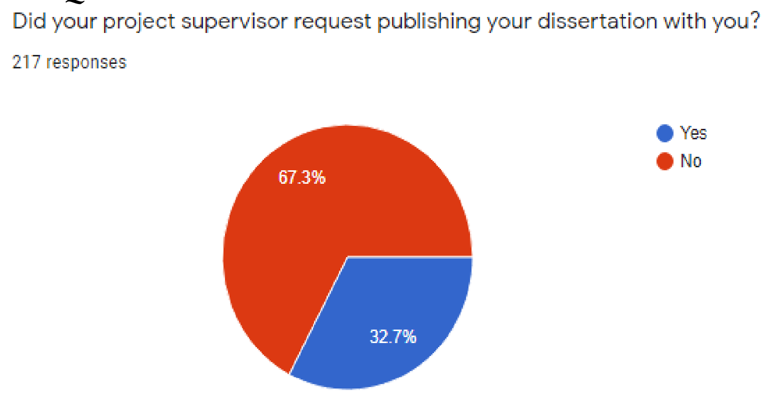

Figure 5: respondents identifying if their supervisor (lecturer) requests publishing their dissertation

Table 5: Valid respondents identifying if their supervisor (lecturer) requests publishing their dissertation

	Response	**Percent**
Valid Yes	71	32.7%
Valid No	146	67.3%
Total	**217**	**100%**

Figure 5 and Table 5 are valid respondents' responses stating if their supervisor in a tertiary institution requested publishing their dissertation during their academic study.

Research Question Six

Figure 6: Respondents' identifying the position they assume in a publication with their supervisor

Table 6: Valid Respondents' identifying the position they assume in a publication with their supervisor

Status of Respondents in their Publish Research Project	**Response**	**Percent**
I was the first author	25	31.6%
My supervisor was the first author	41	51.9%
Other person included in the publication came first	5	6.3%
I was not included in the publication	8	10.1

Figures 6 and 6 table above are respondents' identification of the position they often assume if their supervisor requested publishing their dissertation during their academic study.

Research question Seven

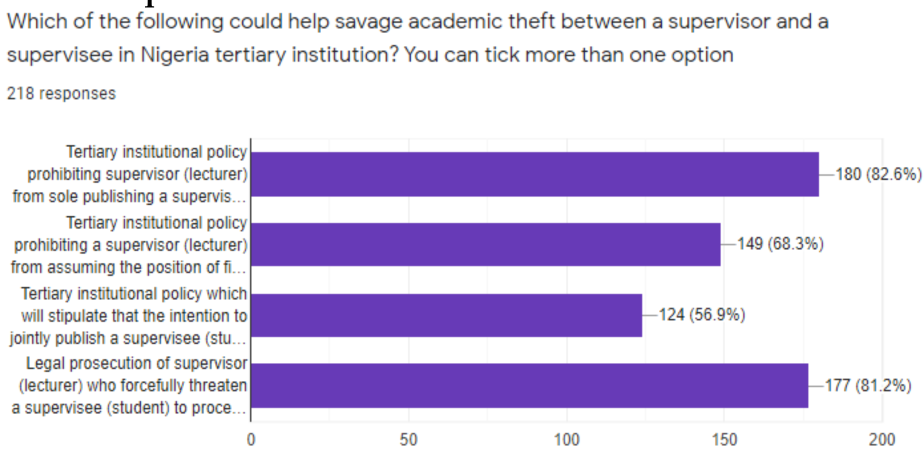

Figure 7: Identification of possible remedy in savaging incidence academic theft by a supervisor (lecturer)

Table 5: Valid cluster of Identification of possible remedy in savaging incidence academic theft by a supervisor (lecturer)

Remedy to Savage Academic theft	**Cluster of Responses**	**Percentage**
Tertiary institutional policy prohibiting supervisor (lecturer) from sole publishing a supervisee (student) dissertation	180	82.6%
Tertiary institutional policy prohibiting a supervisor (lecturer) from assuming the position of the first author in a publication extracted from a supervisee (student) dissertation	149	68.3%

The tertiary institutional policy will stipulate that the intention to publish a supervisee (student) dissertation jointly must emanate from the supervisee	124	56.9%
Legal prosecution of supervisor (lecturer) who forcefully threaten a supervisee (student) to process his/her dissertation into a publishable manuscript for publication	177	81.2%

Figure 6 and Table 6 represent respondents' valid cluster of responses stating some of the possible remedies in savaging an act of academic theft by a supervisor.

Discussion of Findings

Concerning the data presented above, figure 1 and table 1 above are designed to ascertain if the respondents reside in Nigeria's various states. Given the data as presented in figure 1 and table 1 above, the respondents were randomly selected from the various states in Nigeria. Given that the respondents are from the various in Nigeria, it gives credibility to the fact that the respondents will be more knowlegeagble to give an informed answer concerning issues between supervisee and supervisor related to academic theft in Nigeria.

However, in enquiry, if the respondents are aware that publishing a research study that belongs to another person constitutes academic theft, 76.3% of the respondents, as represented by figure 3 and table 3, stated yes. Furthermore, figure 3 and table 3 further reflect that the respondents are aware that publishing another person's research study is academic theft. It is an incidence that often occurs between a supervisor (lecturer) and their supervisee (students). Also, in figure 4 and table 4, the respondents were able to identify some acts that constitute academic theft between a supervisor (lecturer) and their supervisee (student) as follows;

i. 73.6% of respondents stated that most supervisors (lecturer) often forcefully threaten a supervisee (student) to process their dissertation to a publishable manuscript for them;

ii. 71.5% of the respondents identify publishing a supervisee (student) dissertation by a supervisor (lecturer) alone constitute academic theft

iii. 69.9% of respondents stated that a supervisor (lecturer) assuming the position of the first author in a publication extracted from a supervisee (student) dissertation, constitutes academic theft;

iv. 61.1% of respondents also stated that a supervisor (lecturer) publishing an extract from a supervisee (student) dissertation with another individual is an act of academic theft.

Given the above, it suffices to state that the respondent's above act constitutes an academic theft between a supervisor (lecturer) and their supervisee (student). Accordingly, this act is aptly recongnise and condemned by the Berne Convention for the Protection of Literary and Artistic Works, World Intellectual Property Organization (WIPO) Copyright Treaty, and section 1, 6, 12, 10 of Nigeria Copyright Act.

However, in ascertaining from the respondents whether they have been a victim of their supervisor publishing an extract from their research study, 71 of them, representing almost average of the respondents, stated yes, it is still an act frowned out morally and legally. In Figure 5 and table 5, 32.7% of the respondents further ascertain that their supervisor often requests to publish their research study with the respondents. Concerning the response of the respondents in figure 5 and table 5, in figure 6 and table 6, the respondents who agreed that their supervisor requested to publish their research study with them further identify the status they assume in their published study with their supervisor as follows;

a) 31.6% of the respondents identify that they were the first author;

b) 51.9% of the respondents stated that their supervisor was the first author;

c) 6.3% of the respondents also states that another person included in the publication came first as the author;

d) 10.1 % of the respondents said they were not included in the publication.

It suffices to state that a supervisor (lecturer) publishing a supervisee (student) research study alone or assuming the position of the first author is academic theft. This is concerning the Berne Convention and section 12(1) of the Nigeria copyright Act[41] legally empower an individual to claim copyright over their intellectual work. Furthermore, by section 6(1)(a)(i)-(ix) of the Copyright Act,[42] it empowers only the owner of intellectual work to publish and do such activities as it concerns their intellectual work according to the Copyright Act. Furthermore, the act of a

[41] Nigeria Copyright Act

[42] Ibid

supervisor publishing a supervisee's intellectual work was aptly condemned by Prof. Peter Okebukola, a former Executive Secretary of the National Universities Commission (NUC), as another form of "academic corruption."

However, in savaging this academic abnormally between a supervisor publishing a supervisee's intellectual study, figure 7 and table 7 represent some possible solutions identified by the respondents. In this regard, the following solution to curtail or prevent the incidence of academic theft between a supervisor and a supervisee in Nigeria tertiary institution as identified by the respondents is as follows;

i. 82.6% of the respondents state that tertiary institutional policy prohibiting supervisor (lecturer) from sole publishing a supervisee (student) dissertation should be strictly implemented

ii. 68.3% of respondents tertiary institutional policy prohibiting a supervisor (lecturer) from assuming the position of the first author in a publication extracted from a supervisee (student) dissertation should be discouraged and penalized by the institution

iii. Furthermore, 81.2% of the respondents stated that there should be legal prosecution of a supervisor (lecturer) who forcefully threatened a supervisee (student) to process his/her dissertation into a publishable manuscript for publication.

Given the above findings, it is apt to opine that the Nigeria Government and the management of tertiary institutions should endeavor to adopt possible means to curtail and prevent the incidence of academic theft between a supervisor and a supervisee in Nigeria tertiary institution. This concerns that research is meant for national development and sustainable growth.

Conclusion

The study has been able to identify that the main aim of project research writing is a fundamental requirement of students in higher institutions. It is a condition a student must fulfill before being awarded their academic degree in their course of study in Nigeria. The study also identifies that the essence of project research writing is often to find a solution to a specified problem for sustainable development. The study also identified that a project research writing supervisor (university lecturer) is often assigned to project students. The role of the project research writing supervisor is to offer close supervision throughout the exercise, guidance, mentorship and eventually score the student based on the outcome of the project research writing.

However, the study further identifies that there is an emerging trend among project supervisors in higher institutions publishing the project thesis or dissertation of their supervised students with minor or no modification. The essence of this unwholesome practice of project supervisors is to increase the numbers of their publications for their institutional promotion requirement. Given the data obtained from the empirical research, it was also observed that some respondents had been a victim of these evil practices by a project supervisor

Given the above, this study finally concludes that the relationship between a supervisor and a student concerning project research writing does not instill a master and servant relationship. Furthermore, academic research among academic scholars has been noted as the engine room for nation-building and not just for institutional promotional requirements.

Thus it is concerning the above that this study, therefore, recommends as follow;

1. There should be tertiary institutional policy prohibiting supervisor (lecturer) from sole publishing a supervisee (student) dissertation.

2. There should be a tertiary institutional policy prohibiting a supervisor (lecturer) from assuming the position of the first author in a publication extracted from a supervisee (student) dissertation.

3. The tertiary institutional policy will stipulate that the intention to publish a supervisee (student) dissertation jointly must emanate from the supervisee.

4. Legal prosecution of supervisor (lecturer) who forcefully threaten a supervisee (student) to process his/her dissertation into a publishable manuscript for publication.

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INTERGRAL HUMANISM AND THE SOCIAL LOGIC OF MORALITY

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Abstract: *Within the quests for integral humanism, the human person has been constantly faced with the societal demands to apply the Social Logic of Morality in order to sustain the valuation of his or her authenticity and subjectivity. He or she is expected to assess the employment of his or her actions in achieving integral humanism, considering the values of his or her authenticity and subjectivity in the management of his or her freedom, the capacity of choice-making and the desires for development and growth in human community. Adopting phenomenological method of analysis, the paper concludes that the sense of social logic of morality is expected to be the consciousness of every human person and to be directed toward the realization of integral humanism, by which he or she longs to "doing good and avoiding evil" by embracing "the good of good", even when such actions please some persons in one's community.*

Keywords*: Human Person, Integral Humanism, Good, Evil, Human Community, Social Logic of Morality*

Introduction: Morality and the Social Conceptualization of the Logic of Integral Humanism

From this anonymous assertion above, we will phenomenologically understand that morality and the conditioning of moral norms are what the human person makes of them based on the values of one's lived experiences.[1] From the same assertion, we can infer that "what is good is

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[1] P.O. Isanbor and M.M. Uzomah, Natural Law Philosophy and the Quest for Social Order, Justice and Development. *Akungba Journal of Religion and African Culture*, 5(2), 2017, pp. 62-72.

moral as that of what is evil dependently on human choices of values." But, this may be socially and communally accepted as the human person as a subject of lived experiences does not develop in isolation, but in the community of persons. With such phenomenology of actions and valued choices, the human community is highly classified as a social cosmology that determines the essence and actual characteristics of everything about human relationship, adaptation and integration, and all these are situated within the moral logic in achievement of integral humanism in relation to the values of the society in which the person as a subject of lived experiences live in.[2]

To be "integral" means to be "holistic", that is, integral humanism implies the consideration of the wholeness of the nature and personhood of humanity in the formulation and implementation of development policies, innovations and creativities.[3] The humanistic value system calls for a breach of our present notion of development, and that development has to be integral or 'holistic'. In addition to the understanding of material advancement of the individual as a person, the meaning of development embraces the soul and the spirit of the human person, and projects that the physical environment must be properly managed for the individual to develop integrally. Such existential integrality indicates that the individual as a person cannot be fully developed only by what he or she does only or by what he or she thinks solely, but by the consideration and adoption of both ends, by respecting the contents of his or her body and spirit in defining his or her existence.

Hence, Logic of integral humanism demands that "social ethics underlines the rationality behind the moral principles of self-dynamism, self-participation and self-integration (tolerance, simplicity, considerate, solidarity, common good, love, continence) and social personalistic norms to regulate human interactions in the society...."[4] Such logic of integral humanism directs the achievement of social order and justice, and it rests squarely on the fundamental principles that every member of a community naturally has equal right to all the wealth and opportunities

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[2] Cf, G. Fasiku, Moral Facts, Possible Moral Worlds and Naturalized Ethics. *West African Journal of Philosophical Studies*, 11, 2008, pp. 62-80, see, p. 70.

[3] See, J.I. Omoregbe, "Ethics and Aesthetics." In F.N. Ndubuisi (ed). *Philosophy, Logic and Philosophy of Science*. Lagos: Department of Philosophy, University of Lagos, 2011, p. 42.

[4] Williams Aso, *Will Kymlicka in Nigeria: With the Scope and Morality of Liberal Multiculturalism*. Benin City: Floreat System, 2019, p. 127.

that abound in the same community.[5] Here, among the social logics obedience, morality, character and conscience, we are specifically concerned with that of morality, in order to limit the scope of this research. Existentially put, all these social logical essences of the human person are evident in shaping histories of lived-experiences for the purpose of proper human civilization.[6] Such existential dimples of socialization and civilization are checkmated by some moral principles (the conditionings with the consciousness of performing some actions and being discouraged for performing some other actions).[7]

Through the understanding and the quest for integral humanism in our communities that have been beclouded by the violence and conflicts, we understand the indispensable placement of morality as a way of living, and that, it is the area of knowledge that deals with human behavior or conduct. Indeed, with morality, the human person not only acts consciously, but he or she is also aware of both the fact that he is acting and the fact that it is he who is acting - hence he or she has the awareness of the action as well as of the person in their dynamic interrelation, and as such, his or her awareness is simultaneous with conscious acting and, so to speak, accompanies any kind of purposeful development.[8] For morality generally is to establish the scale of social controls by instituting the values and attitudes in directing human behavior and activities. Morality is the idea that presupposes that we should submit ourselves to a good other than one's own. The human person is not an island or a desert. He or she is a being-in-relationship to others, and as such, morality helps to sustain such relationships in order to attain social peace, equity and justice. With such socialization of interests, morality is simply a social system of moral regulation and character development.[9]

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[5] W. Aso, *Will Kymlicka in Nigeria: With the Scope and Morality of Liberal Multiculturalism*, p. 127.

[6] See, G. Jones, D. Cardinal and J. Hayward, *Moral Philosophy: A Guide to Ethical Theory*, London: Hodder Education, 2006, p. 12.

[7] See, Soren Kierkegaard, *Fear and Trembling and the Sickness unto Death*. New Jersey: Princeton University Press, 1954, pp. 64-5.

[8] See, Karol Wojtyla, *The Acting Person*. Dordrecht: D. Reidel Publ. Co., 1979, p. 27.

[9] Cf, G. Azenabor, "Sustainability of University Education in Nigeria: A Philosophical Discourse on Problems and Revival Strategies." In O. M. Ogbinaka (ed.) *African Studies Monographs*. Lagos: Onosomegbowho Ogbinaka Publishers Limited, 2005, p. 33.

Thereby, social logic of morality characterized the contents of human behavior into four categories of actions. That is: "the good of good" (perfectly acceptable social action, that is, perfectly good action), "the good of evil" (moderately acceptable social action, that is, moderately good action), "the evil of good" (moderately unacceptable social action, that is, moderately evil action), and "the evil of evil" (perfectly unacceptable social action, that is, perfectly evil action), the human community automatically becomes the epicenter of all actions, and the moral contents of human actions are hinged on some ethical facts whether such actions are good or bad.[10] But the contents of what should be considered bad or good should go beyond social construct, leaving the individual's ability to classify or assess what is good or bad for him or her. This dilemmatic position brings the consideration of the possible accessibility of social logic of morality. This is not about the accessibility of the flow of the moral applications and arguments, but sensibly, it is about the qualities and meaningfulness of the reasons of some moral practices and applications (about some social restraints). It is about the "whys" some human actions are restricted, unpermitted and punishable; and termed to be immoral, and the whys some of other actions are praised, permitted and reinforced positively, and then termed to be moral. There are indispensable questions for some moral issues, begging for satisfactory answers, probably because of the complexities of human person and its living that demands the moderation of its freedom and freewill.

With ethico-operational natures of social logic of morality, the deterministic existence of the human person that is always shuffling for cultural, moral and social liberations; especially in a society is beclouded with some un-explained and illogic constraints or regulations as cultural epistemological demands, remains ever dilemmatic. Although, according to the Fathers of the Vatican II Council; "it is one of the properties of the human person that he or she can achieve true and full humanity only by means of culture, that is, thought the cultivation of the goods and values of nature. Whenever, therefore, there is a question of human life, nature and cultures are intimately together."[11] This thought for the realization of integral humanism in the modern World occasioned by the scientific and technological civilization by the Fathers of the Vatican II Council projects

[10] Cf, P.O. Isanbor and M. M. Uzomah, *Ibid*.

[11] Vatican II Council, *Gaudium et Spes*. Vatican City: Libreria Editrice Vaticana, 1965, no. 29.

the indispensable relations between the conceptual and pragmatic operations of human culture and morality on the basis of the interrelatedness and interaction of faith and reason. No formation of the human person can be excluded from the influences of his or her cultural and social values and morality. It has been a fact that the human person and his or her quests for integral humanism have given rise to so many ethical questionings and majority of them are constantly demanding the giving of some reasonable answers in order to regain some societal order, security and justice through the adoptability and adaptability of "the good of good." We philosophically understand that the questions of human authenticity are that of morality, and the social or societal conditioning or states, such as virginity and forms of societal-moral restrictions or constraints remain very human rights' abusing and problematic.

Phenomenologically put, authenticity of one's culture determines the authenticity of the individual. Authenticity of the individual means a personal conviction of the individual on the worthiness of his or her existence, the power of his/her freedom, even his or her sexual freedom, in exerting his or her choice-making and determines the contents of social associations.[12] This presents some convictions that the society is a matter of the human person to associate some moral restiveness in order to maintain some level of cultural order and sanity.[13] This concern for cultural order and sanity is hinged on the social classification that, "the human person is a spiritual, moral and psychic agents, limited only by the level to which he or she is able to develop and to harmonise his or her inmate abilities and capabilities."[14] Such development is cultured-bound, and morality is a cultural factor that helps to regulate human actions; and any action that is not in concord with the dictates of moral norms of a particular society in which the individual's action, not the individual himself or herself, will be /or may be regarded as moral or immoral, that is, good or evil.

The moral concerns of the authenticity of human actions are based on the values invested on life in effecting the courses of integral humanism of any kind should be associated with human essentiality, creativity and

[12] See, Karl Jaspers, *Man in the Modern Age*. London: Routledge & Kegan Paul, 1966, p. 10.

[13] Cf, A. Afariogun, Morality and Family Values in African Context: Implications for Formal Education in Nigeria. *Enwisdomization Journal*, 7(2), 2018, pp. 127-137, see, p. 128.

[14] G. Onokpite, Why I am not a Rationalist. *Guardian*, Thursday, August 21, 2008, p. 78.

intelligibility.[15] From the valuation of actions and their corresponding moralities, the human person is something more than what he or she knows of himself or herself. Better still, he or she is somebody, a subject of lived experiences and an agent of morality. He or she is not what he or she is simply once and for all, but it is a process of development. It is not merely an extant life of growth and advancement associated with his or her ontological relevance. But, he or she is conscious to the natural capacity and capability that he or she is endowed with possibilities through the freedom he or she possesses to make of himself or herself what he or she will be by the activities on which he or she decides,[16] and that consciousness for the realization of integral humanism directs his or her values of social logic of morality. Hence, our concern here is to see to workability of social logic of morality for the realization of integral humanism, and be concerned on the reasons of actions and activities of the human person to be good to be practiced and others are considered bad or evil, been encouraged not to be practiced, and at what stage of involvement will the terminology of "good" or "evil" being attached to a particular human action.

Integral Humanism and the Operations of Social Logic of Morality

The question of whether any human action is right or wrong is not ontological or natural but a judgment that is culturally-based and socially constructed. The society remains, with its tool of cultural and social rationally, the arbiter of the human socialization and civilization.[17] It rationally invests meaning on every human action or event, by determining what should be considered right or wrong, based on its understanding of natural law philosophy.[18] More still, providing answers to a moral and a controversial moral question is a rational activity. It involves the engagement of our rational powers to give concrete evaluation and answers to any moral question. In addition, moral reasoning falls within the domain of philosophy and to justify moral claims that require philosophy in order to be meaningful and reasonable,

[15] Cf, S. Kierkegaard, *Fear and Trembling and the Sickness unto Death*, pp. 64-74.

[16] See, Karl Jaspers, *Man in the Modern Age*, p. 146.

[17] See, G. Fasiku p. 71.

[18] See, P.A. Edema, "Philosophy and Morality", pp. 133-156. In M.A. Izibili, et al (eds). *Studies in Philosophy and Society: Book of Readings*, Vol. 1. Kagoma: Albertine Institute, 2018, p. 140.

following the natural law and principles.[19] Analyzing the possibility of social order and justice through integration of human interests by functional and vibrant governance of human interests and desires, Bolatito Lanre-Abass and Emmanuel Layode explicate that;

> Such characterization and definition of the human person implies that he is ontologically configured to be a recipient of a moral directive that is regarded as an imperative, or the norm or standard for human actions. Here the individual incorporates his actions and inactions within the demands of duty and a moral regulation, while simultaneously hoping to discover in the regulation a proper expression of his own individuality.[20]

Social logic of morality should be adequately exercised on the understanding of natural law principles which are seated on the general philosophy of human togetherness, a course of living that is recognized by the universal application of common sense, which is: "do good and avoid evil." But, generally, we confused ourselves by trying with the questions: what is good? What is evil?[21] These two conceptual and realistic social constructs or phenomena are defined by human moral contents of actions, events and values. What is good is what appeals to general circumstantial advantages of human rights and dignity, and what is evil is what is otherwise to the good.[22] The conceptualization and pragmatic valuation of the good are only meaningful when the action of living by any person is actually good for every class of persons. The ethics of living demands and commands that good actions in accordance with the dictates of the natural law, and then directs the social courses for the achievement of the goodness of living. The logic of living is that there is effectual credibility for the realization of integral humanism (that is, the universal operation of "the good of good") through the promotion of human common living and

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[19] J.H. Genslec, W.S. Earl and C.J. Swindel, *Ethics: Contemporary Reading*. UK: Edelec, 2008, p. 26.

[20] B.A. Lanre-Abass and E.A. Layode, "Moral Basis of Governance." In O.A. Oyeshile and F. Offor (eds). *Ethics, Governance and Social Order in Africa*. Ibadan: Zenith Book House, 2017, p. 83.

[21] P.O. Isanbor, Ethics and Development of the Human Family for Child Educational Socialization. *Enwisdomization Journal*, Vol. 8, No. 1, 2020, pp. 36-54.

[22] See, P.O. Isanbor, Ethics of Ayer's Emotivism in a Moral Possible World. *Ekpoma Review*, Vol. 7, 2020, p. 150.

social acceptability of the individual as a person in the community of persons.

In logical classification of moral consideration –whether good or bad, to be practiced or not, is that, it falls within the social ambience of thoughts and language, because morality as in "morality" does not exist, what exist are moral facts are the product of a thinking mind encountering external social and ethical evidence, they therefore contain both that evidence and mental framework by means of which it has been considered to be observed as common social, cultural and ethical directive, and through which it is articulated. We never come to a new experience that is moral engineered without some of anticipation about what it will be like, the logic is seated or rooted on the social conditioning that the words we use to describe it (morality) are part of the framework (society). In fact, the human community generates the moral and the languages to classify and direct them, and so, the logic of such classification and directive will necessarily and indispensably remain or be with the same community.

Developmentally put, the human person as the basis for rights and the core agent of the doctrine of common good elucidates the concept of development, in relation to the actualization of integral humanism.[23] The human person is the central of everything that concerns existence. All human beings have a responsibility for development, individually and collectively, taking into account the need for full respect for their human rights and fundamental freedoms as well as their duties to the community, which alone can ensure the free and complete fulfillment of the human being, and they should therefore promote and protect an appropriate political, social and economic order and development. As Jack Donnelly puts it; "human rights are not just abstracts values such as liberty, equality, and security. They are rights, particular social practices to realize those values. A human right thus should not be confused with the values or aspirations underlying it or with enjoyment of the object of the right."[24] The morality of human rights ensures some societal rules recognized by common rationality of interests in order are to invest needed protection and respect for their authenticity. Thereby, "human rights traditionally have been taught of as moral rights of the highest order." [25] This

[23] See, P.O. Isanbor, *Ethics of Ayer's Emotivism in a Moral Possible World*, p. 152.

[24] J. Donnelly, *Universal Human Rights in Theory and Practice*. Second Edition. Ithaca and London: Cornell University Press, 2008, p. 11.

[25] J. Donnelly, *Universal Human Rights in Theory and Practice*, p. 11.

conception of development responded to the needs for human's advancement in nature. Development to the human person is about the actuality of dreams and aspirations in promotion of his or her rights and dignity. This calls for individualistic consideration of the contents of his or her innovations and creativities for the sustainability of the human life, rights and dignity, but which cannot be separated from the communal synthesis of development by the States in their adjudications of justice.[26]

Social logic of morality presents moral norms to human community where common good is exercised and for the respect of all men and women conditioned by ethical or moral codes, which is to be achieved by the exercises of tranquility, sincerity, transparency, love, peace and the likes, and to keep the human community itself in harmony and comfortable security. Here, morality is not the same thing as the world it investigates, it is lived as to be valued. But social logic of morality remains the "designation of interests" in a network of prescriptive words (that are directives), social ideas according or along the trends of integral humanism. This is because, as human develops, these moral codes or directives develop or re-interpreted conventionally. It is a form of language and of human misinterpretation, mis-representation and always goes against human freedom. That is why it is both possible and important to have a philosophy of moral generation and reformation in order to know and to classify the growth associated with some moral codes and directives, why some are practiced in some places and not practiced in some other places-all depending on how a particular human society or community views reality or understands thing around them and invests moral meanings in or on them- a logic of moral particularity or sectional moral sameness, or put differently, the ethical logicality of cultural subjectivity.

Social Logic of Morality and the Imposing Contemporariness of Common Moral Interests

Logic here is about the usefulness of philosophy generally in assessing the contents and application of morality within relativistic, hedonistic and emotivistic imposing societal values. It is about the relationship of philosophy within the tool of logic and morality is seated on the examination of the moral sequencing or referencing of human actions as

[26] See, P.O. Isanbor, *Ethics and Development of the Human Family for Child Educational Socialization*, p. 50.

good or bad, moral or immoral. Essentially, morality is the basis of ethics and this is the generally accepted view amongst philosophers.[27] With consciousness of the social logic of morality, we understand that "morality as the quality in human act by which we call them right or wrong, good or evil. It is a common term covering the goodness or badness of a human act without specifying which of the two is meant."[28] Again, morality refers to "the rules and codes that we live our lives by. It tells us how we should live and act, and develop as humans"[29], and such common development is not to be directed by the individual but the society in which the individual belongs. This is based on the fact that morality involves the concept of right and wrong, good and bad. Besides, moral agents are human beings who are rational, free and conscious.

Social logic of morality is on the consideration that we should know reasons why do what we do, not otherwise. And we do the otherwise, why we are considered as immoral.[30] In all, we have understood that this logic of any moral act can be distanced from the logical sequencing of actions or behaviors by a society, investing cultural and social norms as moral guides of human actions and behaviors.[31] Considering Aristotelian and Christian ethics, for instance, exaltedly believe that morality is essentially a product of faith, not a mean to faith, and certainly not an autonomous entity apart from faith[32]; and faith is a product of a community, a culture. When the human person loses faith in something pertaining to a culture, be actually has lost the sense of the values of what that particular culture can offer him or her, because, values of one's culture has some ways to determine one's behavioral patterning or development, or better still, conditioning, and if such exercises or restraints were not able to help the individual to achieve some particular goals or cultural esteems associated with such cultural practices, and such individual may be or should be indispensable constraint to lose faith on such cultural practices on which her faith has been exercised on the hope

[27] See, P.A. Edema, "Philosophy and Morality", p. 139.

[28] A. Fagothey, *Right and Reason*. 2nd Ed. Illinois: Tan Books and Publishers, Inc., 2000, p. 112.

[29] G. Jones, D. Cardinal and J. Hayward, *Moral Philosophy: A Guide to Ethical Theory*, p. 7.

[30] J.H. Genslec, W.S. Earl and C.J. Swindel, *Ethics: Contemporary Reading*, p. 30.

[31] See, G. Jones, D. Cardinal and J. Hayward, *Moral Philosophy: A Guide to Ethical Theory*, p. 34; P.A. Edema, "Philosophy and Morality", p. 150.

[32] R. Gill, *A Textbook of Christian Ethics*. New Revised Ed. Edinburgh: T.T. Clark, 1999, p. 56.

of having a desirable and fulfilled human future. Such loss of faith in a culture brings the authenticity of the human person to reject what impede his/her comfort and happiness, the overall development factors, in line with the demand of human nature.

Existentially put, due to the fallouts on the management of human freedom and freewill, some negations usually befall the human persons, as Michael Haukeller recognises that;

> Human experience, however, is capable of generating new kinds of values, among them aesthetic and moral values, which are unknown to, and not accessible in, the non-human world. Yet most of us live our lives without having any noticeable impact on the course of events. Many of us dream of making the world a better place, but only few ever manage to do so. It is probably much easier to make the world a worse place, but fortunately not too many of us manage that either. For most of us it seems that, had we never existed, the world would be pretty much the same. All our struggles, everything we have ever achieved, will have been in vain. There may be some people whose life we have influenced in a good way, and they may remember us for a while, but very soon we will be forgotten together with everything we did, and those who remembered us for a while together with what *they* did will also be forgotten.[33]

In religious consciousness for the social and developmental realization of integral humanism, faith is not expected to be invested in evil, rather in good. Though, both good and evil are products of human experience, but, when religious faith is involved, the cosmological adaptability of social logic of morality tends towards the employment of the good against the evil. With religious faith, we practice what we see ourselves observed as morals, because the societal norms and codes direct human behaviors, actions and events.[34] Going contrary to these codes and norms is fighting the society, not the laws before such individual. The individual lives to please the society, not otherwise.[35] Hence, the

[33] Michael Hauskeller, "Something that matters": the Religious Dimension of Moral Experience. *Rev. Filos, Aurora, Curitiba*, Vol. 29, No. 46, pp. 309-323, 2017, see, p. 314.

[34] P.O. Isanbor, *Ethics of Ayer's Emotivism in a Moral Possible World,* p. 153.

[35] P.O. Isanbor, *Ethics and Development of the Human Family for Child Educational Socialization*, p. 51.

sociological, psychological, biological and genetic factors determining human behavior, necessarily become notoriously difficult to maintain when the human individuals are not allow to exercise his/her freewill, based on what nature endowed him or her with. To Gill; "in most situations, one acts in one way, rather than another, because, one is genetically shaped to do so, because one has been brought up to do so, because one is expected to do so by others and etc- not because one consciously and freely chooses to do so."[36] The societal contemporariness of social logic of morality tries to glorify "the good of evil", "the evil of good" and "the evil of evil" over the preference of "the good of good" through the imposing natures of relativism, hedonism and emotivism.

The social consciousness for integral humanism that is away from the valuation and operation of "the good of good" breeds and sustain relativistic logic of developmental identity and personality, and directs the imposition of social greed, selfishness and other egoistic tendencies and mentalities. The relativistic consciousness of morals and social norms cannot readily achieve the courses of integral humanism, because, it can socially oppressed the operational valuation of common good and solidarity, and worst still, it breeds the culture for the corruptions of truth by the moral illogicality of the "survival of the fittest" to the detriment of the humanness of creation.[37] Hence, social logic of morality is situated only how the human individual has agreed to work or develop along with the community of persons. The society owns the individual's ways of viewing realities and events in promoting human togetherness and solidarity. The individual living the society with classified and conventional moral codes and norms does have an independent mind. He/she lives out the minds of the society he or she belongs, in order to be classified moral or immoral, and with the community of persons can he or she realizes the qualities of integral humanism, and then defines his or her authenticity and subjectivity that sustain the same morality of the community.

Integral Humanism and its Moral Thrust of Developmental Relevance

Within the longing for development; social logic of morality becomes dilemmatic and daisy in evaluating some of its indispensability and inevitability. We project the communal demarcations of the social logic of morality in which any of the actions of the human person, and he or she is

[36] R. Gill, *A Textbook of Christian Ethics*, p. 58.

[37] Francis, *Laudato Si*, no. 123.

directed to embrace of "the good of good" in order to realize of integral humanism. In all, the logical sequencing of social acceptability of morals and moral actions follow always that if a particular human community expects that, for instance, John as a person should not steal, and commands to exercise the values of "the good of good", such moral rule or social directive is expected of James and Paul as well as persons in the same community with John, even when both James and Paul may be novices in such community. They have readily have the consciousness of "the good of good", that is, they have known that what is good somewhere, as perfectly acceptable social action, is good everywhere. As Soren Kierkegaard puts it:

> The ethical as such is the universal, and as the universal it applies everyone, which may be expressed form another point of view by saying that it applies every instant.... conceived immediately as physical and psychical, the particular individual is the individual who has his *telos* in the universal, and his ethical task is to express himself constantly in it, to abolish his particularity in order to become the universal. As soon as the individual would assert himself in his particularity over against the universal he sins, and only by recognising this can he again reconcile himself with the universal.[38]

Ethically put, to such community, what matters to it is the maintenance of such moral rule. It is neither about the values of the individual as a person for such moral rule nor about the emotional feeling or disposition of such person. With such ethical conceptualization of the possibility of integral humanism, as such, "no reflection on the human person as the principle and act of social order therefore, should as a matter of rational necessity be separated from the justice and obligations imposed by the common good of society as such for there exists a reciprocal relationship between the person and the society. The society makes the person and, is in turn made by the individuals." Justice and its corresponding obligations are what they are in every human community, for what for one person is good for all, within the operation of the principles of common good and solidarity. In this regard, "thou shall not steal", for instance, is the moral compass to judge the level of integrity and

[38] S. Kierkegaard, *Fear and Trembling and the Sickness unto Death*. Translated by Walter Lowrie. NJ: Princeton University Press, 1954, pp. 64-5.

accountability of the individuals in such community, in order to instill social security and harmony amongst them.

With social logic of morality, the human person understands that the whole of life and the demands for harmonious and moral living are sweet when things are moving on well and smooth, especially when directed towards the obedience of natural law.[39] But, he or she rationally knows that, in many instances, life can be a real burden when things are not going well, especially when it has been beclouded by the values of "the good of evil", "the evil of good" and ultimately, "the evil of evil", rather than, "the good of good", and then, life becomes very chaotic and troublesome. As against the realization of integral humanism, the chaos he or she generally experience in life are mostly made by the valued choices, and then institute the culture of "inhumanity of humanity" in the names of kidnapping, serial killing, genocides, homicides, cyber-assassination, banditry, terrorism, hostage taking and hijacking, suicide bombing, and such social conditioning of development can be so bad and intense, such that, we humans start desperately looking for ways out and solutions to the hard and compromising experiences of life that weighs us down, simply because, the moral freedom do not accommodate the lives of other persons in our community.

Conclusion

The understanding of the social logic of morality stages the importance of the society over the individuals' evaluations of their actions, and it is not for the human person to evaluate of his or her actions, whether or not, such actions in accordance with societal directives and values. As in what the human person experiences and understand are the product of his or her contingently acquired morality from the society he or she belongs and lives, and but the operation of "the good of good" the human person universally. Such consciousness is shaped by systems of social differentiation and structures the material conditioning of lives and the relations of production and reproduction that defined one's social interactions and the cultural resources of one's lived experiences and relations.[40] Through societal acceptability of the social logic of morality for

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[39] Cf, George Ukagba, Philosophy and Christian Idea of Development and its Relevance to the African Situation. *Nigerian Journal of Christian Studies,* 4 &5, 2009, p. 8.

[40] See, the social classification of the development of the human person in Alison Wylie, "What Knowers Know Well: Women, Work and Academy." In Heide Grasswick (ed). *Feminist Epistemology and Philosophy of Science*. New York: Springer, 2011, p. 162, as

the indispensability of "the good of good" towards integral humanism, everyone should know the limit of his or her freedom for the sake of social order, justice and harmony that justify one's rationality and intelligibility, and so that, the person avoid being steeping into the path of self-annihilation. The achievement of integral humanism is about the holistic realization of the person in peace, equity and justice in the interaction of his or her body and the soul, the concerns of human togetherness and common good being expressed in truth. As Pope Benedict XVI asserts that,

> Development, social well-being, and the search for a satisfactory solution to the grave socio-economic problems besetting humanity, all need this truth. What they need even more is that this truth should be loved and demonstrated. Without truth, without trust and love for what is true, there is no social conscience and responsibility, and social action ends up serving private interests and the logic of power, resulting in social fragmentation, especially in a globalized society at difficult times like the present.[41]

Truth gives lights to the operation of morality, even as the thrust of social logic of morality is on the convictions that the 'bad' is not always bad and the 'good' is not always good. For there are elements of good in the bad, and there are elements of bad in the good. As such, social logic of morality applies that no action is totally good or totally bad. As some actions that are socially identify to be good but in some sense displease some persons, and some actions that are socially identify as bad but in some sense please some persons. We are morally encouraged to embrace the "the good of good." Therefore, the social argument for integral humanism is situated on the universal conceptualization of human mind, that John, James and Paul should know the indisputable and indispensable valuation of "the good of good" over the social trafficking of "the good of evil", the evil of good" and "the evil of evil." Such moral sequencing of development demands that, what affect John, will logically and indispensably affect James and Paul as well, and such community of

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quoted in Francis Ikhainosime, "What can a Woman Know?: Epistemic Bias as Depersonalization." In G, Ogbenika and F. Ikhianosime (eds). *Formation of the Human Person in the 21st Century*. Ekpoma: Seminary of All Saints, with Floreat System, Benin City, 2021, p. 242.

[41] Pope Benedict XVI, *Caritas in Veritate*. Vatican City: Libreria Editrice Vaticana, 2009, no. no. 5.

persons will, in terms of moral regulations and fairness, remains authentic and reliable, and they continue to keep faith on what bind them morally and authentically.

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THE CURSE OF OVERLOOKING SECONDARY CONSEQUENCES: THE COVID-19 EXAMPLE

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Abstract: *Since January 2020, the global community has faced what may be tagged a biological war against the ravaging COVID-19 pandemic. While many countries in the world have been hard hit by this virus, response patterns to the pandemic have varied from country to country and, expectedly, with varying success rates. The global community witnessed a surge in socialist policies as a response pattern to the COVID-19 pandemic. This paper argued that the countries with poor COVID-19 responses are predominantly capitalist economies under the curse of overlooking secondary consequences. The paper examined concepts such as socialism, capitalism, free market and command economy. The paper then offered philosophical argumentation for its conclusion that the COVID-19 reality is strong evidence that adopting socialist policies in an economy is more reliable than a predominantly capitalist economy, and should be the background to rebuilding the post COVID-19 economies.*

Keywords: *Capitalism, COVID-19, education, economy, socialism, policies.*

Introduction

For most nations and their citizens, 2019 ended on a high note and the confidence that the year 2020 will be an interesting one. An example of the euphoria that surrounded the coming of 2020 is the debate on whether it is a new decade or not. Another example is the trending #10YearsChallenge on social media, where people compared their ten-year growth. To confirm this euphoria, on December 28, 2019, CNN did a comprehensive report on this debate, looking at both sides of the debate. As at this time, the world was paying little or no attention to China who was battling a deadly virus in Wuhan.[1]

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[1] World Health Organisation. 2020, January 5. *Pneumonia of Unknown Cause-China.* Retrieved from: https://www.who.int/csr/don/05-january-2020-pneumonia-of-unkown-cause-china/en/ Accessed April 4, 2020.

The year 2020 started with the promises and excitement of a new decade (or not) and the fear that a third world war might occur given the assassination of Qasem Soleimani, a top Iranian general by the United States of America.[2] Little did the world know that within the first four months of the year 2020, the virus China was battling in Wuhan would bring the world to a pause with an impending global recession and a fight for survival of citizens. This virus is the popular COVID-19 that infected more than three million people and killed over two hundred and forty thousand in just five months. As at April 2020, out of 196 countries, at least 187 have confirmed cases of the COVID-19 infections. Asides its devastation on the health sector, the virus is fast crumbling economies all over the world, rendering millions jobless and changing economic realities all over the world. In light of this, many nations started to fight for economic survival as against human lives.

This paper will examine the link between the responses of the worst hit countries and their economies. This paper will argue that lack of adequate socialist policies and a strong central planning led to the poor response of these countries. The paper will further argue that the economies of these countries overlook the secondary consequence of a fast rising economy and end up with economies that find it more difficult to cope with crisis than others do. The paper will conclude that post COVID-19, these countries will have to adopt, not necessarily socialism, but more socialist practices that concentrate on public wellbeing.

The first section of the paper examines the major types of economies (with examples), the systems that sustain them and their major pros and cons. The second section of the paper characterises socialism and capitalism and examines its strengths and weaknesses. The third section of the paper shows how the economic realities of counties during COVID-19 witnessed many socialist practices earlier scorned by these nations. The paper concludes that this is a strong indication that a modified form of mixed economy, which is compatible with a degree of liberty but has more policies that are socialist, is an economic system that will work during or outside a crisis or an emergency. Hence, countries should consider restructuring their economies on socialist practices if a sustainable economy that prioritises human life is the goal. This paper is not a serious

[2] BBC News, 2020, January 3, *Qasem Soleimani: US Kills Top Iranian General in Baghdad Air Strike*. Retrieved from: https://www.bbc.com/news/world-middle-east-50979463 Accessed May 2, 2020.

critique or appraisal of socialism or capitalism, but an argument that a crisis, such as the COVID-19 pandemic, is evidence that an economy with more socialist practices is a more sustainable economy.

Major Types of Economic Systems

The system by which a nation harnesses, regulates and share its available resources is known as its economic system. According to Pryor Frederic:

> An economic system comprises the configuration of institutions and organisations that specify property relations within a given society or that channel and influence the distribution of goods and services.[3]

There are at least six objectives an economic system intends to achieve, they are economic freedom, economic efficiency, economic fairness, economic growth, economic security, economic sustainability and economic stability.[4] Hence, an economic system is probably the most important system in a country as it determines the living standards of the citizens. This emphasises how important it is to get a sustainable economic system for a nation. A nation is as weak or strong as the economic system put in place.

There are four major types of economic systems recognised globally; traditional economy, market economy, command economy and mixed economy. A traditional economy relies on the customs, practices, culture and norms of a society or country to harness and distribute the resources of the nation.[5] There is hardly any recognised territory practicing a traditional economy now, because it is largely obsolete. The major challenge with a traditional economy is that growth, compared to other types of economies is quite slow and it is not easily adaptable to change. However, this system usually guarantees fairness, as resources distribution are according to the customs in the community.[6]

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[3] Pryor, Frederic. 2006. "Economic Systems of Developing Nations." *Comparative Economic Studies.* 46: 78. DOI: 10.1057/palgrave.ces.8100072. (77-99)

[4] Agarwal, Prateek. Economic Systems. 2020, April 20. Retrieved from: https://www.intelligenteconomist.com/economic-systems/ Accessed May 16, 2020.

[5] Ibidem.

[6] Oluwabamide, Abiodun, "An Appraisal of African Traditional Economy as an Heritage." *International Journal of Research in Humanities and Social Studies*. 2, no.12, 107-111, 2015.

A command economy is an economy that depends on a centralised form of government, and regulated firmly by rules and regulations from a central government.[7] An example is the defunct Soviet Union. The major disadvantages with this economic system are that there is little incentive for hard work and limited economic freedom for players in the market. A major advantage, however, is it is more likely to attain economic security in a command economy. Barely any country practices a strict command economy now, but a close example is most likely North Korea.

The market economy is a free economy where individuals control the resources of the nation. The government barely or sparingly regulates this economy and largely guarantees property rights. The major disadvantage of this type of economy is the lack of economic security, and its major advantage is the rapid growth of the economy. A good example is Hong Kong, who adopts one of the freest economies in the world.[8]

The mixed economy is the most popular type of economic system, adopted by at least 152 out of the 197 recognised countries.[9] A mixed economy is simply a combination of the command and market economies. It runs like a free market, but is a central authority regulates it either mildly or heavily. Where the role of the central authority is mild, the economy runs more like a free market. Where the role of the central authority is strong, the economy is largely repressed. Where the role of the central authority is moderate, the market is slightly repressed. The major advantage of a mixed economy is that it can be a fast growing economy, because there is competition in the market. The major disadvantages of a mixed economy are heavy taxation and delay in economic decisions.[10]

An economic ideology powers each economic system; this economic ideology determines the economic system of a country. Simply put, a background ideology determines the role of a central authority in the economy of a nation. Hence, the level of government interference in the

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[7] Grossman, Gregory, "Notes for a Theory of the Command Economy." *Soviet Studies*. 15, no.2: 101-123, 1963.

[8] Wong, Wilson and Yuen, Raymnd, "Economic Policy of Hong Kong." In Contemporary Hong Kong Government and Politics, eds. Lam Wai-Man, Luen-Tim Lui and Wilson Wong. 251-275. Aberdeen, Hong Kong: Hong Kong University Press, 2012.

[9] Statista, Index of Economic Freedom. Retrieved from: https://www.statista.com/statistics/256965/worldwide-index-of-economic-freedom/ Accessed May 27 2020.

[10] Peston, Maurice, *The Nature and Significance of the Mixed Economy.* In Lord Roll of Ipsden eds. The Mixed Economy. 18-34. London: Palgrave Macmillan, 1982.

market of each country depends on the sort of economic ideology that regulates the country as a whole. A command market is regulated by the communist or socialist ideology; a free market is largely regulated by capitalism, while a mix of both the socialist and capitalist ideologies regulate a mixed economy.

The more Capitalist the political practices of a country with mixed economy is, the less the interference of its government in the market. A good example of this is Hong Kong who has a free market score of at least 80%.[11] Private individuals control at least 80% of the economy. Hence, central planning and government intervention is roughly 20%. The more socialist the political practices of a country with mixed economy is, the more the interference of its government is in the market. A good example of a country with a predominantly centrally planned economy is Cuba. Cuba's free market score is less than 30%.[12] Simply put, central planning and government or state control is more than 70%. The next section of the paper will briefly examine the three major economic ideologies, recognised globally, that determines the role of the government in the economy of a country, with examples and its major pros and cons.

Major Economic Schools of Thought

There are three major economic and political theories, recognised globally, that determine the economic system of a nation. These economic and political theories are communism, socialism and capitalism. A deep analysis of these ideologies is beyond the scope of the current paper. As such, the paper will not explore these ideologies deeply, because they are very broad and will redirect the course and objective of the paper. However, the paper will simply highlight the salient features of these ideologies, especially as it affects the response pattern of countries to the COVID-19 pandemic. The paper will briefly highlight some key advantages and disadvantages of each ideology.

Communism

According to Engles Friedrich, "Finally, when all capital, all production, all exchange have been brought together in the hands of the nation, private property will disappear of its own accord, money will

[11] Statista, Index of Economic Freedom. Retrieved from: https://www.statista.com/statistics/256965/worldwide-index-of-economic-freedom/ Accessed May 27 2020.

[12] Ibidem.

become superfluous, and production will so expand and man so change that society will be able to slough off whatever of its old economic habits may remain."[13] Communism identifies as a social, political, economic and philosophical theory developed by Karl Marx as a critique of capitalism. This theory advocates for a communal ownership of resources and means of production, with the aim of creating a classless society. For Karl Marx and Engles Friedrich, communism is the goal of any society and an advanced socialism born out of the ashes of capitalism.[14] This theory is premised on industrial revolution and reasonable equality.

The major characteristics of communism include communal ownership of means of production and resources; central control of means of production; class equality and single party system and distribution of resources according to needs and wants. The major advantages of this ideology are availability of social welfare for citizens, equality and lack of class conflicts. The major disadvantages consist in the fact that it engenders a slow rate of growing the economy and there a relative lack of incentive for citizens to harness their skills and produce optimally. Laos, North Korea, Cuba, China and Vietnam are examples of countries largely identified as communist. Although these countries are not thoroughbred communist states, they aspire to achieve communism and adopt the command economy.

Socialism

According to Donald Busky, "Socialism may be defined as movements for social ownership and control of the economy. It is this idea that is the common element found in the many forms of socialism."[15] Socialism, thus, is a theory that advocates primarily for public ownership of production. According to Scott Arnold, "What else does a socialist economic system involve? Those who favour socialism generally speak of

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[13] Engels, Friedrich, 1847, "What will be the course of this revolution?" Sec. 18 in Principles of Communism, translated by Paul SweezyC:\Users\INVENTAR\Desktop\new papers\PaulSweezy. Retrieved from https://www.marxists.org/archive/marx/works/1847/11/prin-com.htm. 2005. Accessed May 14, 2020.

[14] Marx, Karl, and Friedrich, Engels, 1848, "Bourgeois and Proletarians." In Manifesto of the Communist Party: Marx/Engels Selected Works 1, translated by S. Moore. 98-137. Moscow: Progress Publishers, 1969.

[15] Busky, Donald, *Democratic Socialism: A Global Survey.* Westport: Praeger Publishers, 2020, p. 2.

social ownership, social control, or socialization of the means of production as the distinctive positive feature of a socialist economic system."[16]

The salient characteristics of socialism are the public ownership of essential means of production and sectors; economic planning depends largely on the government; substantial social and economic equality; intense social welfare for citizens and limited competition in the economy.

The major advantages of socialism are limited space for exploitation; lack of class and social conflicts and maximum social benefits for citizens. Besides, unlike communism, there is a little more incentive to produce; reduced taxation, free health care and education to a certain level and relative reduction in poverty. The major disadvantages include a slow growing economy and relatively less motivation for citizens to harness their skills because of the availability of maximum welfare benefits.

Socialism is more popular than communism because it is largely more compatible with democracy and liberalism. This is unlike communism, which adopts a strong control over the economy and private ownership of resources and tends to adopt a totalitarian or less liberal system of government. Examples of top socialist countries are Denmark, Finland and Canada.

Capitalism

Capitalism is the social, economic and political theory or practice that allows for private ownership of the means of production and resources for profit. According to Chris Jenks,

> Capitalism, as a mode of production, is an economic system of manufacture and exchange which is geared toward the production and sale of commodities within a market for profit, where the manufacture of commodities consists of the use of the formally free labor of workers in exchange for a wage to create commodities in which the manufacturer extracts surplus value from the labor of the workers in terms of the difference between the wages paid to the worker and the value of the commodity produced by him/her to generate that profit.[17]

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[16] Arnold, Scott, *The Philosophy and Economics of Market Socialism: A Critical Study.* Oxford University Press, 1998, p. 8.

[17] Chris, Jenks, *Core Sociological Dichotomies. London: Thousand Oaks,* CA, 1998. p. 383.

Although, most capitalist countries adopt some form of public ownership of some essential resources, predominantly capitalist states encourage a high degree of private ownership of means of production and resources.

The salient features of capitalism include private ownership of the means of production; stringent welfare benefits for citizens; profit driven economy; economic freedom; private ownership of resources protected by laws; huge competition; strong and obvious class stratification; price mechanism drives the economy and consumers needs and wants direct the course of production.[18]

The major advantages of capitalism include a fast growing economy and its compatibility with liberty and freedom. The major disadvantages include inequality amongst citizens; class conflict; lack of social welfare,[19] and the paper will argue, using the COVID-19 pandemic example, that capitalism is unstable. The next section will examine the roles these social, economic and political theories play in the response of countries to the COVID-19 pandemic.

COVID-19 Pandemic Responses

An emergency or crisis is easier to combat when it affects a minority, just a nation, or a few nations. However, when it is a global emergency or crisis, it becomes more difficult to handle and the government will usually have to step in. For example, in Cuba, the government made it mandatory for medical doctors to move from house to house for early detection of suspected COVID-19 patients. In the United Kingdom, the government paid the salaries of some furloughed workers. In Nigeria, the government paid for the treatment of confirmed COVID-19 patients.

The COVID-19 pandemic is a respiratory illness; hence, it is highly contagious. Except human beings do not breathe or speak, the COVID-19 virus will spread. Given the level and rate of the spread, the pandemic requires a response pattern that can benefit almost everybody in a community or nation. This is because the success or failure of the battle against a pandemic does not rest on the minority but the majority. For

[18] Heilbroner, Robert, "Capitalism". In The New Palgrave Dictionary of Economics, eds. Steven Durlauf and Lawrence Blume, 2nd ed. 688-697. London: Palgrave Macmillan, 2008.

[19] Frances Goldin, Debby Smith and Michael Smith, *Imagine: Living in a Socialist USA.* New York: Harper Collins Publishers, 2014, pp. 49–50. Blast, Joseph and Walberg, Herbert. Education and Capitalism: How Overcoming Our Fears of Markets and economics Can Improve. Hoover Institution Press, 2003. pp. 87–89.

example, in South Korea, thousands of cases were contact traced to a single patient called patient 31.[20] Hence, South Korea went from a few cases to thousands of cases in a few weeks.

When the virus started spreading in Wuhan, China decided that the best way to curtail the spread is to impose a lockdown on the affected areas.[21] There are many theories and conspiracies surrounding the handling of the virus in China and there are claims that China concealed vital information that could have helped other countries handle the virus in a more organised way.[22] This paper will not dwell on these claims or conspiracy theories. Rather, the paper will examine the challenges faced by some countries during this pandemic and the economic decisions that helped to handle the challenges or made them worse.

As at July 15, 2020, the following countries were ranked as states with the worst COVID-19 pandemic response across the world.[23]

Table 1.1: Countries with the worst COVID-19 pandemic response

COUNTRY	DEATHS	PER MILLION
Belgium	9,787	856.85
United Kingdom	44,968	676.32
Spain	28,409	608.02
Italy	34,984	578.91
Sweden	5,545	544.53
France	29,943	447
USA	136,284	416.56
Peru	12,229	328.28
Chile	7,069	377.43
Ireland	1,746	359.74

One major and common factor responsible for the poor response in these countries is that they failed to go fast and go hard. United States of

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[20] Aljazeera News, March 3, 'Patient 31' and South Korea's Sudden Spike in Coronavirus Cases. Retrieved from:https://www.aljazeera.com/news/2020/03/31-south-korea-sudden-spike-coronavirus-cases-200303065953841.html Accessed May 2, 2020.

[21] World Health Organisation, January 5, *Pneumonia of Unknown Cause-China.* Retrieved from: https://www.who.int/csr/don/05-january-2020-pneumonia-of-unkown-cause-china/en/ Accessed April 4, 2020.

[22] BBC News, April 26. Coronavirus: US and China Trade Conspiracy Theories. Retrieved from: https://www.bbc.com/news/world-52224331 Accessed May 2, 2020.

[23] Statista, July 15. COVID-19/Coronavirus: Facts and Figures. www.statista.com. Retrieved from: https://www.statista.com/statistics/1105235/coronavirus-2019ncov-cases-recoveries-deaths-most-affected-countries-worldwide/ Accessed July 15. 2020.

America, for example, was officially informed of the COVID-19 virus in December 2019; it was then called a mysterious respiratory illness. The centre for disease control then put together a report, which included a warning on the severity of the virus. This report was presented to the president in January. However, according to reports, the warnings were ignored and the government preferred to remain in denial.[24] Italy, Spain and Brazil are also examples of countries that reacted rather too late and recorded many casualties. These countries ignored warnings and responded rather too late to the pandemic.

However, when it was obvious they had no choice but to aggressively confront the spread of the virus and the crisis, all these countries introduced lockdown measures and travel restrictions. On the 13th of March 2020, Belgium announced a partial lockdown in the country. When it was obvious this measure did not help the crisis, the country announced a total lockdown on the 18th of March 2020.[25] As an attempt to halt the spread of the Covid-19 virus, the prime minster of the United Kingdom announced lockdown measures for the country on the 23rd of March 2020.[26] With over 6,000 confirmed cases, Spain announced a total lockdown on the 14th of March 2020 to curtail the spread of the virus.[27]

The ten countries with the worst COVID-19 responses are mixed economies with well-developed free markets. For example, Belgium's free market economy score is 68.9%, United Kingdom's is 79.3% and Ireland's is 80.9%. The country with the lowest free market economy score amongst

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[24] The Washington Post. 2020, March 21. U.S. Intelligence Reports from January and February Warned About a Likely Pandemic. Retrieved from:

https://www.washingtonpost.com/national-security/us-intelligence-reports-from-january-and-february-warned-about-a-likely-pandemic/2020/03/20/299d8cda-6ad5-11ea-b5f1-a5a804158597_story.html Accessed July 15, 2020.

[25] Euractiv. 2020, March 17. Belgium Enters Lockdown Over Coronavirus Crisis Till 5 April. Retrieved from:

https://www.euractiv.com/section/coronavirus/news/belgium-enters-lockdown-over-coronavirus-crisis-until-5-april/ Accessed July 15, 2020.

[26] The Guardian International Edition. 2020, March 23. UK Coronavirus: Boris Johnson Strict Lockdown. Retrieved from:

https://www.euractiv.com/section/coronavirus/news/belgium-enters-lockdown-over-coronavirus-crisis-until-5-april/ Accessed July 17, 2020.

[27] The Washington Post. 2020, March 14. Spain Goes on Nationwide Lockdown as Coronavirus Cases Surge. Retrieved from:

https://www.washingtonpost.com/world/europe/coronavirus-spain-nationwide-lockdown/2020/03/14/3bec8690-6619-11ea-8a8e-5c5336b32760_story.html Accessed July 15, 2020.

the ten countries with the worst COVID-19 pandemic response is Italy with a score of 63.8%.[28] The structure of these countries free market added to the slow and reluctant response to the pandemic.

For example, the United States of America had the first COVID-19 related death on the 6th of February 2020. However, the country did not impose travelling restrictions to and from European countries until March 11, 2020.[29] Even at this point, the president, Donald Trump, insisted that the risk for the country was quite low. Consequently, there were no suggestions for citizens to avoid mass gatherings until March 16, 2020. Still the government was reluctant to impose a curfew or lockdown because the country was heading towards a recession and there was a fall in the stock market.[30]

One significant evidence that the delay in responding to the virus is the mistake of choosing some capitalist policies over saving lives is the stock market controversy that engulfed some senators on the same day the United States senate was briefed on the dangers of the COVID-19 virus.[31] The government kept insisting that the country had the situation under control, yet a number of senators sold their stocks in anticipation of a stock market crash. These senators, based on the projection and reports presented to them on the impact of the virus in the United States were more concerned with selling their shares and acquiring profit rather than saving lives.

Another evidence is the reluctance and delay in imposing lockdowns, bans on mass gatherings and travel restrictions. Why the reluctance to

[28] Statista. 2020 Index of Economic Freedom. Retrieved from: https://www.statista.com/statistics/256965/worldwide-index-of-economic-freedom/ Accessed May 27 2020.

[29] The Washington Post. 2020, April 4. Denial and Dysfunction Plagued US Government as the Coronavirus Raged. Retrieved from: https://www.washingtonpost.com/national-security/2020/04/04/coronavirus-government-dysfunction/?arc404=true Accessed July 15, 2020.

[30] The Washington Post. 2020, April 4. Denial and Dysfunction Plagued US Government as the Coronavirus Raged. Retrieved from: https://www.washingtonpost.com/national-security/2020/04/04/coronavirus-government-dysfunction/?arc404=true Accessed July 15, 2020.

[31] The Washington Post. 2020, March 21. U.S. Intelligence Reports from January and February Warned About a Likely Pandemic. Retrieved from: https://www.washingtonpost.com/national-security/us-intelligence-reports-from-january-and-february-warned-about-a-likely-pandemic/2020/03/20/299d8cda-6ad5-11ea-b5f1-a5a804158597_story.html Accessed July 15, 2020.

adopt these measures despite the scientific evidence suggesting the necessity of these measures in slowing the spread of the virus and reducing casualties? Of course, the whole world was unprepared to handle this crisis, but it hit some countries more than other countries. First, these countries do not have experience of handling such a pandemic. For example, Hong Kong and China had the experience of battling the SARS epidemic. Hong Kong, for example, admitted that the experience of the SARS virus epidemic of 2003 equipped the nation to respond to the COVID-19 pandemic early enough. Countries such as United Kingdom, Italy and Spain do not have that experience. These countries have been immune from such illnesses for a long time.

However, in the face of scientific projections and warnings, cases of people infected with the virus in these countries and even a few deaths, there was still a loud delay in responding to the pandemic. There is evidence that the government of these countries realised that admitting that they needed to shut down any part of the country will send a message of panic to the citizens, which will affect productivity and, definitely, profit.

For example, a New York Times report of March 11 2020 reported that UK is shielding the economy from the virus rather than the citizens.[32] The first response of the United Kingdom Parliament was to roll out a plan to mitigate the effect of the virus on the economy, before rolling out plans for the health sector to fight the virus. At that point in time, the UK was yet to announce concrete restrictions, lockdown and social distance measures. The first reaction was to mitigate the economy. Unfortunately, it became obvious that the economy does not run itself but required workers. Some workers that were already exposed to the COVID-19 virus or were already ill from it. According to Susan Milligan, "Clearly frustrated at the layoffs and stock market plunges that have occurred as a result of stay-at-home directives and business shut-downs, Trump on Tuesday doubled down on plans to loosen "social distancing" federal guidance meant to keep people from infecting each other. The nation, he declared in a Fox News virtual town hall, will be "open for business" by Easter, April 12."[33]

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[32] New York Times. 2020, March 11. UK Shields Its Economy from the Virus, But not Yet Its People. Retrieved from: https://www.nytimes.com/2020/03/11/world/europe/economy-britain-coronavirus.html Accessed July 15, 2020.

[33] Susan Milligan. 2020, March 24. Trump's Choice: The Economy or Human Lives. Retrieved from: https://www.usnews.com/news/national-news/articles/2020-03-24/trumps-choice-on-coronavirus-the-economy-or-human-lives Accessed July 17, 2020.

Furthermore, these countries have classed societies, with a wide gap between the rich and the poor. In the United States of America and the United Kingdom for example, the rich and upper middle class had access to testing and medical intervention that the poor and lower middle class did not have. Hence, on the one hand were cases of business moguls and celebrities announcing they tested negative or positive, and those who were positive could quickly self-isolate, while on the other hand where cases of sick poor and lower middle class people who could not confirm if they had contacted the virus or not. In the United Kingdom for example, this class in the society could not access medical health except they had respiratory distress. At this stage, it is unlikely for such people to survive the illness. Unfortunately, in a pandemic, every class is important. Ignoring a class of the society in responding to the virus means more spread in the country.

Socialist Policies and Central Planning

Although a respiratory illness amongst human beings can be very difficult to handle, because humans are mobile and will obviously breathe. However, some countries handled the pandemic better than others did. What did these countries do differently? It is not coincidental that the economies of some of the countries with good response to the COVID-19 pandemic are command economies, socialist countries and mixed economies that have a huge percentage of socialist policies and a good central planning.

The four countries rated as the most developed command economies or socialist economies are some of the countries with the best COVID-19 pandemic response. Cuba, China, Vietnam and Lao Republic are countries identified as nations with good response to the COVID-19 pandemic. For example, on June 8, 2020, the President of Cuba, Miguel Diaz-Canel, announced that the virus is under control in Cuba after the nation recorded no new case in eight straight days.[34] Cuba's strategy was also to respond fast and hard. The nation employed strict lockdown, ban of public transport strict quarantine and surveillance, strict border control, access to citizen's personal data and information and a centrally controlled public health system. As at June 26 2020, Cuba had 2,321 cases, 2,171

[34] Wion News. 2020. June 8. *Cuba Declares Coronavirus Pandemic Under Control.* Retrieved from: https://www.wionews.com/world/cuba-declares-coronavirus-pandemic-under-control-304093 Accessed 17 July, 2020.

recoveries and 81 deaths. As at July 16 2020, Cuba had 2,428 confirmed cases, 2,268 recoveries and 87 deaths.[35]

Despite the poor housing, poor economy, food shortage and poverty in Cuba, the nation was able to develop and execute a strategy to curtail the spread of the virus. Although the approach is rigid, it served the common good of Cubans, by slowing the spread, curtailing it and putting it under control. So far, Cuba is one of the countries considered the best response to the COVID-19 pandemic in the world.[36] This raises an interesting question concerning the extent of liberty that citizens of a country may enjoy. In other words, "How healthy is extreme liberty for the well-being of a nation?" This is subject for another discussion.

It is possible for Cuba to go hard and fast in responding to the COVID-19 pandemic because of its command economy and its underlying communist ideology. The government where the means of production are owned by the state and businesses are largely government controlled is centrally planned. Hence, taking the decision to confront the pandemic fast and hard was an easy decision to make. In this case, the command economy and communism practiced in the nation, proved more efficient than a fast rising economy.

As at July 16 2020, Vietnam, another country with a good response (probably the best) to the COVID-19, had 391 confirmed cases, 353 recoveries and 0 deaths.[37] Vietnam, even before they confirmed any case knew it was bound to happen given the proximity and economic ties with China. Vietnam embarked on mass and aggressive sensitisation, travel ban for foreigners, guidance on prevention and detection, strict control measures, airport screenings, physical distancing, strict use of face masks in all public areas, shut down of all non-essential services, restrictions on movements, extensive contact tracing, strict self-isolation, free health services and mass but controlled testing.[38]

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[35] Worldometer. 2020, July 16. Coronavirus Cases: Cuba. Retrieved from: https://www.worldometers.info/coronavirus/country/cuba/ Accessed 16 July 2020.

[36] The Conversation. 2020, April 15 Coronavirus Response: Why Cuba is Such an Interesting Case. Retrieved from: https://theconversation.com/coronavirus-response-why-cuba-is-such-an-interesting-case-135749 Accessed 16 July 2020.

[37] Ministry of Health. 2020, July 16. Coronavirus Updates. Retrieved from: https://www.moh.gov.sg/covid-19 Accessed 16 July 2020.

[38] IMF Policy Tracker. 2020, August 10. Policy Responses to COVID-19- International Monetary Fund. Retrieved from: https://www.imf.org/en/Topics/imf-and-covid19/Policy-Responses-to-COVID-19 Accessed 13 August 2020, Vietnam Briefing. 2020, August 10. Vietnam: Travel Updates and Restrictions. Retrieved from:

The aggressive and swift nature of the measures adopted accomplished cost effective execution and a good control of the spread of the virus. This is possible because of the command economy in the country and the centrally planned government. The tales of woe of surge in unemployment that characterise the countries with the worst COVID-19 pandemic are not as bad in these countries. Crisis, such as the COVID-19 pandemic, makes it obvious that the most important asset to any nation is the well-being of the public. Nobody was left behind in addressing the virus in these countries.

What did the countries with poor responses do differently or what are they doing differently to tackle the crisis facing their countries? The government of Belgium had to put measures in place to support private businesses and self-employed citizens, even though Belgium has a mixed economy with many capitalist policies. The government also announced tax relief packages for the citizens and businesses in Belgium. The government of the United Kingdom put up measures to support businesses, the government also put up measures to pay up to 80% of salaries and in some cases even self-employed citizens benefitted from the scheme. In some cases, government paid the salaries of furloughed workers. Business intervention measures in the form of loans were implemented to support big businesses and interest rates on loans reduced by banks.[39]

Italy, Sweden, France and Ireland also put up measures to resuscitate private businesses affected by the pandemic. Stimulus packages were given to the most vulnerable and affected citizens. The government also put up measures to absorb mortgages and rent of citizens affected by the pandemic. Some of these countries, for example Spain, nationalised health workers and hospitals, controlled the prices of essential products such as food, toiletries, drugs, sanitizers, face masks and gloves, converted some factories to producing essential goods and converted some private buildings into places where essential services can be rendered. Simply put, to combat the COVID-19 crisis, most countries had to adopt many socialist strategies.

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https://www.vietnam-briefing.com/news/covid-19-vietnam-travel-updates-restrictions.html/ Accessed 13 August 2020.

[39] BBC News. 2020, March 20. Coronavirus: Government to Pay up to 80% of Workers Salary. Retrieved from: https://www.bbc.com/news/business-51982005. July 18, 2020.

Since the wave of lockdown measures across countries in the world and implementation of various stimulus packages, there has been an increase in the argument that socialism is the future of economies. According to Max Rameau, “The same proposals that were demonized yesterday as radical socialism are embraced today to save the society from collapse”.[40] Simply put, in times of crisis such as the COVID-19 pandemic, a centrally planned government and some socialist practices are required to wade through the crisis.

This pandemic is not a call to present socialism or communism as the perfect substitute for capitalism as many have argued. An example of an argument for socialism as a perfect substitute for capitalism is Tony Murphy’s who argue thus, “I can think of no better argument for socialism than the way socialist countries have eclipsed capitalist countries by the pro-people way they have addressed the crisis. China’s response to COVID-19 was to implement a mass mobilization of every sector of society. No capitalist country dominated by anarchy and competition could pull it off.”[41] However, this paper argues that predominantly capitalist economies do not need to adopt a total socialist economy; they only need to infuse socialist practices more into their economies, beyond the COVID-19 pandemic.

Moreover, there are countries with developed free markets and predominantly capitalist economies that responded well to the pandemic. For example, Hong Kong has a free market score of 89.1%,[42] yet it is one of the countries with the best response to the COVID-19 pandemic. Canada has a free market score of 78.2%, but it also responded well to the pandemic. Note that Hong Kong market is a more developed free market economy than the ten countries with the worst COVID-19 virus response. Canada has a more developed free market than eight of the countries with poor response to the pandemic does. Hence, there is no evidence that a

[40] Rameau, Max. 2020. April 15. Capitalism’s weak Doses of Socialism to Treat the Economic Infection of COVID-19. Black Agenda Report. Retrieved from: https://mronline.org/2020/04/20/capitalisms-weak-doses-of-socialism-to-treat-the-economic-infection-of-covid-19/ Accessed August 3, 2020.

[41] Murphy, Tony. 2020, May 21. Why Socialist Countries Take Lead In Fighting COVID-19. Retrieved from: https://iacenter.org/2020/05/22/why-socialist-countries-take-lead-in-fighting-covid-19/. Accessed August 5, 2020.

[42] Statista. 2020 Index of Economic Freedom. Retrieved from: https://www.statista.com/statistics/256965/worldwide-index-of-economic-freedom/ Accessed May 27 2020.

country must become socialist in order to confront the consequence of secondary challenges.

The curse of the secondary challenge, which is affecting these nations, is focusing more on a fast growing economy at the expense of a sustainable economy in times of crisis. In other words, this countries focus on the primary challenge, which is to grow the economy, at the expense of the secondary challenge, which is to build a sustainable economy even in a crisis. Countries such as the United Kingdom, Spain and United States of America, have focused more on fast growing economies, which is of course primary. However, this is at the expense of a secondary challenge, which is ensuring the economy can withstand pandemics, natural disasters and wars.

Canada and Hong Kong did not overlook secondary consequences in structuring their free markets. Hong Kong economy, though a predominantly free market, is known for its low tax rate.[43] The countries with the worst response to this pandemic are economies who commit the fallacy of overlooking secondary consequences. According to Henry Hazzlit:

> … there is a second main factor that spawns new economic fallacies every day. This is the persistent tendency of men to see only the immediate effects of a given policy, or its effects only on a special group, and to neglect to inquire what the long-run effects of that policy will be not only on that special group but on all groups. It is the fallacy of overlooking secondary consequences.[44]
>
> … therefore, the whole of economics can be reduced to a single lesson, and that lesson can be reduced to a single sentence. The art of economics consists in looking not merely at the immediate but at the longer effects of any act or policy…[45]

[43] Lynam, Robin. 2020, July 25. Hong Kong's Simple, Low Taxes: Don't We All Want It? Retrieved from: https://www.theglobeandmail.com/report-on-business/economy/canada-competes/hong-kongs-simple-low-taxes-dont-we-all-want-it/article13393877/ Accessed July 27, 2020.

[44] Hazzlit, Henry, *Economics in One Lesson.* New York: Harper and Brothers, 1948, p. 3.

[45] Hazzlit, Henry. 5.

This pandemic so far reveals that economies of many countries are guilty of the fallacy of overlooking secondary consequences. These economies obviously cannot withstand the long effects of pandemic and thus have to choose between allowing the virus to spread, largely unhindered, and saving the economy.

Canada already had several socialist measures in place. For example, Canada has the old age security policy, employment insurance, workers' compensation, public education, social housing, amongst other socialist measures. Hence, the government of the country was used to intervening, in large measures, in the welfare of the citizens. However, it took several deaths and a near crash in the health sectors and economies to jolt the government of the countries with poor responses into action. Unfortunately, for many of these countries, it was almost too late.

Measures taken in Hong Kong were swift and were centrally planned and executed. Hong Kong employed swift border control, strict contact tracing, swift surveillance, swift and strict quarantine and a public health response; all these were centrally planned and executed.[46] Furthermore, the experience from the SARS outbreak in 2003 showed them that a swift centrally planned and executed response would help control a pandemic. As at July 16, 2020, Hong Kong had 1,656 confirmed cases, 1,254 recoveries and 10 confirmed deaths.[47] Hong Kong has a long history with socialism and, although liberalism and democratic practices gradually replaced socialism, many of the socialist policies were not discarded. An example is the Comprehensive Social Security Assistance (CSSA), which is a scheme that complements the income of those who cannot afford the basic needs in the country.

However, according to Peng Wu, "As one of the most heavily affected epicentres during the SARS epidemic in 2003, Hong Kong is better equipped to contend with an outbreak of COVID-19 than many other countries. Improved testing and hospital capacity to handle novel respiratory pathogens, and a population acutely aware of the need to improve personal hygiene and maintain physical distancing, put them in

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[46] Gunia, Amy, *Hong Kong, Which Had All But Beaten Coronavirus, Adopts Tough Restrictions Amid a Troubling Surge.* www.time.com. 13 August 2020.

[47] Centre for Health Protection. 2020, July 27. Coronavirus Updates. Retrieved from: https://time.com/5872102/hong-kong-coronavirus-social-distancing/ Accessed 13 August 2020.

good stead."[48] Hence, Hong Kong is also benefitting from the lessons learnt during a former epidemic. It is thus essential for other countries with poor COVID-19 pandemic response to learn from this period, even while tackling the crisis they are confronting.

Overcoming the Fallacy of Secondary Consequence

Some of the practices that made the pandemic worse in these countries include, artificial scarcity, massive loss of jobs for low-income earners, even industries that could afford to keep their workers decided to lay some off as an opportunity to maximise profit. In other words, the profit motive still took centre stage. Inability to pay rent, mortgage and utility bills, lack of medical attention, amongst other challenges, became common.

Some countries suspended or amended payment plans for some of these bills because of job loss and income loss, for example Canada and The Philippines. However, some countries could not adopt this approach because of the profit motive and because the government has very little or no involvement in housing, for example Nigeria. Nigeria could not suspend or reduce any bill. There was minimal palliative and stimulus packages during the lockdown, there was barely any tax relief for citizens during the period. Hence, when it became obvious that the government needed to give palliatives to sustain the lockdown, the government decided to lift the lockdown and lift restrictions gradually.

The countries with poor responses that attempted palliatives and stimulus packages had little respite. Aside the fact that these measures stretched the economy because they are alien to the economy, the measures are temporary and in case of another pandemic, epidemic, or war, the cycle will most probably repeat itself. Hence, these countries must study the patterns responsible for the slow and easy response to the pandemic and restructure their free market such that more practices that are socialist are adopted.

The free market in these countries thus is vulnerable to crisis, emergencies and economic changes. Their economies are guilty of the fallacy of secondary challenges. Notice that the economy of these countries are organised in such a manner that the resources, economic power and

[48] Lutz, Rachael. 2020, April 24. How Did Hong-Kong Get Through COVID-19 Without a Complete Lockdown? Retrieved from:
https://www.contagionlive.com/news/how-did-hong-kong-get-through-covid19-without-a-complete-lockdown- Assessed 13 August 2020.

political power domiciles in the hands of a minority. Therefore, in the case of emergencies and crisis, the fate of the nation lies in the hands of these individuals. Unchecked free market leads to an imbalance in the economy that makes the economy susceptible in a crisis or emergency, such as COVID-19 pandemic presents. Slim government involvement and policies that are socialist during an emergency or crisis will lead to a tragedy of the commons – where the minority has access to the majority of the wealth and resources of a country and the majority will have to do without.[49]

One factor common to all the countries with poor COVID 19 response is that they are all mixed economies, with predominantly capitalist policies. The governments of these countries, over time, have stepped back and largely allowed private ownership to steer the economy. It was earlier noted that one of the advantages of capitalism is that it engenders a fast growing economy. As such, these countries enjoyed a fast growing economy for a long time. The initial delay in responding to the COVID 19 pandemic, which later became a crisis for these nations, arises from the fact that the governments of these countries are not used to taking full charge of the economy. Taking precautions such as travel restrictions, lock down of large gatherings, shutting down businesses would undoubtedly put a huge strain on the economy of any Nation, regardless of the type of economy adopted.

The drive for profit rather than welfare that characterises capitalism is now sticking out like a sore thumb for these countries. The obvious neglect of research for other profit-laden industries has turned out to be a mistake that these countries will have to pay for. For example, while China was able to build hospitals in two weeks to admit more patients. Italy and New York had to adopt a triage system; where individuals can access, or not, medical help based on their prognosis and available resources, which is a major factor responsible for the several lives lost to the virus.[50] Many just could not get the medical attention needed early enough.

While a country like Venezuela suspended rent for some months to help citizens cope with the financial strain of the virus, United State of America could not do this, but decisions on suspension of rent payment was largely left to property owners. The best the government could do

[49] See Hardin, Garret, "Tragedy of the Commons." Science, New Series, 162:3859, 1968, 1243-1248.

[50] Murphy, Tony, 2020, May 21. Why Socialist Countries Take Lead In Fighting COVID-19. Retrieved from: https://iacenter.org/2020/05/22/why-socialist-countries-take-lead-in-fighting-covid-19/ Accessed August 3, 2020.

was to order an eviction moratorium for about three months.[51] Hence, before the end of July 2020, some Americans might be evicted for inability to meet up with rent payments. Any economy that pursues profit at the expense of the public interest will struggle more during a global crisis, such as the COVID-19 epidemic. Simply put, these countries are not structured to put public interest first. Unfortunately, in a pandemic, everybody is important. Ignoring the welfare of a single person can cause doom for a whole community.

There are obviously countries which are also largely capitalist but have better responses to the COVID-19 pandemic; examples are South Korea, Canada and Hong-Kong. One major factor that has allowed some of these countries to be different from others is the experience garnered during the SARS outbreak of 2003.[52] These countries still had structures and lessons to fall back on. They already know that delay in the face of a pandemic, and an attempt to put the economy over public interest will spell doom. At the end of the day, both the economy and public interest will suffer greatly. The government of Greece, for example, had to impose travel restrictions, despite the fact that one major source of revenue for the country is tourism.[53] These countries acknowledge that the economy can be revived, but they need a healthy work force to do this.

What lessons then should countries such as Belgium, Italy, Spain and United States of America learn from the COVID-19 pandemic? The lesson is that although absolute Socialism may not be desirable to many, the free market economy as it is practiced needs to be modified. These countries, going forward, must find that important balance between profit and public interest. If the government can be more involved in public welfare in a crisis, then they can do more even without a crisis. Max Rameau argued that, "All of the human-made elements that make this global pandemic so dangerous–lack of access to healthcare, housing and income–

[51] The White House, 2020. August 8. Executive Order on Fighting the Spread of COVID-19 by Providing Assistance to Renters and Home Owners. Retrieved from: https://www.whitehouse.gov/presidential-actions/executive-order-fighting-spread-covid-19-providing-assistance-renters-homeowners/ Accessed 13 August 2020.

[52] Ngai, Coffee, 2020, March 25. Message from Hong Kong: What SARS taught us about COVID-19. Retrieved from:

https://www.amnesty.org/en/latest/news/2020/03/hong-kong-what-sars-taught-us-coronavirus/ Accessed 16 July 2020.

[53] Schengenvisainfo. 2020, July 21. Greece Extends Entry Ban for Some Countries Until July 31. Retrieved from: https://www.schengenvisainfo.com/news/greece-extends-entry-ban-for-some-countries-until-july-31/ Accessed August 3, 2020.

are all functions of capitalism. Conversely, all of the solutions to this devastating crisis are functions of socialist policies, even if not socialism itself."[54]

In March 2020, the United States government signed a relief package for American Airlines; a sector obviously badly hit by the impact of the COVID-19 pandemic, on the condition that no worker would be sacked between March and September 30, 2020. Despite the relief package, the major airlines already announced that at least 30% of their work force might face job loss as from October 1st, 2020. If a stimulus package from the government to the airlines could help secure peoples' jobs until September 30, 2020, imagine if the government stake in the airlines goes beyond just a stimulus package. Unemployment rate would most likely be less if government were more involved in businesses. Italy Prime Minister also announced a cap on the price of face masks.[55]

According to Max Rameau, "The global COVID-19/coronavirus pandemic is compelling the U.S. government to do what protests, law suits, policy position papers and appeals to human decency could not: treat people as if they were valued members of the human family."[56] The COVID-19 pandemic shows that in a pandemic, war or crisis, the more wealth is privately owned, the more casualties the crisis may record. The speed at which the government of these countries adopted socialist policies shows that these policies are possible in these countries and the government knows the advantages of socialist policies.

This is not the first time that predominantly capitalist economies will be in crisis. An example is the great recession of 2008 where socialist policies were applied to cushion the effects of the recession in capitalist countries. According to John Barry, "The, beginning in 2007, the Capitalist nations experienced the worst recession since the Great Depression of the

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[54] Rameau, Max, 2020. April 15. Capitalism's weak Doses of Socialism to Treat the Economic Infection of COVID-19. Black Agenda Report. Retrieved from: https://mronline.org/2020/04/20/capitalisms-weak-doses-of-socialism-to-treat-the-economic-infection-of-covid-19/ Accessed August 3, 2020.

[55] BBC News. 2020, April 27. Coronavirus: Italy's PM Outlines Lockdown Easing Measures. Retrieved from: https://www.bbc.com/news/world-europe-52435273 Accessed 16 July 2020

[56] Rameau, Max. 2020. April 15. Capitalism's weak Doses of Socialism to Treat the Economic Infection of COVID-19. Black Agenda Report. Retrieved from: https://mronline.org/2020/04/20/capitalisms-weak-doses-of-socialism-to-treat-the-economic-infection-of-covid-19/ Accessed August 3, 2020.

1930's. Had Government not acted quickly to bail out failing banks and corporations, the Great recession of 2008 might have been cataclysmic."[57]

The most effective approach to dealing with the pandemic in almost every country is a more centrally planned government and economy. The more the attention the government of a country can pay to public interest, the easier it is to reduce the spread of the virus. There is no nation free from economic problems, neither is there any adopted economic system that is absolute. However, every nation must consider a balance between scarcity and choice, especially in the midst of a crisis.

In Nigeria for example, the government was forced to pay a little attention to the poor they have totally ignored for decades. For example, government removed *Almajiris* from the streets and returned them to their home states, in order to curb the spread of the virus across states in the country.[58] Prior to the pandemic, *Almajiris* are largely ignored and left to their own fate. Nigeria has to learn from this pandemic that there is a dire need for redistribution of wealth and equality. Furthermore, government should be involved in life decisions such as child marriage, child welfare and family planning. Even if these measures will not prevent a war or pandemic, it can increase quality of life, which will reduce the effects of a crisis on the economy and public interest. The government, for example, had to spend huge sums of money to relocate and settle the *Almajiris* they have neglected for so long.

In Spain and Italy, government had to convert some private properties into emergency and make shifts hospitals. In Nigeria, the government had to bear the cost of treatment for confirmed COVID-19 patients. If the citizens were to pay for this treatment themselves, the spread would have been worse as many citizens cannot afford medical treatment. Hence, can the government consider, beyond COVID-19, a robust intervention in the health sector of the country? The most important factor during a pandemic is survival, the economy is key to survival, but the economy should not be protected at the expense of survival. More focus should be on essential services such as health and education and research. Countries like Nigeria, for example, abandoned

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[57] Barry, John, *The Evolution of Economic Systems: Varieties of Capitalism in the Global Economy.* Oxford: Oxford University Press, 2016. Xxiv.

[58] BBC News. 2020, May 16. Coronavirus in Nigeria: The Child Beggars at the Heart of the Outbreak. Retrieved from: https://www.bbc.com/news/world-africa-52617551 Accessed August 3, 2020.

essential services and rather concentrated on the private sector, which is driven by profit and politics.

The greatest mistake any of these countries can make is to only adopt these policies as interim measures and go back to core capitalist policies after the pandemic. This will leave the countries at the level of the curse of overlooking secondary consequence. Rameaus argued, "Unlike the crisis caused by social movements in the 1950s and 60s, no movements have (yet) mobilized to demand the government provide socialist solutions to the coronavirus crisis. The captains of capitalism are running towards socialism all on their own, because they know that socialist policies represent their best chance of survival."[59] In addition, as Simon Mair argued, "There are a number of possible futures, all dependent on how governments and society respond to coronavirus and its economic aftermath. Hopefully we will use this crisis to rebuild, produce something better and more humane. But we may slide into something worse."[60] The response pattern of countries to the COVID-19 pandemic is evidence that these policies are not difficult to implement and there is awareness that the policies are necessary for public wellbeing.

Conclusion

The position of this paper is that some countries with mixed economy in building their economy committed the fallacy of overlooking secondary consequences, by concentrating more on capitalist policies. Although these countries enjoyed fast rising economies, the effect is their poor response to crisis, such as the COVID-19 pandemic. The paper argued that adopting more socialist policies that will ensure the wellbeing of the public, is the best way to build a sustainable economy.

The paper argued that the poor response of some countries to the COVID 19 pandemic is connected with the overbearing capitalist policies of their economies. The insufficient socialist policies in these countries, and a huge drive for profit at the expense of the public wellbeing, are

[59] Rameau, Max. 2020. April 15. Capitalism's weak Doses of Socialism to Treat the Economic Infection of COVID-19. Black Agenda Report. Retrieved from: https://mronline.org/2020/04/20/capitalisms-weak-doses-of-socialism-to-treat-the-economic-infection-of-covid-19/ Accessed August 3, 2020.

[60] Mair, Simon. 2020, May 30. What Will the World be Like After Coronavirus: Four Possible Futures? The Conversation. Retrieved from: https://theconversation.com/what-will-the-world-be-like-after-coronavirus-four-possible-futures-134085 Accessed 8 August 2020.

some factors responsible for such poor responses. This is the curse of overlooking secondary consequence. On the other hand, countries with good response to the COVID-19 pandemic are countries that could go hard and fast in their responses because of good central planning and healthy socialist policies in place prior to the pandemic.

Given the foregoing, the paper argued that an evidence that socialist policies are essential to mitigating a crisis is that all the countries with primarily capitalist economy had to adopt some socialist policies to mitigate the effects of the pandemic on the society and economy. These countries are recognising that without public wellbeing, there is no economy. Asides the scientific fact that respiratory illnesses are highly communicable, capitalism aided the spread of the virus for some countries, for example United States of America, and socialist practices slowed the spread for some countries, for example Canada and Cuba.

This paper did not push the narrative that socialism should necessarily replace capitalism but that capitalism should at least be done differently. The paper did not argue for a utopian socialism or capitalism; neither does it argue that socialism is a perfect substitute for capitalism. The position of this paper is that welfare of citizens is paramount to the success and sustainability of any economy. The paper recognises that a fast growing economy is desirable for the wellbeing of a country and her citizens. As long as there is no theory or practice immune to revision, capitalism, if adopted, can be revised to serve better during wars and pandemics. Thus, the position advanced here is that mixed and capitalist economies will have to create a balance between the drive for profit and the need to serve humanity. The paper concluded that the option for these countries in building their economy post COVID-19 is to adopt socialist policies that will enhance public wellbeing.

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