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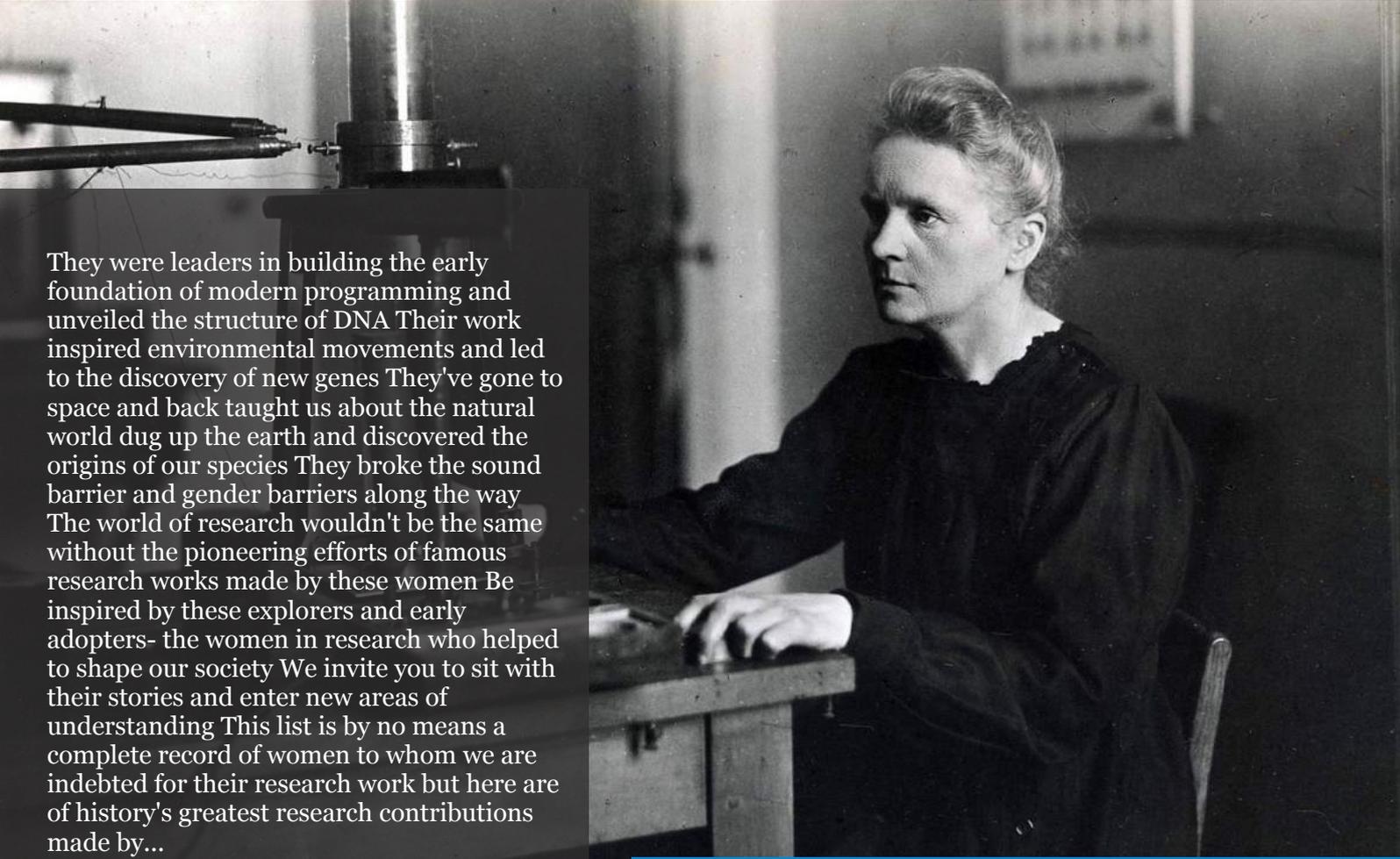
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# Geohistory of Globalization: The Case of the Spread of Islam in Africa through an Approach of IBN Khaldun

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## RESUME

This article proposes a reflection about Ibn Khaldun and the myth of the "Arab invasion" in North Africa. Through an analysis of Ibn Khaldun's work and in the light of Edward Said's critique of a Western thoughts about east (Orientalism), a Eurocentric narrative in which the Arabs cannot create knowledge, only carry it. Therefore it is a search for a contribution to studies on the Global South.

*Keywords:* ibn khaldun; africa; islam; global history; geohistory.

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# Geohistory of Globalization: The Case of the Spread of Islam in Africa through an Approach of IBN Khaldun

Rodrigo Corrêa Teixeira<sup>α</sup>, Joelton Carneiro de Lima<sup>σ</sup> & Luiz Pereira<sup>ρ</sup>

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## I. INTRODUCTION

This article develops a reflective sath against -hegemonic readings of Ibn Khaldun's work, highlighting the diversity of the thinker's production and the multiple readings that his work has provided.

From the emergence of Islam in the 7th century, arab's historiography followed its mercantile and religious expansion, increasing and intensifying their domains. The first stories Arab globals were born from the need to legitimize Islam as a universal and truth belief, for that, at this time, historiography was methodologically a tributary of religious exegesis. However, the Arabs were increasingly interested in the subjugated peoples of the Near East, North of Africa and Spain. The cultural mosaic created by the confluence of Muslims, Jews and Christians contributed to increase the interest of Arab historians in the history of other peoples.

## II. GEOPOLITICS OF KNOWLEDGE: IBN KHALDUN

Starting from the discussions around alterity, the Eurocentric view of the Arab and Islamic world as constituting the so called Orientalism (SAID, 2007), a branch of academic studies that emerged in European universities for the study of the so called "Orient (East)". This approach also had a strong impact on the vision of Africa. As a counterpoint to this, brings a classic author, who offers, however, a counter-hegemonic perspective: Ibn Khaldun. Ibn Khaldun, during the 14th century, built a privileged perspective on the Maghreb (North Africa), providing to the contemporary researchers testimonials and analysis of refined quality about the culture, social relations and political dynamics of African's societies in that region. Next to Idrisi and Ibn Batuta, Ibn Khaldun is certainly one of the thinkers of the last centuries. Most studied pasts of the Arab-Muslim world today. Ibn Khaldun wrote to Muqaddimah and the following books, convinced of the need to let to posterity a picture of the Arab-Muslim civilization as a whole. It has been considered for over a century a work classic of historical thought, the first known attempt to create a science of societies independent of theology and philosophy. Studying North Africa and the Empires there formed over the centuries, Ibn Khaldun conceived a philosophy of history, a sociology and a geopolitics with great critical sensitivity. Standing far from tradition, Ibn Khaldun reached to the possible limits, in that historical context, of the independence of thought (SENKO, 2011 and 2012; KHALDUN, 1958 – 1960).

Ibn Khaldun was born in Tunis in 1332 and died in Cairo in 1406. The first part of His life was

devoted to politics at a particularly turbulent period in North African history. The wars and infighting that characterized the entire fourteenth century brought the ruin of many urban centers and the impoverishment of public finances in the Islamic world. Maghreb in this century became an cultural identity , with singulars and particulry characteristics in the the Islamic world. Far away for long years from his homeland, to which he never returned after going into self-exile, Ibn Khaldun cultivated his Maghreb roots until the end of his life, and whenever possible, he showed proud in belonging to the geopolitical and cultural environment forged under the influence of Al-Andalus, land of their ancestors (BISSIO, 2012).

Ibn Khaldun testified a period of transition, in which Muslim countries tried to preserve the knowledge of the classical period in the legal and religious planes, as well as in the scientific, artistic and literary domains. At this historic moment, Islam was more focused on the past rather than the future (BISSIO, 2012). In the period between the thirteenth and fourteenth centuries the borders of the Muslim world have changed substantially. In the eastern area, a Mongol dynasty, coming from East Asia, conquered Iran and Iraq, and put an end to the Abbasid Caliphate in Baghdad in 1258 (HOURANI, 2001, p. 100).

Converted to Islam, the Mongols were held back in their attempt to march to the west by the Egyptian army made up of military slaves (Mamluks). Coming from Caucasus and Central Asia, the Mamluk military elite ruled Egypt for over two centuries (1250-1517); also ruled Syria from 1260, and controlled the holy cities of the Peninsula Arabica. In the western part, the decline of the Almohad Dynasty gave place to several states; in the Maghreb, among them, that of the Marinids in Morocco (1196-1465) and that of the Hafsids in Tunisia, 1228-1574, (HOURANI, 2001, p. 101). Most of Al-Andalus, the Muslim Iberian Peninsula, from where came from the Beni Khaldun family, fell into the hands of the Christian kingdoms of the North and, in the middle of the in the fourteenth century, from the ancient Muslim splendor, only the kingdom of Granada remained in the south (BISSIO, 2012).

In his biography there is a remarkable episode which was his meeting between the greatest warrior leader of the world at the time, Timur-i-Lenk (in Portuguese Tamerlão), at the end of the 14th century, at the gates of Damascus (now the capital of Syria and formerly the seat of the Arab Caliphate). The Mongolian Warrior Calls Khaldun, impressed by his fame, and both engage an intense dialogue. Tamerlane makes questions to Khaldun, interrogating him on topics of the time and the history of North Africa. By this debate, the Mongolian leader orders Khaldun to be safely taken beyond the gates of Damascus (KHALDUN, 1958-1960, vol. I, p. 553).

Ibn Khaldun had the opportunity to meet and live in the great centers of power, which were also the poles of cultural effervescence, notably Cairo, under Mamluk control, where he served as qadi (judge) and taught at the University of Al-Azhar (BISSIO, 2012).

Although his family emigrated from Seville during the Christian conquest, reaching the North Africa around 1235, he was originally from Hadramaut, so his most probably origin was Arabic (as he himself attested). At the age of 20, he became secretary to the Sultan<sup>1</sup> of Fez, Morocco – and was happy to escape with only two years in prison when he lost the sultan's favor. Most later he entered the service of the King of Granada – and found himself in trouble again. In 1375, tired and disappointed but matured, he retired with his family to Kalaat Castle Ibn Salama, near Oran, and for four years worked on his Prolegomena - Muqaddimah.

Among the contributions he makes in this work, Ibn Khaldun argues that the social phenomena appear to obey laws which, while not as absolute as those govern natural phenomena, are enough constants to make events social networks to follow their well-defined, popular patterns and sequences. These laws operate on the masses and cannot be significantly influenced by isolated individuals. The attempts to a reformer to rejuvenate a corrupt state, for example, are unlikely to succeed, because individual effort are

<sup>1</sup> Sultan “means more or less 'holder of power'” (HOURANI, 2001, p. 100).

crushed by the irresistible power of social forces. The same laws operate in societies that have the same type of structure, even though these societies are separated in space and time.

When Ibn Khaldun took on the task of systematizing all his knowledge and his experience in a book – a mission that imposes itself during four years of reclusion in a fortress from the Algerian countryside, as he highlights in his autobiography – he seeks to give a radical answer to the challenge faced by Islam: a new science was needed, which would provide universal laws capable of explaining the functioning of human societies. It is this science that he intends to found with his most important work, the *Muqaddimah*, through which he went to the posterity. The effort was not in vain: that book – in fact the Prolegomena to a Universal History in various volumes – has been considered for over a century a classic work of historical thought, the first known attempt to create a science of societies independent of theology and philosophy.

Departing from tradition, Ibn Khaldun reached the limits possible, in the context history in which it found itself, of independence of thought (BISSIO, 2012). In this context, one of the primitive aspects of Islam stands out, the zeal for the production scientific research, as well as the exchange of knowledge through the interaction between peoples.

With a public life of activity in the turbulent courts of North Africa and Andalusia, Ibn Khaldun participated in the ups and downs of various aristocratic regimes. If on the one hand your life public reflects the instability of the region, on the other hand, it is in the register of a theorization of its personal experience that he speaks of issues that reach beyond the immediacy of events (SENKO, 2011 and 2012; KHALDUN, 1958 – 1960).

If in the 14th century the Islamic world presented a convulsed scenary, with the economy and politics in a critical phase, the instability in these areas has not managed to destroy the cultural unity; on the contrary, it became deeper as new contingentes humans converted to the Muslim

faith. In fact, by this time, following the Nile River valley and the coast East Africa, the Islamic religion continued its expansion, along the commercial routes, often carried by the merchants themselves and indifferent to political and military conflicts. O the advance continued through the Sahel and along the southern edge of the Sahara Desert, advancing towards the interior of Africa (BISSIO, 2012). Khaldun's special attention is drawn to the stagnation and the beginning of decadence of Muslim societies in North Africa, just as Islam manifested itself with greater vigor in the large Sudanese states and also became more active in the Swahili city-states.

Ibn Khaldun does not observe the conflicting situation of the Maghreb and the Islamic world with the perspective of linear progress, but in the context of a cyclical evolution: a negative phase that puts an end to a cycle of power will necessarily be followed by a positive phase, reconstruction. Thus, the fourteenth century would present itself as a period to wait for a new cycle of civilization (*umram*) under the aegis of a new people – which he identifies, towards the end of his life, as with the Turks. It is based on this conception of history that Ibn Khaldun, despite the difficulties and challenges of that moment – including the horrors of the devastating Black Death, which killed his parents and its first masters and decimated the population of the Arab-Islamic world as much as that of Christianity - does not develop a pessimistic view. In fact, he believes that the human order, once reached maturity, it is essentially stable, almost immutable. And, in his opinion, this maturity had been reached by Islamic civilization (BISSIO, 2012).

Ibn Khaldun defines human civilization as being formed by free individuals, autonomous and equal and constituted by two poles in balance, rural civilization (*umram badawi*) and urban civilization (*umram hadari*), both being complementary. To reach this conclusion he takes as a reference for analysis the forms used by man to ensure his subsistence and also analyzes the city, following its changes over time and the particularities cultural and regional in the use and organization of space (BISSIO, 2012).

This does not mean that there still wasn't place for improvement. But, Ibn Khaldun considers, on the one hand, that sciences and techniques, with the accumulated heritage of the Greeks, of the Persians and the Arabs, they have already reached the maximum level of the potential of the human spirit; think, also, that with Islam religion had reached its highest degree of perfection (BISSIO, 2012).

It should be noted that Ibn Khaldun places the cultural turning point in the history of humanity in urbanization, often the result of inter-ethnic conflicts and frictions, a necessarily condition, in its analysis - even if it is not enough, for reasons that it develops when studying the decay of empires - for the development of civilization. From there, the historian studies the influence that the physical, social, institutional and economic space has on history and reaches the conclusion that the geographical environment creates important possibilities for the life of social groups, but it does not exercise strict determinism (BISSIO, 2012).

Ibn Khaldun perceives the historical process as inscribed in an alternating cycle between two basic forms of social organization, which are as follows: Bedouin (nomadic) or sedentary. This one pendulum movement is not hierarchical, but complementary. However, despite of the problems from this theorization, Ibn Khaldun problematizes the development of society, dedicating himself to to write a general history of the Maghreb dynasties:

The first part of this work, the *Muqaddima* (Prolegomena), continues to attract attention until today. In it, Ibn Khaldun tried to explain the rise and fall of dynasties in a way that serve as a standard for assessing the credibility of historical narratives. He thought the way the most simple way and most ancient of human society was that of the people of the steppes and mountains, cultivating the land or raising livestock, and following leaders who had no power of coercion organized. These people had a certain natural goodness and energy, but they could not by themselves create stable governments, cities or great

culture. For this to be possible, it was necessary a ruler with exclusive authority, who would only be established if he could form and controlling a group of followers endowed with *asabiyya*, that is, with a corporate spirit aimed at obtaining and maintaining power. Ideally, the members of this group were chosen from among the energetic men of the steppe or the mountain; the group would be held together by a sense of common ancestry, real or fictitious, or by bonds of dependency, and reinforced by the acceptance of a common religion. A ruler with a strong and coherent group of followers could found a dynasty; when your government were stable, stable populous cities would arise, and in them there would be trades specialties, luxurious lifestyles and high culture. Every dynasty, however, carried the seeds of its decline; would be weakened by tyranny, extravagance, and loss of command qualities. Power would actually pass from the ruler to members of his own group, but sooner or later the dynasty would be replaced by another formed in a similar way (HOURANI, 2001, p. 16)<sup>2</sup>.

In his work, Ibn Khaldun defines human civilization as being formed by individuals free, autonomous and equal and constituted by two poles in balance, rural civilization and urban civilization, both being complementary. To reach this conclusion, he takes as analysis reference the forms used by man to ensure his subsistence and analyses, the city, following its changes over time and the cultural particularities and regional in the use and organization of space (SENKO, 2011 and 2012; KHALDUN, 1958 – 1960).

For him, nomads were warriors or better prepared for war. than urban or agricultural populations. Thus, “[...] the bellicose aptitudes of the group of populations strengthened tribal structures, preventing warlords from expanding considerably their authority, what could be done over a population disarmed” (LACOSTE, 1991, p. 31-32).

Ibn Khaldun was the first Arab intellectual who consistently studied this phenomenon, especially

<sup>2</sup> All citations in this text have been translated for better interpretation.

in North Africa, of nomadic peoples of the desert (in particular Bedouins) and he built a theory of power cycles, where those who were nomads become sedentary and later they end up defeated by the new nomads who take over the cities and repeat this cycle. It is what some call the sociology of Bedouinity (BISSIO, 2012; SENKO, 2011 and 2012; KHALDUN, 1958 – 1960).

The cyclical-historical movement of society could be accompanied by the model of four generations proposed by the philosopher, in which corruption, probably understood as the departure from the virtues of the one who conquered glory, marks the historical process in a predictable in the intricacies of suzerainty succession. Perhaps because he is from Tunis, present-day Tunisia, his initial training in the schools of jurisprudence and the religious formation of his family (Madrassas, "house of studies"), contributed in travelings through the vast Mediterranean world.

His most relevant work is the *Muqaddimah*, the Prolegomena<sup>3</sup> fruit of your memory and observations of sultanates in the 14th century:

In his philosophy of history, for example, he proposed a rigid method of separating reality and fiction. Furthermore, Ibn Khaldun bequeathed us an explanation of the universal laws that regulate societies in time. One of the most khaldunian concepts important in *Muqaddimah* is *aassabiya* which is defined as the group spirit. (RUDDER, 2019, p. 38)

This group spirit (*aassabiya*) was analyzed by Ibn Khaldun, in the political-religious context, as something decisive in the society of that time. A category can be considered interpretation applicable to contemporary societies from the aspects of the uniqueness of the social systems. Ibn Khaldun presents the notion of *aassabiya* exposing the perspective of unity Muslim - us and them - or inside society, the faithful, and outside society, the unbelievers.

<sup>3</sup> Divided into three volumes (I, II and III) these Prolegomena describe Muslim society in its different political, social and interaction contexts of these groups with the different in various African and European spaces.

It also differentiates between nomadic and sedentary societies. Producing his work in the midst of countless turbulent and controversial political conflicts, mainly involving the Hafsid dynasty (1228 -1574) and the Marinid dynasty (1196 - 1465),

Ibn Khaldun served both dynasties and was involved in friction with the Banu Hilal tribe. Maghreb. In a macro sense, North African policy was being pressured by the Seljuk Turks coming from the Asian environment, the advance of the Mongols and the interests of political expansion. Survivor, Ibn Khaldun was able to negotiate towards his interests and managed to - with the aim of continuing his intellectual work - to maintain always close to power, whether they are jurisprudence or "diplomat" (LEME, 2019, p. 39).

The diplomacy exercised by Ibn Khaldun enabled him to travel throughout North Africa and in many areas of the Mediterranean world. The benefits of such transit, also of having been arrested and then released in a change of government, can be identified in all that is left of their records widely used by the academic community, their different functions, always close to the administration. The ability to change himself professionally while maintaining his position can be considered a mark of Ibn Khaldun. When the sultan who had freed him died and reappointed to the administrative council, he becomes a professor in Bujaya - in eastern Tunisia, fleeing political pressures, but keeping close to news from the kingdom:

From there he became master of the mosque in Bujaya (North Africa), but as soon as he teach to work with the lord of Tlemcen, Abu Hammu. Khaldun was responsible for registering and collecting the taxes of the kingdom of Tlemcen, in addition to being the *hajib* (one who maintains harmony within Islamic society). This position of tax collector was not to Khaldun's liking and he retired to a meditation retreat, after which he returned to serve the new Marinid sultan, Abd-al-Aziz (LEME, 2019, p. 40).

When he was in Castile, he became close to King Pedro I the Cruel, son of Alfonso IV. As proof of his political aptitude, we can point out that it was Khaldun who managed to obtain from this King the signing of a peace treaty that would put an end to the rivalry between the peoples of Andalusia and from Castile. Despite these influences, he refused to be a royal adviser, returning to former roles resuming its functions in 1370 (LEME, 2019, p. 40).

The written biography of Ibn Khaldun written in this context, and then the considerations of his World History, gains shine and pomp when he moves to Cairo where he was received with honors to teach at Al-Azhar University. (LEME, 2019, p. 40). It must be realized that in a university structure, being able to teach and be concurrently a judge, his social life remains hectic. Spite of being distant from the controversies, its social position guarantees an unequal volume of passive information for analysis, organization and detailed explanation (LEME, 2019, p. 40).

In the midst of the contributions given by North African writers and thinkers of this period, highlighting Ibn Khaldun as the greatest exponent of this process, can be presented as one of the greatest contributions to the association between different disciplines that made possible not only the future structuring of the same, as already in his writings the possibility of shedding light on the future observing in a multi-angle way the different features of society:

His great concern with enabling an innovative methodology made him allied this with his philosophy of history which he sought meaning in the movement of social events. In addition to trying to understand the meaning of history in the past Khaldun at the same time tried to predict actions from the possible future. Through the idea of universal reason that governs society, civilization could be founded (LEME, 2019, p. 41).

The Umma expressed in Khaldun constitutes the civilization where the faithful can, and are linked to each other by greater bonds of commitment and identification. interweaving all aspects of city

life and the effects of this “civilization” beyond the different levels of culture and proximity to the collective organization. With this thinker, the universe<sup>4</sup> could be identified as different levels of society where different groups interconnected by forces of belonging and cohesion interact by approaching or distancing themselves by forces controllable by the government. For this thinker too, culture and, above all, the arts tend to decline and perish at the as cities decline in their organizational structure.

In Khaldunian logic, it will still be the descendants of the conquering sovereign who will go to ire extreme luxury. And it will be at that moment that the luxurious life in the city and without memory of any sense of assabiya that this power will decay. Ibn Khaldun pointed this out to both the oldest and most well-known civilizations as the Egyptian, Greek, Roman, Peninsular Arabs, Maghreb and Andalusian as well as berbers. He draws attention to yet another reason for the decay of a civilization or of just one tribe, the presence of mercenaries alongside the local men-at-arms. At mercenaries ambitions have nothing to do with identity and conquest desires of the men-at-arms of the sultans or caliphs (LEME, 2019, p.46).

It was Ibn Khaldun who presented the different possibilities of the failure of the cities of time, and the different organizations. For the same, the inherent corruption of men is the point of rupture of the organizational fabric and the possibilities of social evolution. For the thinker, assabiya, this spirit of collectivity and social integration, crosses the all whether settled townspeople, nomads or any other groups (LEME, 2019, p.46).

So, beyond the discussion of borders, we resume their frictions and volatilities to emphasize how much this social identity was evidenced by Ibn Khaldun. In this context, let us observe the precepts that guided the groups closest to Mecca, Tunis and Cairo and how this spirit of unity cools down when you reach the north of the Islamic world (Iberian Peninsula). There is thus a

<sup>4</sup> The so-called universal culture corresponds to the writings in search of a vision of the totality of the Muslim society of the era.

conceptual overlap between *assabiya* and the cohesive force of the creed as a whole of Muslims (LEME, 2019, p.47).

Ibn presents the Black Death (plague) ravaging a large part of the European population also the great Umma suffered from the Black Death, both the Berbers and the urban society of northern Africa and the Iberians, who were particularly affected by this terrible epidemic (LEME, 2019, p.47-49). We emphasize that Ibn Khaldun emphasizes his concern about the flight and reduction in the volume of intellectuals in this context, as well as the weakening of study groups and discussion. These, as well as other aspects, make possible hundreds of other studies, and a new volume of investigations around this who is one of the main thinkers of society Muslim and African since the Prophet's announcement (LEME, 2019, p.47-49).

Ibn Khaldun did not limit himself to narration or to leave open the questions that were his presented. He wanted to go further. And he made an important critique of historians, that applies from the ancient Greeks to the 18th century: that of not distinguishing between Military and Political History of Social-Economic Evolution (LACOSTE, 1991, p. 148). Specifically speaking of the World Arabic, History was inserted within the "Arab Sciences", where Grammar, Poetry, Religious Jurisprudence and Rhetoric (LACOSTE, 1991, p. 141). In Lacoste's conception (1991) there is a rationalist view of Khaldun's Philosophy as Islam's religious issues overlap with the economic and social relationships that it analyzes itself<sup>5</sup>. Having been of all his contemporaries the historian who went the furthest in his independence of thought, Ibn Khaldun immersed himself in the analysis of the functioning of human development, in the study of social transformations in long-term periods and emphasized the need to define a specific methodology for the study of historical facts, including a criterion for choosing documents. In

<sup>5</sup> Ibn Khaldun is innovative. Although, he places the mundane dimension as imperfect in contrast to the divine world, considered perfect, it seeks empirical explanations and develops an entire science (LACOSTE, 1991, p. 141-142 and 163).

this sense, his work was extremely original and did not make any thinker school and left no followers (BISSIO, 2012).

### III. IBN KHALDUN, ORIENTALISM AND EUROCENTRISM

If the Ibn Khaldun's work is a landmark of medieval Muslim civilization, with the process of Europeanization after 1500, the discourse of inferiorization of the Middle East and the Maghreb (northern Africa) was being built in a forceful way, like the work of Edward Said (2007), Orientalism, denounces in the style of literary criticism the applied Eurocentric geopolitical imagination the region.

Boaventura de Sousa Santos (2006, p.182-185) has already pointed out that the East has always been the space of alterity: the West does not exist outside the contrast with the non-West, be it seen as an alternative civilization, as the center of history, either as a threat or as a resource. Or that is, the space of alterity is also the space of the diabolical description of the other as other, of the Manichean reduction between good and evil, between civilization and barbarism. But at the same time, there is description of the exotic, which is why the Orient can only be admired for the opulence of imperial courts, for the thousand and one nights, for sensuality. Despite being fundamentally seen feared and feared, the Orient is also seen as a resource, as an immense market to be explore, either by the number of inhabitants, or by the western dependence on resources (the The geostrategic importance of the Middle East and the Persian Gulf speaks for itself, as do the invasions of Iraq and Afghanistan)<sup>6</sup>.

The conception of the non-West seen as the Orient was undoubtedly Orientalism. According to Edward Said (2007), Orientalism is the

<sup>6</sup> Boaventura de Sousa Santos (2006, p. 185) also notes that a besieged and highly vulnerable West tends to enlarging the size of the Orient, decreasing its own size, causing the perversion of the constitution of Orients within the West: "This was the meaning of the Kosovo War: the Slavic West transformed into a form of oriental despotism. This is why the Kosovars, in order to be on the 'right side' of history, could not be Islamic during the conflict. It had to be just ethnic minorities."

conception of the Orient(east) that dominates in the Sciences and Humanities, from the end of the 18th century, based on the following points main ones: a total distinction between Western “us” and Eastern “them”; the superiority of the West developed, rational and human, as opposed to the aberrant, inferior, underdeveloped, despotic; the West is dynamic, diverse, capable of self-transformation and self-definition, while that the Orient is static, eternal, uniform, incapable of self-representation; and, finally, the East is fearsome and must be controlled by the West, through war, invasion, colonization, “pacification” etc. That is, Orientalism studied Islam and other civilizations from the ideas European cultures of God, man, nature, society, science and history and, as a result, discovered that non-Western cultures and civilizations were inferior and backward and, like a mirror, codified Western desires and turned them into academic disciplines and then he projected his desires onto his study of the Orient. The criticism that is made, in part, of Said’s conception and that Walter Mignolo (2003, p. 82) explicit is that “there cannot be an Orient, as “other,” without the West as “the same,” the Occidentalism was the geopolitical figure that constellated the imaginary of the world system colonial/modern. As such, it was also the condition for the emergence of Orientalism.

And the Americas, therefore, are not different from Europe (as are Asia and Africa), but their continuation. Consequently, there is no modernity without coloniality, even if there are books on colonialism and others on modernity (as separate entities that do not neither overlap nor interact), even when it is said that modernity is a European issue, and coloniality something that occurs outside Europe. See, for example, that Algeria hardly will be “included as part of French national history, despite the fact that a history of Algeria, as a nation, cannot ignore France” (MIGNOLO, 2003, p.82).

The issue involving Human Rights has been debated and discussed, starting from the perspective that, after all, cultural diversity has been brought into contact and, therefore, it is necessary to verify parameters of dialogues and possibilities of mutual intelligibility. What have

prevailing, however, is an authentic “epistemology of blindness” or “sociology of absences”, a true production of non-existence in relation to everything that does not fit in the totality Eurocentric and linear time: the ignorant, the residual, the inferior, the local and the unproductive. How points out Boaventura de Sousa Santos,

[...] these are social forms of nonexistence because the realities they shape are only present as obstacles to the realities that count as important, be they scientific, advanced, superior, global or productive realities. They are, therefore, disqualified from homogeneous totalities, which, as such, only confirm the that exists and as it exists. They are what exists in irreversibly disqualified forms to exist (SANTOS, 2006, p.104).

Mignolo (2003) points out that his critique is a non-Eurocentric critique of Eurocentrism, discussing the association between universalism and relativism with the colonial question and dualisms “barbarians/civilized” and “tradition/modernity”. The Coloniality of Knowledge reveals that, in addition to legacy of deep social inequality and injustice from colonialism and imperialism, marked by dependency theory and others, there is an epistemological legacy of Eurocentrism that prevents us from understanding the world from the point of view of the world in which we live and the epistemes that are their own. The fact that the Greeks invented philosophical thought does not mean that have invented thought. Thought is everywhere where different peoples and their cultures have developed and, thus, there are multiple epistemes with their many worlds of life. There is, therefore, an epistemic diversity that encompasses the entire patrimony of humanity about of life, water, earth, fire, air, human beings.

The critique to Eurocentrism is a critique of its episteme and its logic that operates through successive separations and various reductionisms. Space and time, nature and society, among many others.

There are, even in the hegemonic centers, those who point out these limits and natural science itself Eurocentric approach reveals its dialogue

with Eastern thought. Space and time is increasingly space/time and, in the social sciences, this non-dichotomous understanding allows us to see that modernity is not something that emerged in Europe and then spread around the world, as if there was in world geography a continuum of different times, as in its evolutionism unique and linear. However, Europe only places itself at the center of the world after the discovery of the America since, until then, only a marginal part of present-day Europe, Northern Italy and its financiers, were integrated in the dynamic commercial center of the world and that the Turks, in 1453, they had politically controlled, breaking those circuits. The right way was the one in towards the East, therefore, was to orient oneself! In the East were the so-called great civilizations, including their traditional religions and the weight of tradition was so strong there that, perhaps, it helps to understand the reason for the true obsession with the new that will characterize the Eurocentrism and its successive escapes forward.

Despite the information brought by Marco Polo and the extraordinary development scientific knowledge of the Chinese world, European access to its knowledge was limited, both by the distance geographical location and lack of knowledge of Mandarin and other “oriental” languages the mentality, characteristically, theocentric of medieval Christian Europe brought serious obstacles to the production of geographical knowledge, in addition to interrupting the dissemination of Greco-Roman geographical production.

In view of this situation, from the rescue of the Greco-Roman contribution, a Strong investment in creating universities and encouraging scientific development, geography produced by medieval Islam became the mainstay in the medieval school of geographical thought.

In other, more synthetic terms, Islam saved Geography (CLAVAL, 2006). In the Middle Ages, real dialogues between Islam and Christianity are very scarce. Only the Renaissance, with the increase in trade relations between West and East,

will transform this situation. Considering this, Islam has made the link (a kind of bridge) between the Greco-Roman geographic contributions, forgotten in medieval Christian Europe, with the European Renaissance.

Islam invested in the production of solid geographical knowledge for religious reasons and economic. In the first case, locational guidelines were used to pray daily towards Mecca, so plan pilgrimages to that city. In the second case, being the Arabs, fundamentally, merchants, geographical knowledge accompanied the extraordinary Islamic expansion (LIMA, 2019). As the territorial expansion of the in the Islamic world, the production of geographic knowledge deepened, so that both one and the other evolved simultaneously.

#### IV. FINAL CONSIDERATIONS

There is an extraordinary role played by Ibn Khaldun in the description of the *Ecumene*, that is, the inhabited part of the Earth. The expression *ecumene* derives from *oikos*, "the house", it translates well the both a regionalist perspective, around North Africa, while at the same time carrying out a Arab-Muslim representation of the world. In dialogue with Greco-Roman knowledge, Ibn Khaldun does not mimic it, but reinvents it.

Khaldunian narratives pay a great deal of attention to northern ways of life. Africa, contrasting nomadic life with urban life, but also understanding their correlations. The tradition of Western political philosophy understands change as a linear process in that the conflict takes all the time to a higher level of a continuous trajectory. In the West, the meaning of change has become a movement towards a preordained unity of thought and organized life that seemed to be latent in the western historical trajectory (COX, 2000, p. 195).

But not enough has been said about the character and quality of these Afro-Arab-Muslim narratives. In addition to being a geographer, social scientist, historian, in short, a polymath, Ibn Khaldun is a humanist from the Global South.

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# Compensation for Russian Crimes in Ukraine - How to Sue Russia?

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## ABSTRACT

Reading and watching news about atrocities in Ukraine committed by Russians one can see that all the massacres committed by the Russian soldiers are accompanied not only by the persecution and murder of Ukrainians, the deportation of whole groups of Ukrainians (in particular children) into Russia, but also by the methodical confiscation, devastation, looting and plunder of the property left behind by the victims. And the question must be asked: is there any legal chance for victims (Ukrainians) to obtain any compensation?.

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# Compensation for Russian Crimes in Ukraine - How to Sue Russia?

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*Reading and watching news about atrocities in Ukraine committed by Russians one can see that all the massacres committed by the Russian soldiers are accompanied not only by the persecution and murder of Ukrainians, the deportation of whole groups of Ukrainians (in particular children) into Russia, but also by the methodical confiscation, devastation, looting and plunder of the property left behind by the victims. And the question must be asked: is there any legal chance for victims (Ukrainians) to obtain any compensation?*

There is not a simple task, but there is possible.

## I. CRIMINAL PROCEEDINGS

First and foremost it is cliché to admit that each crime must be punished, and as a matter of principle those responsible for it should face civil or criminal charges. Every crime of homicide must be punished, in particular genocide or war crimes as crimes against all humankind.

Punishment for crimes must also involve reparations. Although the right to reparations or financial satisfaction for survivors or indirect victims (descendants of the deceased) is well established in international human right and humanitarian law, the award of compensation for victims or the enforcement of payments even when damages have been ordered frequently encounter obstacles.

The classical and most clear-cut examples concern reparations for the Rwanda genocide or the genocide committed in Bosnia and Herzegovina (BiH).

Neither the International Criminal Tribunal for Rwanda nor the International Criminal Tribunal

for the former Yugoslavia have granted the victims any compensation. Since they have no mandate to award such compensation, both Criminal Tribunals have focused on criminal punishment. The victims were only witnesses during the criminal proceedings, whose sole focus was on prosecuting the alleged perpetrators.

In Bosnia and Herzegovina many victims decided to file lawsuits against state entities because the criminal cases against actual perpetrators were stalled or had been discontinued. However courts regularly dismissed victim claims, citing statutes of limitation on civil crimes.

What is the consequence of failing to obtain financial reparations for victims? A sense of injustice felt by all of them.

In this context the interesting case adjudicated before the International Criminal Court can be mentioned. On 12 March 2021 the International Criminal Court awarded the highest financial compensation, 30 million dollars, to child soldiers and other victims of the convicted Congolese militia leader Bosco Ntaganda.

In *The Prosecutor v. Bosco Ntaganda*<sup>1</sup>, the alleged perpetrator was accused of committing war crimes (he was charged with 18 counts) in connection with events which took place in Iutri district of the DRC from about 6 August 2002 to about 31 December 2003. In the indictment, the prosecutors made reference to many crimes including the massacre in Kobu. Ntaganda's soldiers (among of whom were children) brought groups of captured persons to buildings in Kobu, were most of the victims were raped (both men and women). Afterwards, 49 captured persons (including children and babies) were taken

<sup>1</sup> The Prosecutor v. Bosco Ntaganda, ICC-01/04-02/0, Judgment 21 March 2021.

outside and killed using sticks and batons as well as knives and machetes.

Ntaganda was found guilty on five counts of crimes against humanity, namely murder and attempted murder, rape, sexual slavery, persecution, and forcible transfer of people, in addition to thirteen counts of war crimes. In granting the financial compensation for victims, the ICC took an important and crucial stance. According to the judgment:

- “The reparations phase of the proceedings marks a critical juncture in the administration of justice. (..) In effect, the victims’ rights to truth, justice, and reparations are all part of the victims’ right to a remedy.
- Reparations fulfil two main purposes (..) they oblige those responsible for serious crimes to repair the harm they have caused and enable the Court to ensure that offenders account for their acts.
- Reparations also aim, to the extent possible and achievable, to relieve the suffering caused by serious crimes, afford justice to the victims by addressing the consequences of the wrongful acts committed by the convicted person, deter future violations, and enable the victims to recover their dignity.”

That was a case against a real perpetrator who was charged and sentenced. But for victims in Ukraine the real obstacle seems to establish the real perpetrators - due to their death or the attitude of Russia which may be protecting them or sometimes because the real perpetrators are unknown.

With regard to obstacle to establish, charge or sentenced the real perpetrators a Ukrainian (a victim) can consider to sue Russia whose citizens or soldiers taken, looted or stole property. It is possible due to the provisions of the Foreign Sovereign Immunity Act and the “expropriation exception”.

The fact is that in many cases compensation for property losses could be viewed as the only form of just satisfaction for crimes (including the killing of one’s relatives or their deportation or slave labor) available. With respect to cases relating to

disappearances or deaths caused by officials, often in conjunction with property losses, compensation for property could be of greater importance and serve as the only possible way of satisfying direct or indirect victims.

## II. CIVIL PROCEEDINGS – A UKRAINIAN OWNER OF PROPERTY CAN SUE RUSSIA BEFORE AN AMERICAN COURT

First of all, it should be emphasized that for years, the entrenched and widely held notion was that countries were afforded “absolute immunity” from being sued in other countries. This rule emanates from the British common-law tradition, as seen in the old notion that the “King can do no wrong.”<sup>2</sup>

It was confirmed in American jurisprudence in the judgment in *The Schooner Exchange v. McFaddon*, handed down in 1812 during the Napoleonic era.<sup>3</sup> It was one of the first judgments holding the line of “absolute” immunity of a foreign sovereign granted them in a United States court.

In the said court case two American citizens, John McFaddon and William Greetham, alleged to sail from Baltimore to St. Sebastian, Spain, on 27 October 1809. On 20 December 1810, their vessel was seized under decrees and orders of Napoleon by the French navy and transformed into a warship called *Balaou*. The *Balaou* sailed until August 1811 under the French flag. As a French vessel, it had to dock in Philadelphia due to damage that it sustained during a storm. The former owners filed a lawsuit seeking the return of the vessel which had been taken illegally and wrongfully. They brought a complaint against the *Schooner Exchange*, a public armed ship. At that time, France was a US trading partner and ally

On 4 October 1811, the district court rejected their claims, pointing out its lack of jurisdiction over such claims. However, the court of Appeal (The Circuit Court for the District of Pennsylvania) reversed the decision on 28 October 1811. From

<sup>2</sup> Steven Swanson, “Jurisdictional Discovery under the Foreign Sovereign Immunities Act,” *Emory International Law Review*, 13(2) p. 447.

<sup>3</sup> *The Schooner Exchange v. McFaddon*, 7 Cranch 116 (1812).

this sentence of reversal, the district attorney appealed to this Court, and therefore the Supreme Court had to adjudicate the dispute. Chief Justice Marshall delivered the unanimous opinion of the Supreme Court, indicating some interesting points.

The Supreme Court, dismissing the lawsuit, stressed that every sovereign enjoyed “full and complete power [...] within its own territories,” and the courts of the United States would not destroy “the dignity of [another] nation” by asserting jurisdiction over claims affecting the rights of the foreign sovereign absent that sovereign’s consent.

This iconic case is generally treated as the source of US foreign sovereign immunity jurisprudence, pointing out that foreign sovereign immunity is a matter of grace and international comity. The legal viewpoint presented by Chief Marshall was the basis for the dismissal of cases due to absolute immunity.

Over time, one can observe the evolution of the traditional perception of state immunity, stemming from the fact in some circumstances foreign states run business and commercial operations that should be treated as private rather than public. US courts faced the problem of immunity again in the context of the commercial activity of foreign states. In 1926, in *Berizzi Brothers v. The Pesaro*,<sup>4</sup> the court stated that the Italian state-owned commercial vessel could be subject to US jurisdiction due to the commercial nature of the dispute.

In 1938, the US Supreme Court adjudicated the case of *Compania Espanola de Navegacion Maritima S.A. v. The Navemar*,<sup>5</sup> although the doctrine of absolute immunity still existed at the time.

In 1952, what is known as the Tate Letter<sup>6</sup>, established the “restrictive theory” of foreign state immunity. The shift from the absolute to the restrictive theory of foreign sovereign immunity occurred i.e. due to the fact that after World War II many individuals suggested that it was no longer appropriate for a foreign state to enjoy total immunity.

Under the restrictive theory, a clear distinction had to be drawn between the commercial and public activities of a foreign state. Therefore disputes concerning foreign sovereigns had to be divided into two groups: those arising from a state’s commercial activities (“*acta jure gestionis*”) and those concerned with public activities (“*acta jure imperii*”). Only the former could be subject to a lawsuit and not immune from the jurisdiction of American courts.

In other words, a foreign state enjoys immunity only in respect of its public acts. When acts arising out of a state’s commercial or private activity are at issue, the foreign state can be deprived of immunity from American court jurisdiction.<sup>7</sup>

As a result of the Tate Letter, the Executive Branch participated in lawsuits, providing its assessment of the possibility or lack thereof of citing immunity from suit before American courts. Because the Executive Branch, acting through the State Department, communicated to the judiciary its opinion via “suggestions of immunity,” and the American courts often relied on the US State Department’s opinion as to whether immunity should be conferred, diplomatic pressure on the State Department to submit suggestions of immunity to courts increased. The foreign state being sued before an American court could make a formal diplomatic request asking the State Department to “suggest” to the court that the lawsuit be dismissed on grounds of immunity.<sup>8</sup>

<sup>6</sup> Letter from Jack B. Tate, Acting Legal Adviser, U.S. Department of State, to Philip B. Perlman, Acting U.S. Attorney General (May 19, 1952) [Tate Letter].

<sup>7</sup> Michael A. Tessitore, “Immunity and the Foreign Sovereign: An Introduction to the Foreign Sovereign Immunities Act,” *Florida Bar Journal*, 73(10), p. 48.

<sup>8</sup> Simmons, K. P. (1977). The foreign sovereign immunities act of 1976: Giving the plaintiff his day in court. *Fordham Law Review*, 46(3), p. 543-572.

<sup>4</sup> *Berizzi Brothers v. the Pesaro*, 271 U.S 662 (1926).

<sup>5</sup> *Compania Espanola de Navegacion Maritima S.A. v. The Navemar*, 303 U.S. (1938).

The fact that two different branches (the Judiciary and the Executive Branch) could grant or not grant immunity in the same case was an inconvenience. Additionally, the Executive standards were neither clear nor uniformly applied, and the matter often depended on a variety of factors, including diplomatic pressure.<sup>9</sup>

In order to remedy this situation, Congress decided to codify the provisions governing the immunity of foreign countries in one act – the Foreign Sovereign Immunities Act. The act, sponsored by the Departments of State and Justice, was enacted on 21 October 1976 and entered into force on 21 January 1977.

As a matter of principle the FSIA has granted immunity to foreign states from the jurisdiction of American courts. However the provisions set down a number of exceptions from this general principle.

The most important, for Ukrainians victims, exception - laid down in art. 28 USC § 1605 (a) (3) - reads as follows:

“A foreign state shall not be immune from the jurisdiction of courts of the United States or of the States in any case in which rights in property taken in violation of international law are in issue and that property or any property exchanged for such property is present in the United States connection with a commercial activity on in the United States the foreign state; or that property or any property exchanged for such property is owned or operated by an agency or instrumentality of the foreign state and that agency or instrumentality is engaged in a commercial activity in the United States;

This exception – called the “expropriation exception” has been invoked in cases concerned stolen, seized or taken property by a foreign state.

<sup>9</sup> Weber, “The Foreign Sovereign Immunities Act of 1976: Its Origin, Meaning and Effect,” 3 Yale Studies in World Public Order 1, 11-13, 15-17 (1976).

The expropriation exception allows for jurisdiction when the following conditions are met:

- The property of the victims was taken in violation of international law.
- The illegal seizure was made by a foreign state (foreign for the victims) or an agency or instrumentality thereof – therefore the taker must have been a foreign state or its agency or instrumentality.
- The taken property must have a connection to a commercial activity in the United States carried out by the foreign state – therefore the commercial interest harmed directly affects the United States, in other words must be one engaged in the United States.<sup>10</sup>

Any foreign-based plaintiff who would like to sue a foreign state before American courts by virtue of the expropriation exception must provide evidence and comply with all abovementioned requirements.

#### A. THE PLAINTIFF – A UKRAINE OWNER

The main issue in such a litigation against a state seems to be that of jurisdiction and of the parties to the proceedings. One needs to keep in mind that suing a foreign state and executing compensation after a judgment has been delivered may trigger diplomatic tensions. On the other hand, if there is any forum for seeking compensation in US courts, and if any provisions make it possible to sue a foreign state in the United States, US courts must take these provisions into account and address the lawsuits.

In light of the above, the first question we must ask is who can be a plaintiff in such cases? The answer is simple - the plaintiff can be the ex-owner of the property taken in violation of international law, notwithstanding the status of this owner (an entity such as a museum or an individual, who needs to prove their ownership) or their citizenship.

<sup>10</sup> Travers, J.. “Bolivarian Republic of Venezuela Helmerich & Payne Int’l Drilling Co.: The Need for a Valid-Argument Standard of Review for Expropriation Exception Claims,” Maryland Journal of International Law, 33(1), 2018, p. 314.

Therefore the plaintiff can be each Ukraine owner whose property was taken (stolen, looted, expropriated etc.) notwithstanding its status (natural person or entity).

In order to sue Russia, the plaintiff must bear the burden of proving four crucial elements:

1. Rights in property which are at issue
2. The fact that property was taken
3. The fact that the taking violated international law.
4. “Nexus” required by the FSIA’s exception

What is important, the plaintiff must demonstrate in their complaint that each element of the “takings exception” applies.

The burden-shifting framework of the FSIA can be presented in the following steps:

1. First and foremost a plaintiff must show that the case concerns a property and, as a jurisdictional matter, that the plaintiff, rather than someone else, owned the property at issue. That is part of the merits of the case.
2. Then a plaintiff must submit that the property at issue was taken in violation of international law. This means that the plaintiff presents a relevant factual allegation that a certain kind of right is at issue and that the relevant property was taken in a certain way (in violation of international law).
3. A defendant seeking sovereign immunity bears the burden of establishing a *prima facie* case that it is a foreign sovereign.
4. The burden next shifts to the plaintiff to demonstrate that the FSIA exemption applies. The plaintiff “bear[s] the burden of producing evidence to show that there is no immunity and that the court therefore has jurisdiction over the claims.”<sup>11</sup> In other words to overturn the FSIA presumption of immunity, a complaint must set forth “sufficient facts to support a reasonable inference that [the]

claims” satisfy one of the 8 specific exceptions enumerated in the FSIA.<sup>12</sup>

5. If a plaintiff satisfies one of the FSIA’s statutory exceptions, a defendant must then bear the burden of proving, by a preponderance of the evidence, that the alleged exception does not apply in a particular case.

It seems that the most difficult issue in these types of cases is determining and producing evidence satisfying one of the nexus requirements. In *Zappia Middle East Constr. Co. v. Emirate of Abu Dhabi*,<sup>13</sup> the Court stated: “As to the nexus requirement, a plaintiff must show either that ‘such property is present in the United States in connection with a commercial activity carried on in the United States by the foreign state,’ or that ‘such property is owned or operated by an agency or instrumentality of the foreign state and that agency or instrumentality is engaged in a commercial activity.’”

## B. THE DEFENDANT

According to the FSIA defendants can be a foreign state and/or its agency or instrumentality. However, the terms used in the provision as to “e foreign state”, “political subdivision” of the foreign state and “agency or instrumentality” of a foreign state should be explained.

The FSIA in 28 U.S. Code § 1603 provides that:

“A “foreign state”, except as used in section 1608 of this title, includes a political subdivision of a foreign state or an agency or instrumentality of a foreign state.

“An “agency and instrumentality of a foreign state” means any entity which is a separate legal person, corporate or otherwise, and which is an organ of a foreign state or political subdivision thereof, or a majority of whose shares or other ownership interest is owned by a foreign state or political subdivision thereof,

<sup>11</sup> See: *Drexel Burnham Lambert Group Inc. v. Comm. of Receivers for Galadari*, 12 F.3d 317, 325 (2d Cir.1993); *Cargill Int’l S.A. v. M/T Pavel Dybenko*, 991 F.2d 1012, 1016 (2nd Cir.1993).

<sup>12</sup> *Rux v. Republic of Sudan*, 461 F.3d 461, 468 (4th Cir. 2006).

<sup>13</sup> *Zappia Middle East Constr. Co. v. Emirate of Abu Dhabi*, 215 F.3d 247, 251 (2d Cir. 2000).

and

which is neither a citizen of a State of the United States as defined in section 1332 (c) and (e) of this title, nor created under the laws of any third country”.

The interpretation of the provision 28 U.S. Code § 1603 and §1605 must be read as follows:

"under the FSIA . . . actions taken by foreign states, or their instrumentalities are sovereign acts and thus protected from the exercise of [the court's] jurisdiction, unless one of the exceptions to FSIA applies.<sup>14</sup>«.

Nevertheless, the FSIA distinguishes foreign states (including its political subdivision) from their agencies and instrumentalities.

The simplest explanation can be presented for a term of a “foreign state”. In the case *Lehigh Valley R. Co. v. State of Russia*<sup>15</sup> the U.S. Court of Appeals for the Second Circuit noted that the foreign state is:

“the community or assemblage of men, and the government the political agency through which it acts in international relations (...). The foreign state is the true or real owner of its property, and the agency the representative of the national sovereignty. (...) Who may be the sovereign de jure or de facto of a territory is a political question; not judicial”.

The term of a “foreign state” indicates a body politic that governs a particular territory. In the Restatement §4 the definition of the state is as follows: “an entity that has a defined territory and population under the control of a government and that engages in foreign relations”.

However, it should be noted that in the FSIA, the term “foreign state” has a broader meaning, by mandating the inclusion of the state’s political subdivisions, agencies, and instrumentalities.

<sup>14</sup> West v. Multibanco Comermex, S.A., 807 F.2d 820, 824 (9th Cir. 1987)

<sup>15</sup> *Lehigh Valley R. Co. v. State of Russia*, 21 F.2d 396 (2d Cir. 1927) 21 F.2d 396 (2d Cir. 1927)

The term “political subdivision” includes all governmental units beneath the central government.

As a political subdivision of a foreign state courts have admitted the following entities: a city of a foreign state<sup>16</sup>, armed forces of a foreign state<sup>17</sup>, a provincial government<sup>18</sup>

As to the instrumentality of a foreign state courts have admitted that the following entities could be counted to be them: a bank<sup>19</sup>, the national railway<sup>20</sup>, a foundation<sup>21</sup>.

### C. THE TERM “PROPERTY”

One cannot miss the fact that the term “property” can be treated in broader sense than only tangible items. American courts in the recent judgments move away from considering that the expropriation exception concerns only tangible property. This thesis is based on the language of the FSIA. In the case *Nemariam v. Federal Democratic Republic of Ethiopia*<sup>22</sup>, the court explained in depth the issue of broad scope of property (including intangible property) under the FSIA stating:

“Neither the plain language of section 1605(a)(3) nor its legislative history expressly states that the expropriation exception applies only to tangible property. Moreover, “the tangible/intangible characterization of property interests . . . is a distinction without a difference” and “is not generally recognized in international, federal, or state law. (...)”

<sup>16</sup> *Malewicz v. City of Amsterdam* 362 F. Supp. 2d 298 (D.D.C. 2005) and *Malewicz v. City of Amsterdam* 517 F.Supp.2d 322 (2007)

<sup>17</sup> *Transareo, Inc. v. La Fuerza Aerea Boliviana*, 162 F.3d 724 (1998)

<sup>18</sup> *Yang Rong, et al., Appellants v. Liaoning Province Government, a Subdivision of the People's Republic of China, a Foreign State*, 452 F.3d 883 (D.C. Cir. 2006)

<sup>19</sup> *West v. Multibanco Comermex, S.A.*, 807 F.2d 820 (9th Cir. 1987)

<sup>20</sup> *Scalin v. Société Nationale Des Chemins De Fer Français*, No. 15-cv-03362 (N.D. Ill. Mar. 26, 2018)

<sup>21</sup> *Magness v. Russian Federation*, 247 F.3d 609 (5th Cir. 2001)

<sup>22</sup> *Nemariam v. Federal Democratic Republic of Ethiopia*, 491 F.3d 470 (D.C. Cir. 2007)

The plain language of section 1605(a)(3) — as well as its legislative history — does not limit its application to tangible property. Moreover, there seems to us to be no reason to distinguish between tangible and intangible property when the operative phrase is "rights in property."

Therefore as property in the FSIA's meaning can be treated

*Tangible property including:*

1. Property stolen and sent into Russia (from household items, personal belongings and money to valuable masterpieces or pieces of art)
2. Property used or changed and modified by Russians (as real estates, religious buildings, public offices etc.)

Intangible ones as: assess frozen in banks<sup>23</sup>, intellectual property<sup>24</sup>, trademark<sup>25</sup>, patent and copyrights.

#### D. THE TERM "TAKEN"

The FSIA requires the property in issue must be "taken with the violation of international law" therefore the term "taken" should be defined. The FSIA does not define the term "taken," but analyzing the existing cases of law one can observe that "taken in violation of international law" refers to "the nationalization or expropriation of property without payment of the prompt adequate and effective compensation required by international law."

The deep analysis of the term "taken" was presented in the case *Williams v. Nat'l Gallery of Art*<sup>26</sup>. Plaintiffs were Oliver Williams, Iris Filmer, and Margarete Green, heirs of Margaret Moll ("Greta Mol"). Regarding the term "taken" the Williams court stated:

"to take" has many definitions, but the one applicable here is "to get into one's hands or into

one's possession, power, or control," such as "to seize or capture physically" or "to acquire by eminent domain."

In the context of word "taken" under the FSIA the court stated that "a taking is [c]onduct attributable to a state that is intended to, and does, effectively deprive an alien of substantially all the benefits of his interest in property."<sup>27</sup>

#### E. THE NEXUS

In the cases concerning the FSIA's expropriation exception one of the requirements that needed to be met is a jurisdictional nexus with the United States.

The FSIA in § 28 U.S. Code § 1605 (a) (3) provides that :

"a foreign state shall not be immune from the jurisdiction of courts of the United States or of the States in any case in which rights in property taken in violation of international law are in issue and that property or any property exchanged for such property is present in the United States in connection with a commercial activity carried on in the United States by the foreign state; or that property or any property exchanged for such property is owned or operated by an agency or instrumentality of the foreign state and that agency or instrumentality is engaged in a commercial activity in the United States"

*The provisions must be read as follows:*

1. If the defendant is a foreign state – the plaintiff must prove the first nexus what means that the property at issue or any property exchanged for such property is present in the United States in connection with a commercial activity in the United States by the foreign state
2. If the defendant is an agency or instrumentality of a foreign state – the second nexus must be satisfied what means that the property in question is owned or operated by an agency or?

<sup>23</sup> *Abelesz v. Magyar Nemzeti Bank*, 692 F.3d 661 (7th Cir. 2012)

<sup>24</sup> *France.com INC against French Republic* 992 F.3d 248 (4th Cir. 2021)

<sup>25</sup> *Kaiser Aetna v. United States*, 444 U.S. 164, 176 (1979).

<sup>26</sup> *Williams v. Nat'l Gallery of Art*, No. 16-CV-6978 (VEC), 2017 WL 4221084, at \*1 (S.D.N.Y. Sept. 21, 2017)

<sup>27</sup> *Banco Nacional de Cuba v. 12 Chem. Bank N.Y. Tr. Co.*, 822 F.2d 230, 239 (2d Cir. 1987)

In the case *De Csepel v. Federal Republic of Hungary*<sup>28</sup>, the D.C. Circuit has held that the two parts of the “commercial nexus” requirement must be read disjunctively.

The term “commercial activity carried out in the United States by a foreign state” must be regarded as commercial activity of such state having substantial contact with the United States<sup>29</sup>.

It is obvious that if a property is in the USA, the plaintiff could reclaim it, what stated the court in *Bernstaien v. Van Heyghen Freres Société Anonyme*<sup>30</sup>.

The problem for Ukrainian plaintiff is how to prove that the property in issue is present in the USA and is used in the USA in connection with a commercial activity carried out by a foreign state in the United States if the property was seized or taken or expropriated? The attempts were many and, in several cases, courts held in favor of plaintiff.

In the case *Simon v. Republic of Hungary*<sup>31</sup>, the D.C. Circuit stated that this commercial-above nexus requires that the defendants possess the expropriated property or proceeds thereof; and that the defendants participate in some kind of commercial activity in the United States.

Nevertheless, the Circuit cautioned that the plaintiffs ultimately “may or may not be able to prove the point,” and emphasized the limitation of its holding to whether the plaintiffs’ allegations were sufficient as a matter of law”.

In the case *Rukoro v. Federal Republic of Germany*, where the victims of genocide committed by Germans in today’s Namibia at the eve of XX century sought compensation, the plaintiffs presented the nexus in that way:

1. Germans – committing a genocide - stole land, livestock and property of two Namibian tribes

<sup>28</sup> *De Csepel v. Federal Republic of Hungary*, 859 F.3d 1094, 1107 (D.C. Cir. 2017)

<sup>29</sup> See *Malweicz v. City of Amsterdam* 362 F. Supp. 2d 298, 304 (D.D.C. 2005)

<sup>30</sup> *Bernstein v. Van Heyghen Freres Société Anonyme* 163 F.2d 246 (2d Cir. 1947)

<sup>31</sup> *Simon v. Republic Hungary*. 812 F.3d at 146

2. German colonial authorities either sold or leased the properties to private parties having imposed fees, customs, tariffs, and taxes on commercial operations in the territory,
3. The money deposited directly into the German treasury and mixed with other money in the German treasury
4. Germany used some of this comingled money to buy four real estate properties in New York City
5. Each of the New York Properties is "used in connection with [Germany's] commercial activities" including, among other things, the housing of German officials and employees and "cultural propagation, German-language programs, and other programs to develop American interest in the German people, language, culture, and country with the goal of commercial growth through cultural growth.

The *Rukolo* District Court admitted this interpretation of “commercial activities” of Germany (dismissing the whole case on the other grounds) pointing out that “property exchanged for the expropriated property” was presented in the United States. The Court of Appeal did not agree with that observation. The court stated that the plaintiffs must point out the circumstances to trace the proceeds that a sovereign received from expropriated property to funds spent on property present in the United States.

With regard to the second nexus (concerning the agencies or instrumentalities of a foreign state) it must be read as follows: that property is owned or operated by an agency or instrumentality of the foreign state and that agency or instrumentality is engaged in a commercial activity in the United States or any property exchanged for such property is owned or operated by an agency or instrumentality of the foreign state and that agency or instrumentality is engaged in a commercial activity in the United States”.

The property must be present in the United States as the time of filling the civil action

In the case *Schubart v. Federal Republic Of Germany And Bvvg Bodenverwertungs-Und*

-*Verwaltungs GMBH*<sup>32</sup> the court emphasized that the ongoing commercial activities must have been presented by the plaintiff at the time of suing a foreign state even when in the passage of time a foreign state or its agency or instrumentality decided to close their activities after the bringing the lawsuit in a court.

In existing judgment plaintiffs have demonstrated inter aliae that nexus pointing out

1. Entering transactions for joint publishing and sales in the United States
2. Entering financial transaction in the USA (the bank transactions)
3. Shipping lands, gift, tickets
4. Selling tickets, booking reservations, and conducting similar business
5. Publishing books and selling them in the USA
6. Placing advertisement in magazines distributed in the USA
7. Contracting with the U.S. entity,
8. Sending employees to the United States
9. Having own office in the USA
10. Licensing reproductions, paying United States citizens to write for catalogues,
11. Borrowing and lending art

### III. CONCLUSION

Ukrainians seeking compensation for property losses (stolen or used by Russians) can choose to file their claims with American courts. The American judiciary is widely reputed for its independence and seen as a system that allows class-action and makes room for punitive damages. The public is often convinced that Americans and American judges have a strong sense of fairness, comprehension and sympathy for victims of crimes. Needless to say, in many cases the victims have fruitlessly sought compensation even before international tribunals. Therefore American courts with their sense of justice are perceived as their last resort in the fight for redress (including compensation).

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<sup>32</sup> *Schubarth v. Fed. Republic of Germany* 891 F.3d 392 (D.C. Cir. 2018)

In the end it is important to keep in mind that the FSIA's expropriation exception cannot include compensation for enslavement, genocide, rape, atrocities, murdering, slave labor, personal injury and death inflicted in genocide when the events occur outside of the United States (the thesis stems from the text of provisions stipulated in 28 U.S.C. § 1605 (a) (5) that allows to seek compensation "*for personal injury or death, or damage to or loss of property, occurring in the United States*"). Therefore, as far as above-mentioned criminal acts are concerned, no US Courts jurisdiction is available unless the entire tort *occurs in the United States*.

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# Learning Local Languages: Views of Some African Executives

*Dr. Kouassi G Rard Abaka*

## ABSTRACT

The starting point of this research is the significant drop of the local languages speakers number in some south Africa countries and the will to show the importance of these languages in the buildind of this continent elites. In the sociolinguistic field, particularly in ivorian and beninese contexts and with quantitative and qualitative approach we have tried to answer these questions : what was the local languages role in the formation of these countries managers ? What is the situation of these languages learning nowadays ? What could motivate peoples to continuous their learning ? This investigation made with Ivorian and Beninese public (200 persons) allowed us to know, for exemple, that local languages, despite they important role in the elites formation, are relayed to the supporting role.

*Keywords:* local languages, learning, african managers.

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# Learning Local Languages: Views of Some African Executives

L'apprentissage des Langues Locales: Regards de Quelques Cadres Africains

Dr. Kouassi G Rard Abaka

## ABSTRACT

*The starting point of this research is the significant drop of the local languages speakers number in some south Africa countries and the will to show the importance of these languages in the buildind of this continent elites. In the sociolinguistic field, particulary in ivorian and beninese contexts and with quantitative and qualitative approach we have tried to answer these questions : what was the local languages role in the formation of these countries managers ? What is the situation of these languages learning nowadays ? What could motivate peoples to continuous their learning ? This investigation made with Ivorian and Beninese public (200 persons) allowed us to know, for exemple, that local languages, despite they important role in the elites formation, are relayed to the supporting role.*

**Keywords:** local languages, learning, african managers.

## RÉSUMÉ

*Le point de départ de cette recherche est la baisse considérable du nombre de locuteurs des langues locales dans certains pays de l'Afrique de l'ouest et la volonté de montrer l'importance de ces langues dans la construction des élites de ce continent. Dans un champ sociolinguistique, plus particulièrement en contexte ivoirien et béninois et avec une approche quantitative et qualitative de type ethnographique, nous avons tenté de répondre à des questions comme : quel a été le rôle des langues nationales dans la formation des cadres de ces pays ? Quelle est la situation de l'apprentissage de ces langues de nos jours ? Y-a-t-il des raisons qui pourraient toujours*

*motiver leurs apprentissages ? Cette enquête réalisée auprès d'un public composé de Béninois et d'Ivoiriens (200 personnes au total) a permis de comprendre, par exemple, que les langues locales, malgré le fait qu'elles aient joué un rôle important dans la formation des élites de ces pays, sont aujourd'hui relayées au second plan ; laissant la place au français.*

**Mots clés:** langues locales, apprentissage, cadres africains.

## I. INTRODUCTION

Les langues sont un outil de communication très important dans toutes les sociétés humaines. Elles favorisent des échanges de tout genre et le rapprochement des peuples qui les ont en partage. Parmi celles-ci, certaines sont désignées comme des langues officielles et d'autres, comme des langues locales ou régionales selon leur degré d'importance sur le plan national et international et surtout selon la volonté des autorités dirigeantes.

Dans la plupart des pays d'Afrique Sub-Saharienne, par exemple, les langues officielles sont des langues de l'ex colon. Elles ont été choisies, comme telles, par les premières autorités juste après l'indépendance. Aujourd'hui, près de 60 années passées, ces langues conservent toujours ce statut et tous les privilèges qui vont avec : langue de l'administration, langue de l'enseignement/apprentissage, langue du travail, .... Quant aux langues locales, elles ne sont, pour la plupart, ni enseignées dans les systèmes éducatifs formels, ni utilisées dans l'administration. Elles ne sont réduites qu'à des usages domestiques. Et même dans cet environnement restreint, de plus en plus de parents soucieux de créer un environnement

propice à la scolarité de leurs enfants, leur imposent de parler le français ou l'anglais à la maison (Agbahey, 2017). Bien souvent, les langues locales rencontrent beaucoup de difficultés pour contribuer à la « civilisation de l'universel » (Amidou, 2014).

Dans cet article, nous nous intéressons aux langues locales de Côte d'Ivoire et du Bénin. Nous interrogeons leurs utilités dans l'éducation et la formation des cadres africains à travers des réponses aux questions comme : quel a été l'apport de l'apprentissage des langues locales dans la construction des cadres africains ? Est-il important, aujourd'hui, de savoir parler la langue de ses parents ? Si oui/non, pourquoi ?

## II. CONTEXTE SOCIOLINGUISTIQUE IVOIRIEN ET BÉNINOIS

Bien que certains pays de l'Afrique Sub-Saharienne aient des traits sociolinguistiques communs, il en demeure néanmoins quelques traits caractéristiques qui permettent de les distinguer. Dans ce point du travail, nous dressons les contextes sociolinguistiques de la Côte d'Ivoire et du Bénin.

### 2.1 Contexte sociolinguistique ivoirien

La Côte d'Ivoire est un pays plurilingue et pluriculturel. On y dénombre la présence d'une soixantaine de langues locales qui peuvent être regroupées sous quatre aires linguistiques : l'aire linguistique kwa localisée au Sud-est du pays avec pour langue principale l'agni-baoulé ; l'aire linguistique kru située au Sud-ouest a pour langue dominante le bété ; au Nord-ouest et dans l'enclave de Kong, on a l'aire linguistique mandé avec le dioula comme langue principale et au Nord-ouest avec pour langue dominante le tyebara, l'aire linguistique gur (Kouadio, 2007 : 78-79). A côté de ces langues ivoiriennes, il faut ajouter le mooré et d'autres langues des pays de l'Afrique de l'Ouest comme le wolof et bambara à cause de l'importance du nombre de leurs locuteurs en Côte d'Ivoire.

Si certaines langues locales gardent leur utilité principalement dans leur frontière ethnique traditionnelle, d'autres comme le dioula et

l'agni-baoulé ont traversé ces frontières et servent souvent de véhiculaires notamment dans les activités économiques. Cependant, elles ne sont pas des langues officielles de la Côte d'Ivoire. Ce statut n'est réservé qu'au français.

Le français est en effet la langue officielle de la Côte d'Ivoire depuis le 07 août 1960, date de l'indépendance de ce pays. Il est donc, depuis cette date, la langue de l'enseignement/apprentissage, celle de l'administration et du travail, etc. Le rôle important qu'il joue dans ce pays et sa longue présence au côté des langues ivoiriennes fait de lui, aujourd'hui, une langue ivoirienne. Les ivoiriens l'ont « apprivoisé » puis « adopté ». On parle désormais de français ivoirien qui se distingue du français standard enseigné dans les écoles. Ce français utilisé à tous les niveaux de la société ivoirienne se présente sous différentes variantes, allant du nouchi, argot ivoirien, à des variétés soutenues (Boutin, 2002). Il dispute même le terrain linguistique aux langues ivoiriennes et surtout au français central, qui sert toujours de référence dans les discours officiels et dans l'enseignement (Kouamé, 2013 : 97).

### 2.2 Contexte sociolinguistique béninois

Le Bénin est un pays multilingue. Il compte plus d'une soixantaine de parlers (Capo, 2009 : 62) que Tchitchi (2009) regroupe en six aires linguistiques : fongbè, yoruba, ajagbè, baatonum, gungbè, dïtammari, wemegbè. Ces aires linguistiques homogènes sont des espaces géographiques et linguistiques à l'intérieur desquels les communautés acquièrent une facilité de communication. Aux côtés de ces parlers, il y a le français. En effet, la loi n°90-32 du 11 décembre 1990 portant constitution de la république du Bénin stipule dans son article 1er alinéa 5 que « la langue officielle est le français » et à travers l'article 11 que « toutes les communautés composant la Nation béninoise jouissent de la liberté d'utiliser leurs langues parlées et écrites et de développer leur propre culture tout en respectant celle des autres. L'Etat doit promouvoir le développement des langues nationales d'intercommunication. ». Cette cohabitation des langues locales entre elles et avec

le français a fait des béninois polyglottes entraînant ainsi des manifestations de la diglossie dans les villes telles que Cotonou, Porto-Novo, Parakou, Bohicon, Comé, djougou, Kandi, Savè, Natitingou, etc.

Le français est au Bénin la langue officielle, donc autorisée dans l'administration : c'est la langue de travail. Il est aussi médium d'enseignement et matière. Il est parlé par une classe qui possède et utilise une ou plusieurs langues locales. Dans ce contexte, la promotion et la valorisation de ces dernières ainsi que leur insertion dans le système éducatif formel sont de plus en plus exigées en vue de la sauvegarde des identités culturelles et du véritable développement du Bénin. Des initiatives n'ont pas manqué. Nous pouvons évoquer le discours d'orientation national du 30 novembre 1974, l'ordonnance 75-30 du 23 juin 1975 portant composition, attribution, organisation et fonctionnement des diverses commissions à caractère technique, qui a prévu en son article premier la création de la commission technique de langues nationales ; l'article 11 de la constitution du 11 décembre 1990 stipule : « ... L'Etat doit promouvoir le développement des langues nationales d'intercommunication. » ; la promulgation de la loi 2003-17 de novembre 2003, portant orientation de l'éducation nationale : « ...Les langues nationales sont utilisées d'abord comme matière et ensuite comme véhicule d'enseignement dans le système éducatif... ».

### III. CADRE SCIENTIFIQUE DE LA RECHERCHE

Dans ce qui suit, nous définissons le cadre théorique qui a servi de référence à cette étude. Nous faisons également une description des outils et méthodes qui ont aidé à la réalisation de ce travail.

#### 3.1 Le cadre théorique de référence

La réflexion amorcée dans cette étude s'inscrit dans le champ de la sociolinguistique. Cette discipline, selon Boyer (1996 : 6), situe son objet dans l'ordre du social et du quotidien, du privé et du politique, de l'action et de l'interaction, pour étudier aussi bien les variations dans l'usage des

mots que les rituels de conversation, les situations de communication que les institutions de la langue, les pratiques singulières de langage que les phénomènes collectifs liés au plurilinguisme... En effet, c'est dans des contextes sociolinguistiques ivoiriens et béninois marqués par la présence de plusieurs langues, et où les langues en co-présence ne revêtent pas du même statut que nous menons cette étude. Dans ces deux pays (Côte d'Ivoire et Bénin), il y a d'un côté le français qui est seule langue officielle, langue des institutions, langue de l'enseignement/apprentissage, ... et de l'autre des langues locales dont l'usage est pour la plupart du temps réservé au cadre familial ou ethnique. Il va sans dire que de tels contextes peuvent favoriser le bilinguisme ou le monolinguisme si l'une des langues à apprendre occupe ou joue un rôle social au-dessus de l'autre.

L'étude des comportements linguistiques de ces deux groupes sociaux et des conduites linguistiques qui les caractérisent s'inscrivent donc dans une démarche sociolinguistique. Dans ce travail, à partir de la notion de « regards », nous traitons également les représentations que les cadres se font de l'apprentissage des langues locales. Les représentations qui, selon (Aboa, 2013 : 2), renvoient plus ou moins à la manière dont un locuteur ou un groupe de locuteurs perçoit, juge, appréhende le monde, et même parfois, pratique une langue. Ce sont pour Abriç (1987 : 56), le produit et le processus d'une activité mentale par laquelle un individu ou un groupe reconstitue le réel auquel il est confronté et lui attribue une signification spécifique.

#### 3.2 Recueil des données

Cette recherche s'aligne donc sur les pratiques de la sociolinguistique, à savoir : enquêtes, travail sur les biographies langagières, approches descriptives, etc. Pour rendre compte des regards des cadres sur l'apprentissage des langues locales, nous avons procédé uniquement par questionnaire.

Aussi, en nous appuyant sur cette définition de « cadre » prise sur le site [www.chefdentreprise.com](http://www.chefdentreprise.com), c'est-à-dire un « employé qui occupe un poste

d'une catégorie supérieure au sein d'une administration ou d'une entreprise », avons-nous mené nos enquêtes dans des villes susceptibles d'abriter le plus de travailleurs de cette catégorie. C'est ainsi que les villes telles qu'Abidjan (Côte d'Ivoire), Cotonou et Calavi (Bénin) ont été choisies. Dans chacun des deux pays, nous avons distribué 100 questionnaires ; ce qui fait un total de 200 questionnaires pour l'ensemble de l'étude.

Les personnes qui y ont participé étaient soit en fonction, soit à la retraite. Nous avons relevé parmi eux : des comptables, des journalistes, des économistes, des médecins, des juristes, des enseignants, des agents de santé, des opérateurs économiques, des militaires, des agents du trésor public... Les questionnaires leur ont été distribués à leur domicile ou devant leur lieu de travail.

### 3.3 Traitement et analyse des données

L'approche d'analyse que nous avons utilisée pour l'ensemble des données collectées, est à la fois quantitative et qualitative, mais de type ethnographique.

L'analyse quantitative a porté sur les réponses aux questions fermées. Quant à l'analyse qualitative, elle a été utilisée pour l'étude du lien entre la biographie langagière de l'enquêté et son rapport avec les langues locales. Elle s'est aussi intéressée aux réponses aux questions ouvertes.

Nous avons fait une analyse des discours produits sur l'apprentissage des langues locales ; ce qui a permis de faire ressortir les différentes représentations que les populations enquêtées font de ces langues.

## IV. RÉSULTATS DE LA RECHERCHE

Dans cette partie du travail, nous dressons le profil sociolinguistique de nos enquêtés. Seront également décrits et commentés, les « regards » de la population étudiée sur l'apprentissage des langues locales.

### 4.1 Profil des enquêtés

Les personnes qui ont participé à cette enquête de terrain sont au nombre de 200. Elles étaient composées de femmes à 37% et d'hommes, 63%.

La plupart a un niveau d'étude supérieur (94,5%). Les moins nombreux (5,5%), sont ceux de niveau secondaire. Les enquêtés de Côte d'Ivoire sont tous ivoiriens. De même pour le Bénin où ils sont tous béninois.

Si l'on tient compte de la variable « tranche d'âge », 52% des personnes enquêtées de la Côte d'Ivoire sont de la tranche 25-35 ans ; 27%, de la tranche 36-45 ans ; 15%, de la tranche 46-55 ans et 6% de la tranche 56 ans et plus. Les jeunes de 25-35 ans sont donc les plus nombreux parmi les enquêtés de Côte d'Ivoire. Il en est de même pour le Bénin où cette tranche représente à elle seule 43% des effectifs. Elle est suivie des tranches 36-45 et 46-55 ans qui représentent chacune 27% des effectifs. Les personnes de la tranche 56 ans et plus sont les moins nombreux.

#### 4.1.1 Les enquêtés de la tranche 56 ans et plus

Les enquêtés les plus âgés ont débuté leur apprentissage scolaire dans des écoles primaires de village. Avant leur scolarisation ils parlaient tous la langue de leurs parents. Durant tout leur cursus scolaire, 75% d'entre eux affirment avoir parlé à la fois le français et une langue locale avec leurs amis de l'école. Quant aux autres (les 25%) ils parlaient uniquement le français (ces derniers ont été comptés uniquement parmi le groupe des enquêtés ivoiriens). Certains parmi les personnes de cette tranche d'âge passaient leurs vacances scolaires au village ou en ville. Ceux qui allaient au village pratiquaient uniquement une langue locale pendant ce temps. Alors que ceux qui passaient leurs vacances en ville parlaient en plus de la langue locale, le français. Aujourd'hui, ces personnes comptent tous dans leurs répertoires verbaux : le français et une langue locale. Ils jugent d'ailleurs qu'ils ont un bon niveau de maîtrise (les enquêtés ivoiriens) de leurs langues maternelles ou un niveau moyen (enquêtés béninois).

Dans la pratique au quotidien, 25% de ces enquêtés âgés de 56 ans et plus affirment parler seulement leurs langues maternelles à la maison. Les 75% restant disent alterner entre la langue maternelle et le français. Cependant, en milieu communautaire, c'est-à-dire avec les membres du

même groupe ethnique d'appartenance, ils parlent tous une langue locale.

#### *4.1.2 Ceux de la tranche 46 – 55 ans*

Ces enquêtés ont fait, dans la grande majorité (73%), leur école primaire dans des zones rurales. Les autres (les 27%), ont fait ce parcours dans des villes. Avant de débiter l'apprentissage scolaire, 87% d'entre eux parlaient uniquement leurs langues maternelles. Les 13% parlaient, en plus de ces langues, le français. Pendant leur parcours scolaire, la moitié des enquêtés de la Côte d'Ivoire ne parlaient qu'une seule langue (le français) avec leurs amis de l'école. L'autre moitié parlait, en plus du français, une langue locale. Ceux du Bénin par contre parlaient tous deux langues : le français et une des langues du Bénin.

Les personnes de cette tranche d'âge disent qu'ils passaient leurs vacances scolaires soit au village (39%), soit en ville (45%) ou alternaient entre ces deux localités (16%). Pendant ces vacances, certains d'entre eux (6,5%), seulement des enquêtés béninois, parlaient uniquement le français. D'autres (32,5%) ne parlaient que leurs langues maternelles. Les 61,5% restant pratiquaient les deux langues (français et langue maternelle). Lorsqu'ils font le bilan de leurs répertoires verbaux, au moment de notre enquête, seulement 10% d'entre eux (principalement des enquêtés ivoiriens) ne parlent uniquement que le français. 61% parlent deux langues (le français et leurs langues maternelles) ; et les autres 29% parlent, en plus du français et leurs langues maternelles, une troisième langue. Ils affirment ne pas avoir le même niveau de maîtrise des langues de leurs répertoires. Par contre, ils disent avoir un bon niveau de maîtrise de leurs langues maternelles (les enquêtés ivoiriens) ou un niveau moyen (enquêtés béninois).

Lorsqu'ils sont à la maison, 16,5% des personnes de cette tranche d'âge utilisent seulement une langue locale comme moyen de communication avec les membres de leurs familles. 45% d'entre eux emploient uniquement le français dans leurs domiciles respectifs. Les autres 38,5% parlent le français et leurs langues maternelles à la maison.

Lorsqu'ils se retrouvent avec les membres de leurs groupes ethniques d'appartenance, pendant les réunions ou autres rencontres organisées par leurs groupes, ils utilisent leurs langues maternelles et/ou le français. Ceux qui ne parlent que leurs langues maternelles pendant ces rencontres représentent 72% des effectifs de cette tranche. Tandis que ceux qui utilisent le français ou les deux langues (français et langue maternelle) représentent respectivement 6% et 22% des effectifs.

#### *4.1.3 Les enquêtés de la tranche 36 – 45 ans*

Cette population d'enquêtés a en majorité débuté l'apprentissage scolaire dans des écoles implantées en ville. La plupart d'entre eux (63%) accédait à l'école avec des compétences linguistiques en français et dans leurs langues maternelles. Seulement 18% de leur effectif ne parlaient que leurs langues maternelles et 9% uniquement que le français. Pendant leur scolarisation, 100% des enquêtés du Bénin parlaient à la fois le français et leurs langues maternelles avec leurs pairs. En ce qui concerne les enquêtés de la Côte d'Ivoire, ils parlaient soit uniquement le français (44,5%), soit le français avec une des langues locales ivoiriennes (55,5%). A la fin de chaque année scolaire, la majorité (57,5%) des enquêtés de cette classe d'âge passait ses vacances au village. Pendant que certains quittaient la ville pour le village, d'autres restaient sur place. Quant au reste, les 42,5%, ils passaient ces vacances en ville. Durant cette période, certains pratiquaient uniquement le français (11,5%). Tandis que les autres faisaient usage de leurs langues maternelles seulement (34,5%) ou des deux langues (23%) dans leurs communications.

Au moment de nos investigations, 16,5% de ces enquêtés affirment parler uniquement que le français. Il faut noter que cela ne concerne que des enquêtés ivoiriens. La grande majorité (83,5%) parle au moins deux langues : une langue maternelle, le français et/ou une autre langue (locale ou étrangère). En ce qui concerne le niveau de maîtrise de leurs langues maternelles, hormis ceux qui ne parlent que le français, on relève des niveaux moyen (11,5%), bon (65,5%) et très bon (23%).

Les personnes de cette tranche d'âge possèdent donc au maximum trois langues dans leurs répertoires verbaux. Dans la pratique de ces langues, ils sont nombreux (42%) à faire usage à la fois du français et de leurs langues maternelles en milieu familial. 35,5% ne parlent que leurs langues maternelles et 22,5% que le français dans ce milieu. Cependant, lorsqu'ils se retrouvent avec des membres de leurs groupes ethniques d'appartenance, c'est plus leurs langues maternelles qu'ils emploient (71%). Ceux qui parlent seulement le français ou le français avec leur langue maternelle représentent respectivement 11% et 18% de leur effectif.

#### 4.1.4 Les enquêtés de la tranche 25 – 35 ans

Les plus jeunes de cette population d'enquêtés ont débuté leur apprentissage scolaire avec pour compétence linguistique le français uniquement (58%), leurs langues maternelles uniquement (6%) ou le français avec leurs langues maternelles (36%). Ils ont, pour certains (11,5%), fait l'apprentissage primaire dans des écoles du village et pour d'autres (88,5%) en ville. Avec leurs camarades de l'école, c'était le français qu'ils parlaient le plus. Ceux qui pratiquaient seulement leurs langues maternelles ne représentaient que 3,5% de leur effectif. Ces enquêtés, lorsqu'ils étaient encore des élèves, passaient leurs vacances scolaires au village (34%), en ville (53,5%) ou dans ces deux localités (12,5%). C'était donc les villes qui étaient les endroits où la majorité d'entre eux passaient leurs vacances. Durant ces moments, ceux qui faisaient usage seulement que d'une langue (français ou langue locale) ne représentent que 18,5% (pour le français) et 7% (pour la langue locale). Les autres (81,5%) parlaient, en plus du français, leurs langues maternelles.

Ces enquêtés comptent dans leurs répertoires linguistiques au plus trois langues : il y a ceux qui parlent uniquement le français (14,5%) ; ceux qui parlent le français et leur langue maternelle (43,5%) ; le français et une langue étrangère (3%) ; et ceux qui parlent le français, leur langue maternelle et une langue étrangère (39%).

Lorsqu'il s'agissait de répondre à la question portant sur leurs niveaux de compétence dans leurs langues maternelles, 19,5% d'entre eux ont répondu qu'ils ont un niveau faible ; 24%, un niveau moyen ; 35%, un bon niveau et 21,5% un très bon niveau.

Lorsqu'ils sont en milieu familial, ce groupe d'enquêtés fait usage de plusieurs langues. Il y a ceux qui ne font usage que de leur langue maternelle (51,5%) ou du français (21%) et ceux qui pratiquent les deux à la fois (27,5%). En ce qui concerne la question portant sur la langue parlée avec les membres de leur groupe ethnique, nous avons relevé le fait que certains (11,5%) parmi ce groupe d'enquêtés n'ont pas apporté d'élément de réponse parce que, disent-ils, n'avoient jamais participé à une rencontre de ce genre. Parmi ceux qui y participent, 53% d'entre eux ne font usage que de leurs langues maternelles ; 21,5% du français uniquement et 25,5% des deux.

On remarque chez nos enquêtés que leurs rapports avec les langues locales sont différents et ceux-ci varient avec leur âge. Plus on avance dans le temps, plus le contact avec ces langues et leur pratique diminuent. Les personnes les plus âgées ont été plus exposées aux langues locales et les pratiquent un peu plus au quotidien contrairement au plus jeunes qui, eux, sont de plus en plus phagocytés par le phénomène d'urbanisation et la langue qui va avec (le français). Cela aura certainement un impact sur leurs représentations de l'apprentissage des langues locales.

#### 4.2 Regards des enquêtés sur l'apprentissage des langues locales

Notre enquête s'est intéressée à la manière dont les différentes classes d'âge qui ont participé à ce travail de terrain regardent l'apprentissage des langues locales ivoiriennes et béninoises. Quels ont été les apports de ces langues dans la construction de leurs différentes personnes ? Est-il important, aujourd'hui, de savoir les parler ou de les apprendre ?

D'entrée, ils ont répondu à la question portant sur le rôle joué par les langues locales dans la construction de leurs personnalités. Deux

tendances se dégagent des réponses apportées. On a d'un côté, ceux pour qui les langues locales n'ont joué aucun rôle dans leur vie. Ceux-là représentent 41% des enquêtés ivoiriens de la tranche 25 – 35 ans et 38,5% des enquêtés béninois de cette même tranche d'âge. S'ajoute à cet effectif, 25% des enquêtés béninois de la tranche 35 – 45 ans. Toutes ces personnes sont celles qui pratiquent le moins ou pas du tout les langues locales au quotidien. Ils fréquentent très rarement le village et les réunions de famille élargies à tous les membres de la grande famille ou les réunions de village. Ils ont tous fait leurs cursus scolaires dans des écoles de ville.

De l'autre côté, il y a ceux pour qui leurs langues maternelles ont fortement contribué à la construction de l'être qu'ils sont aujourd'hui. Ils constituent la grande majorité des populations enquêtées. Ces personnes (60,25% de la tranche 25 – 35 ans, 87,5% de la tranche 36 – 45 ans et 100% des tranches 46 et plus) pratiquent plus ou moins fréquemment leurs langues maternelles (avec une bonne maîtrise pour certains et pour d'autres une maîtrise approximative) en milieu familial et/ou communautaire, avec leurs amis. Ils fréquentent régulièrement les villages et les réunions de leurs groupes ethniques d'appartenance. Pour eux, leurs langues ont joué un rôle important dans leurs vies et leurs justifications se trouvent dans le point qui suit.

#### 4.2.1 Comment l'apprentissage des langues locales contribue à la construction de l'être ?

Les langues maternelles ont été utiles aux enquêtés sur les plans socio-culturel, cognitif et du développement personnel.

##### *Sur le plan socio-culturel :*

Les langues locales constituent, pour une bonne partie des enquêtés, un ancrage culturel : maîtrise des pratiques traditionnelles, des us et coutumes. Elles leur ont permis de sauvegarder leur identité culturelle. Ces langues leur donnent également des informations sur leurs différentes cultures et qui les véhiculent le mieux.

Sur le plan social, elles ont favorisé la cohabitation et la communication entre nos

enquêtés et les membres de leur famille, avec les ressortissants de leur village, avec leur groupe ethnique et les autres personnes de leur entourage. De même, grâce à leur langue maternelle, ils ont acquis les bases d'une éducation solide : le savoir être, le savoir-vivre qui sont des valeurs, des vertus que tout homme doit avoir pour vivre heureux et épanoui en société. Certains enquêtés nous font noter que leurs langues maternelles leur ont enseigné des valeurs de socialisation (valeurs, normes, rapport à autrui) et cela très souvent à travers des proverbes, des contes, des histoires, des témoignages sur la famille (arbre généalogique, évolution de la famille, les coutumes, les différentes cérémonies traditionnelles, ...). Pour d'autres, ces langues sont une source dans laquelle ils puisent des connaissances pour enseigner.

##### *Sur le plan cognitif et du développement personnel :*

Les langues locales, selon certains enquêtés, facilitent la compréhension et sont indispensables à la résolution de problèmes, d'exercices, de sujet, etc. On cite par exemple ces propos de cet enquêté pour qui sa « ...langue maternelle a facilité la compréhension de certaines notions au collège » et d'autres à qui ces langues ont « permis la compréhension approfondie de plusieurs sujets » ou de « ...mieux comprendre les choses ».

Pour un autre groupe d'enquêtés, leurs langues maternelles ont aidé à mieux structurer leur pensée, à mieux parler le français. On y ajoute également ceux pour qui ces langues ont permis d'affirmer leur personnalité, leur identité. Grâce à elles, ils se sont ouverts aux autres ; ils se sont épanouis socialement. Elles ont été pour eux une sorte de pilier sur lequel ils s'appuient. Les mœurs qu'elles abritent ont bercé toute leur enfance. Ainsi, en grandissant, ils ont acquis grâce à elles un bon moral et une bonne éducation. Ces langues les ont aidé à forger leurs caractères, à acquérir de bonnes habitudes.

#### 4.2.2 Aujourd'hui, est-ce qu'il est important de savoir parler la langue de ses parents ?

A cette question, deux tendances se dégagent des réponses. D'un côté, des opinions défavorables à

l'apprentissage des langues locales et de l'autre, des propos largement favorables à cet apprentissage.

Pourquoi, selon les enquêtés, il est important de savoir parler la/les langues de ses parents.

La quasi-totalité des enquêtés assurent qu'il est indispensable de savoir parler sa langue maternelle. En effet à la question «est-il important de savoir parler la langue de ses parents ? », 97% des enquêtés ivoiriens et 96,70% des enquêtés béninois ont répondu par l'affirmative.

Selon eux, la langue est la manifestation de la culture. La véhiculer garantit à l'être humain une identité. Ils ne se sentent donc plus étranger chez eux car la langue définit leurs origines et permet d'être en contact avec elles, de s'enraciner. De plus, parler les langues de ses parents est un atout pour s'insérer socialement. En outre, au plan politique, la maîtrise de sa langue permet de faire passer son message et d'être plus proche de ses mandants, de son électorat. Il est aussi important de parler la langue de ses parents puisque c'est un acte qui permet de la valoriser, de la pérenniser et de sauvegarder son patrimoine culturel. Enfin, les enquêtés pensent que la maîtrise de sa langue maternelle est indispensable pour la maîtrise du français.

Pourquoi, pour certains, il n'est pas important de savoir parler les langues locales.

Cette justification est apportée par 3% des enquêtés qui ne trouvent pas l'importance de savoir parler ou d'apprendre aujourd'hui la langue de ses parents. Il faut noter que ces enquêtés sont uniquement issus de la tranche d'âge 25 – 35 ans. Pour ces derniers, en effet, il n'est pas important d'apprendre les langues locales parce qu'elles n'offrent aucune ouverture sur l'extérieur. Cela ne rassure donc pas trop sur le devenir de ces langues si l'on considère la jeunesse comme la relève de demain.

## V. CONCLUSION

Cet article donne la parole aux cadres de la Côte d'Ivoire et du Bénin sur ce qu'est à leurs yeux

leurs langues. En effet, les intellectuels de ces deux nations reconnaissent l'importance des langues locales et leur caractère vital dans la formation. « La langue est le premier vecteur de la culture et un peuple sans culture est un peuple mort. La culture est la carte d'identité d'un peuple », assentent-ils. Paradoxalement, seulement une poignée s'y intéresse, s'y investit. Les langues locales perdent du terrain dans le quotidien des cadres ivoiriens et béninois. Ces derniers accordent plus de place à la langue française qui s'invite dans les interactions en milieu familial et communautaire. La réussite professionnelle a pris le pas sur l'importance de la pérennisation de son identité, de ses valeurs. À la question : Si vous avez la possibilité, dans quelle langue souhaiteriez-vous approfondir vos connaissances ?, seulement 23,5% des enquêtés souhaiteraient le faire dans leurs langues maternelles (il faudrait préciser que ces personnes sont principalement ceux des tranches 36 et plus). La plupart des cadres (les plus jeunes en particulier) préfèrent aujourd'hui apprendre ou approfondir leurs connaissances en anglais, en espagnol, en français, et/ou en allemand plutôt que de s'aventurer vers les langues locales puisque celles-ci ne donnent aucune ouverture sur l'extérieur.

Il se pose donc dans ces pays un problème de politique linguistique en vue d'un rayonnement des langues locales. Il faut ainsi que les autorités arrêtent de faire du surplace et prennent à bras le corps la question de la promotion et de la valorisation des langues locales ivoirienne et béninoise. Il y a également un problème de conscience car si les cadres estiment que les langues locales sont vitales, ils doivent faire l'impossible pour qu'elles ne disparaissent pas de leur famille nucléaire.

Nous terminons par ces propos d'un enquêté qui compare le lien entre l'homme et sa langue maternelle à celui de la plante et le sol. Selon lui : « Une plante qui ne s'enracine pas dans le sol ne peut pas bien grandir. Il en est de même pour l'Homme. ».

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# Overcoming the Impediments that Encounter Medical Students' Understanding for Terminologies and Vocabularies

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## ABSTRACT

This study aims to shed light on some of the difficulties that encounter medical students when studying medical English vocabulary and tries to support them to overcome these difficulties. It was carried out in 2016 at Faculty of Medicine, University of Khartoum, included 100 third – year medical students. It based on data obtained from the test of medical English vocabulary. The test includes six questions. The main results shows that medical students obtained good marks in the question vocabulary about the body's organs that attacked by diseases with mean difference (3.76), and the definitions of some diseases from different words roots based on different meaning of words and similarities between them in homograph and homophone especially in suffixes and prefixes.

*Keywords:* terminology, Formulation, affixation, words root, medical dictionary.

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# Overcoming the Impediments that Encounter Medical Students' Understanding for Terminologies and Vocabularies

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## ABSTRACT

*This study aims to shed light on some of the difficulties that encounter medical students when studying medical English vocabulary and tries to support them to overcome these difficulties. It was carried out in 2016 at Faculty of Medicine, University of Khartoum, included 100 third – year medical students. It based on data obtained from the test of medical English vocabulary. The test includes six questions. The main results shows that medical students obtained good marks in the question vocabulary about the body's organs that attacked by diseases with mean difference (3.76), and the definitions of some diseases from different words roots based on different meaning of words and similarities between them in homograph and homophone especially in suffixes and prefixes. The responses of medical students were accepted with mean difference(2.39). However, the study demonstrated some areas in medical English language that represents the source of difficulties that medical students encountered and thus impede understanding medical terminology. The study concluded that the areas of difficulties include the recognition of the definitions of pain quality the mean difference was ( 0.51 ) and the combination words (medical collocations), in general medical knowledge, most of medical students were give wrong answers mean difference ( -0. 72 ). For checking medical students grammar points, their answers were very weak, so they didn't know how to use correct verb in.( -0. 71 ). The mean difference was (-1 ) in final question that shows medical students face many different problems in medical writing skills especially in words formation, spelling, medical abbreviations, medical terms, and punctuation marks. Finally, the study*

*recommended that Medical students should have a wide scope of knowledge in pain quality, to help patients feel better, eradicate and recovery from disease. They should Focus on some relatively current medical courses in English for academic purposes. They should also Use a good dictionaries especially medical dictionaries to increase medical collocation vocabulary. Understanding the building blocks of grammar and attention to sentences structure and grammar exercises is requisite. Last but not least, Medical writing skills will relies on obtaining books on medical writing and literature to practice on and set up good writing skills.*

**Keywords:** terminology, Formulation, affixation, words root, medical dictionary.

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## I. INTRODUCTION

Medical terminology is a vocabulary or word listing used to describe medical words and terms in a scientific manner and it is a very real sense, the language of medicine. It is used in the medical fields. This medical approach to word building is based on the concept of word roots, prefixes, and suffixes, therefore many different medical students are suffering now from the complexity and difficulties of medical terminology e.g. they can make different mistake in English pronunciation, grammar, and especially medical English vocabulary and how it's usages. Medical terminology had long and rich history which refereed to an oldest scientist physician Hippocrates (Medical Terminology World.com).

John, H and Dirckx .(2014. P:5). stats that " *Modern western medicine traces its roots to the 5<sup>th</sup> century BCE, when the Greek physician Hippocrates(460-377) first attributed illness to physical causes, distinguished medical practice from priestly ministration and taught diagnosis by observation and treatment by fostering or restoring natural processes.*"

Medical terminology is important because it is use to describe symptoms, diagnoses, tests, that need to be ordered and ran, and special medical equipment.(www. Avidity medical design consulting academy.com)

## II. LITERATURE REVIEW

### 2.1 Definition and conception of medical terminology

Terry, B. (2012 P:4) defined Medical terminology refers to the words and phrase which have been developed to describe the procedures, medications, instruments, anatomical structures, etc. Used in the field of medicine. It is, in a very real sense, the language of medicine. Most medical terms derive from Latin and Greek, like many language, the language of medicine adheres to a set of fairly simple rules. Understanding of medical terminology and abbreviations that has been acquired so far. It also helps determine what areas one might need to work on.

Medical terminology is the study of words that pertain to body system, anatomy, physiology, medical processes, and procedures and a variety of diseases. It provides specialized language for the health care team, enabling health care workers to communicate in an accurate, articulate, and concise manner.

### 2.2 Importance of Medical terminology

Medical terminology is important if you work in the health care field. (Sheila, D. .2016) showed that It is the basic for all that you will do. It is used to describe symptoms, diagnoses, tests that need to be ordered and ran, and special medical equipment. The terminology is spoken and written in charts so you must learn to say, spell and read medical terms.

*Medical terminology is important for many reasons:*

- It allows all health care workers to communicate in one language.
- You will use it every day when you work in the health care field.
- If you have to get your medical dictionary out every time you get asked to do something you will be wasting valuable time. Nurses, doctors, and other health care professionals do not have time to waste, especially in an emergency situation.
- One small mistake can make a big difference. You could give the wrong medication or just give the medication the wrong way. It can be the difference between ordering the right test or the wrong one, you need to understand medical terms.
- Common abbreviation are used in patient records. This helps doctors and nurses write quickly and efficiently in the records so that they can be onto the next patient. It also allows you to read and understand the records quickly.

### 2.3 Formulation of medical terminology

It may seem like an impossible task to commit the spelling and meaning of 100,000 different medical terms to memory - and in fact, for most of us it is. Fortunately, it is not necessary. The fact is that most seemingly complex medical terms are simply combinations of much smaller subsets of word parts. This is a critically important concept to understand with medical terminology.

It is not unreasonable to expect to memorize several hundred medical prefixes, medical suffixes and medical root words in a relatively short period of time. Then, once these word parts are learned, they can be combined to form literally thousands of complex medical terms. Most medical terms consist of one or more parts. These word parts may include one or more of the following: Root words - Prefixes –Suffixes. (Medical World News Center.2016).

### III. MATERIALS AND METHODS

The study include 100 third-year medical students from the Faculty of Medicine, University of Khartoum. It consisted six questions the data was drawn from Medical English vocabulary test based on medical students' syllabus experienced that they had taken in the first, second, third year, and general medical knowledge. This test of medical English vocabulary was conducted with medical students had 90 minutes to answer the questions. to identify some difficulties that face medical students for understanding medical English vocabulary.

The test included medical English vocabulary The test was conducted with medical students, level three, at Faculty of Medicine, University of Khartoum. This test composed of six questions which depend on students' medical vocabulary knowledge according to their previous medical syllabus experienced after they had been taken them in level one, two and three to identify some difficulties that face medical students for understanding medical English vocabulary.

The medical vocabulary test included six questions major in English vocabulary. This test divided into six questions each one measured aspect of medical English vocabulary knowledge as follows:

Question one concerns of multi different meaning of words of pain quality. Question two describes different meaning of medical terms of body's

organ and some diseases can attack these organs.(physiology). Question three presented medical students knowledge of some symptoms and their definitions, This question based on different meaning of words according to words roots and the similarities between these words in homonyms of homophone and homograph especially at suffixes and prefixes. Question four included the collocations of some combination of general medical words that two or more words that often go together. Question five concerned of the structure of correct grammar sentences that often useful in medical procedures and writing medical reports. Finally question six has especial conventions of writing ( namely, using alphabet standardised system of spelling and a set of punctuation marks and abbreviations), the vocabulary and the grammatical structure are using essentially for speaking and writing. It's considered important part of tools of data collection. The analysis framework of this test basically depend on descriptive analysis of data collection and turns to numerical statistical framework

### IV. TEST ANALYSIS AND RESULTS

The students was taken a test contained four sections to evaluate the level of understanding a medical vocabulary after collection the exam teacher checker the test and the scores listed and manipulated by statistical methods, the result show here

	Measurements			t-test	Sig	Mean difference
	Mean	Std. deviation	S.E. of mean			
Question 1	5.51	2.81588	0.28159	1.811	0.073	0.51
Question2	7.76	0.69805	0.0698	53.864	0.000	3.76
Question3	4.89	0.49021	0.04902	48.755	0.000	2.39
Question4	2.78	1.38957	0.13896	-5.181	0.000	-0.72
Question5	1.79	1.32798	0.13280	-5.346	0.000	-0.71
Question6	1.50	0.93744	0.09374	-10.667	0.000	-1

The table shows the result of the which t-test are used to determinant there is difference mean from test value (the test value is half mark

obtained by the student). For question 1 the mean marks is 5.51 from total mark 10 with standard deviation 2.82 and standard error of mean 0.283.

but there is in significance this implies in this question student not matter. For question 2 the mean marks is 7.76 from total mark 8 with standard deviation 0.698 and standard error of mean 0.0698. the value t-test is 53.864 with p-value 0.000 this implies in this question the students high grade. For question 3 the mean marks is 4.89 from total mark 5 with standard deviation 0.49 and standard error of mean 0.0049. the value t-test is 48.755 with p-value 0.000 this implies in this question the students high grade.

For question 4 the mean marks is 2.78 from total mark 7 with standard deviation 1.389 and standard error of mean 0.13896. the value t-test is -5.181 with p-value 0.000 this implies in this question the students low grade. For question 5 the mean marks is 1.79 from total mark 5 with standard deviation 1.3289 and standard error of mean 0.1328. the value t-test is -5.346 with p-value 0.000 this implies in this question the students low grade. For question 6 the mean marks is 1.5 from total mark 5 with standard deviation 1.389 and standard error of mean 0.13896. the value t-test is -10.667 with p-value 0.000 this implies in this question the students low grade.

## V. THE TEST DISCUSSION

The test was carried out with medical students, level three, at Faculty of Medicine, University of Khartoum. This test composed of six questions which depend on students' medical vocabulary knowledge according to their previous medical syllabus experienced after they had been taken them in the first, second and third year, to identify some difficulties that face medical students in understanding medical English vocabulary.

To pass first year examinations and proceed to second year.

The candidate must successfully pass examinations in the following courses.

a. Biology - Chemistry

b. Anatomy - Biochemistry - Physiology- Community Medicine -Patient Care and First aid and English Language

*Year 2:* To pass the second year and proceed to the third year the candidate must pass examinations in the following courses.

- Anatomy- Biochemistry-Physiology -English Language
- and sit an examination in the following continuing course:
- Community Medicine.

Failing in the 3 subjects or in a supplementary examination, the candidate will repeat the year.

*Year 3:* To pass the third year examinations and proceed to fourth year the candidate must successfully pass an examination in the following courses.

- Neuroscience - Microbiology- Immunology- Pharmacology- Infectious and Endemic -Basic Clinical Skills disease- Behavioral Sciences
- And sit for examination in the following continuing courses
- Community Medicine- Pathology
- Failing in five or examination.

The vocabulary test designed according to medical students knowledge about above courses.

### *Question one*

Question one concerns about the definitions of pain quality, the results show that in significance with mean difference (0.51) which means that medical students faced difficulties to understanding and recognizing the meaning of pain quality that means medical students need to study more in specialist medical English vocabulary about pains quality.

The International Association for the Study of Pain widely used pain definitions as (Bogduk, N. and Merskey, H.(1994). stated that "Pain is an unpleasant sensory and emotional experience associated with actual or potential tissue damage, or described in terms of such damage." In medical diagnosis, pain is regarded as a symptom of an underlying condition. It is a major symptom in

many medical conditions, and can interfere with a person's quality of life and general functioning."

On the one hand, medical students should have a wide scope knowledge of pain qualification and their definitions to help patients feel better, eradicate and recovery from diseases. Also Joshi and Ogunnaike, G. and Ogunnaike, (2005. P: 21-37). Say that " *Pain was regarded since 5<sup>th</sup> as a vital sign to help raise awareness of the presence of pain and all healthcare professionals should routinely measure a person's pain and then act on the information obtained. Pain assessment is imperative to ensure that patients receive safe and effective pain management that is tailored to their needs. Pain assessment is fundamental in assessing the diagnosis of the cause of the pain and it should not be assumed that this is self evident.* The outcome of inadequate of knowledge of pain qualification and its subsequent management can be give serious physiological and psychological consequences e.g. increase postoperative morbidity, delyed recovery and return to normal daily living, and reduced patient satisfaction have all been reported(Joshi, 2005). In addition to Macrae, W. (2001. P: 87-98) mention that (( *poor postoperative pain management may lead to persistent pain after surgery*)). Finally knowing of pain qualification enables to identifying accurate therapeutic interventions and evaluation of treatment efficacy that helps to relieve suffering and avoid misconceptions. The description of painful experiences varies considerably. Consequently a range of adjectives that describe pain has arisen. However, the study of their meaning is relatively recent. But individuals still find difficult to use these a abundance of words that describe pain, the main reason is that words such as gnawing, throbbing, shooting have few objective reference points, compared with the use of words like red or green, which although adjectives have definite reference to something we clearly understand.

#### Question Two

This question includes different meaning of some medical terms that describes the body organs' diseases. In question two medical students well done and they have obtained good marks with mean defference (3.76), there fore they are

studied at first, second and third years some relatively current courses such as physiology, patient care, community medicine, Anatomy, immunology, infectious and Endemic diseases, Basic clinical skills and Pathology. In addition medical students have bieng studied only specialist medical English at the end of semester four, it was about 30 hourse divided to two hourses per week. Medical vocabulary including not just words but also their meaning, orthography, pronunciation, context and conjugation, is in the very essence of the process of learning a new medical language. Here are three key reasons why increasing and evolving medical vocabulary is well worth the effort, medical vocabulary is the key to communication (Wilkins, D. 1972), also medical vocabulary allows to develop other English skills(Nation, P. 1994), and Nation, P.(1990) stated that the more words you know, the more you will learn.

#### Question Three

In this question medical students are tested on their general medical knowledge of some definitions of diseases. This question based on different meaning of words that included similities between words in homonumes which divided into homophone and homograph especially in suffixes and prefixes. The main defferent between the most of words is words roots. The mean difference was (2.39). The responses of medical students are accepted because they studies many different courses related to above issue.

#### Question four(Medical vocabulary "Collocation")

Question four composes of combination words in general medical knowledge. Medical students' marks were faular in this question, the mean difference was (-0.72) therefore, they have poor knowledge of medical collocations vocabulary which are build up from noun or phrases and consist of two or more of medical terms that are give meaningful of medical collocation for example consulting roome, general practitioner, general practice, healthcare, internal medicine, and surgical center.

A collocation is two or more words that often go together. English language of medical students

will be more natural and more easily understood, also they will have alternative and rich ways of medical vocabulary expressing. A collocation refers to how words go together or form fixed relationships. Becoming aware of collocation is a part of vocabulary learning. All languages have a large number of collocating words. A good medical dictionary will help medical students to formulate medical English collocations.

### 5.1 Collocations of medical vocabulary learning

Practice using new collocations in context as soon as possible after learning them. Learn collocations in group. Easy to find information on collocations in any good learner's dictionary. And you can also find specialized dictionaries of collocations. (collocate <http://www.onestopenglish.com>).

#### Question five (Grammar)

In this question medical students' mean difference was (-0.71), this question designed for checking their grammar points, their responses were very bad because they didn't know sentences structure and how to use certain correct verb in. Grammar is an important factor to learn a new language. Most of people think it is the most difficult part of learning a new language. However, grammar constitutes the rules and framework, changing the form of words and joining them into sentences. If there are no rules it creates problems in communication – writing – and understanding English language.

(Kim. B. 2001. P: 46-48):. says that *"Grammar is the set of rules of any given language that enable us to construct any sentence in that language which we recognize to be well- formed. The grammar of English would enable us to construct a correct sentence. The rules of English essentially deal with the principles of stringing words together to form larger units of construction such as phrases, clauses and sentences. This aspect of grammar which is concerned with word order is called syntax. A clause is unit of syntactic construction. There are many different types of clause fulfilling a range of functions within sentences, it is possible to identify the features which typify a clause. Most central to a clause is its verb element. Verb phrase*

*are multi – faced in the way they provide information about tense, aspect, voice, and so on. The verb phrase is normally preceded by a subject element and followed by any elements needed to make the clause grammatically complete".*

In question five medical students show poor grammatical levels, that mean they must be improve and check their grammar.

See <http://www.englishleap.com/exercises>. Here are some tips to help students to improve their grammar.

### 5.2 Understand the building blocks of grammar

As a first step, it is important to know the different building blocks of grammar like nouns, pronouns, articles, adjectives, verbs, adverbs, prepositions, conjunctions and interjections. The internet is full of resources about these and it is usually a good idea to understand them well.

### 5.3 Pay attention to sentence structures

When you read an article, it is important to pay attention to how sentences are constructed. This practice helps ingrain different sentence structures and will help your spoken and written English.

### 5.4 Grammar exercises will help you

Try doing different grammar exercises and find out your weaknesses. These exercises are freely available on the internet. It is only after you are able to correctly assess your weaknesses that you will be able to rectify them.

### 5.5 Join a course

Many students find that an English improvement course is the quickest way to improve English grammar. If joining a classroom program is difficult, then an online course is a great option.(English leap .com grammar)

In addition to mentioned above medical students can improve their English grammar by use grammar books to read about English grammar and test your grammar, learn different tenses and doing online exercises.

## VI. CONCLUSION

### Question 6 Writing

The mean difference of question six was (-1), this result shows that medical students face many different problems in medical English writing which divides into words formation, spelling, medical abbreviations, medical terms, collocations, and punctuation marks. English language has special conventions for writing (namely, using alphabet standardised system of spelling and a set of punctuation marks). The vocabulary and the grammatical structure are used for speaking and writing are essentially the same even though writing is often more polished than speech. Natilene, B. (2007. P:164) defines "Academic writing style" as *"In other words this type of writing tends to be quite formal in tone. Also it doesn't have emotional colouring and any kinds of someone's own position in situations. In short this means that your essay or something else should avoid colloquial words and expressions"*.

Mel, L.(2002), stated that *"English language problem may manifest itself in some aspects of writing as following :.Poor vocabulary, Frequent capitalization, punctuation and grammar errors. Many misspelled words, Inappropriate use of colloquial language. Difficulty with sentence structured and word order. Trouble reading back what is written. Difficulty with word sounds, spelling, and meaning. Difficulty generation ideas or elaborating on them. Difficulty developing and organizing ideas. Awkward phrasing and unconventional grammar. Poor planned papers and reports"*.

To improve good writing relies on medical students' abilities steadily over time through obtaining books on technical writing and practice what you have learned, use medical dictionaries and any technical literature, use present tense and keep sentences simple, develop reading and business knowledge of second language, and finally keep a notebook of your mistakes from your writing and tips you learn.(wikihow.com).

English for academic purposes, in this one of the most demanding areas to help medical students for understanding medical English vocabulary. There are many difficulties face medical students in this areas and they are need effective teaching strategies for enhancing and supporting their knowledge of medical English vocabulary. To overcome these difficulties should make directly instructions for medical English syllabus designers and subject teachers because they are responsible to monitor medical students directly, to enable them to use medical terminology in real life professional situations. The best way to help medical students to develop learning strategies of medical terminology is by taking advantage of the specific online lecture and improve grammar elements, use medical dictionaries to promote medical vocabulary uses, read medical book, and self research on medical issues.

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# Representation of Diasporic Identity in Chitra Banerjee Divakaruni's Oleander Girl

*Dr. R. Bakyaraj*

## ABSTRACT

This paper examines the representation of diasporic identity in Chitra Banerjee Divakaruni's *Oleander Girl* from the perspective of contemporary critical approaches to diaspora. It is argued that moving beyond its preoccupation with the poetics and politics of colonialism, postcolonial literature is making forays into diasporic dynamism to the extent that contemporary fiction within its ambit can be seen as literature of diaspora to a great extent. Divakaruni's *Oleander Girl* focuses on the issues pertaining to identity formation and identity crisis. National, religious, racial, ethnic and cultural backgrounds that work as the determiners of one's identity have been problematized in the novel. In the process, the idea of plurality embedded in one's identity instead of the illusion of any singular identity has been suggested.

*Keywords:* identity, cultural, diaspora, plurality, racial, ethnic.

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# Representation of Diasporic Identity in Chitra Banerjee Divakaruni's *Oleander Girl*

Dr. R. Bakyaraj

## ABSTRACT

*This paper examines the representation of diasporic identity in Chitra Banerjee Divakaruni's Oleander Girl from the perspective of contemporary critical approaches to diaspora. It is argued that moving beyond its preoccupation with the poetics and politics of colonialism, postcolonial literature is making forays into diasporic dynamism to the extent that contemporary fiction within its ambit can be seen as literature of diaspora to a great extent. Divakaruni's Oleander Girl focuses on the issues pertaining to identity formation and identity crisis. National, religious, racial, ethnic and cultural backgrounds that work as the determiners of one's identity have been problematized in the novel. In the process, the idea of plurality embedded in one's identity instead of the illusion of any singular identity has been suggested. The concern with identity politics is dominant in these literary texts against the backdrop of cross-cultural, inter-racial, multi-ethnic and transnational communication and interaction.*

**Keywords:** identity, cultural, diaspora, plurality, racial, ethnic.

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## I. RESEARCH PAPER

Chitra Banerjee Divakaruni, the most influential Indian Diasporic writer, is a product of forces which are eastern and western. She genuinely accepts the interplay of these two forces, one inner and the other outer, one central and the other peripheral. In the course of such interplay, both the forces acquire prominence, and both contribute to the construction of an identity which

may term - postcolonial. It is a cross-cultural scenario where, through her fiction, the diversity of Indian English literature is displayed. She is almost like exploring her own world and society but creating thereby a universal appeal of affectionate closeness through her writing. She focuses on the predicament of immigrants, specifically Indian women's infirmities of dislocation, loneliness, exile, bewilderment, and identity crisis.

Divakaruni's *The Oleander Girl* is a provocative novel about identity. Doubt and uncertainty as well as crisis in identity are some major issues examined in the novel. About the novel, where the issue of identity crisis gives way to identity-quest, Divakaruni says in her interview given to Suneetha Balakrishnan that the novel is of great significance to her:

...it symbolizes for me the hero's journey in search of self. It brings together America and India. It examines religious violence. It underlines the importance of loving coexistence in today's multicultural world. It is also important to me because it explores the relationship between grandparents and grandchildren, and that is a relationship that has meant a lot to me. ("Chitra Banerjee Divakaruni," 2)

The novel, *Oleander Girl*, is set in a time during which both India and America were going through national and political crises. In 2002, the Godhra riot had broken out creating a situation of religious tension not merely in Gujarat but affecting many parts of India at least indirectly. At the same period "war on terror" (Janna Evans Braziel's *Diaspora: An Introduction*, 196) had been declared by American government as a reaction to the terror created by the Twin Tower blast.

The lives of the immigrants in America were violated with the attacks of suspicion, segregation and rejection in almost every sector. Racism was revived and the civil lives of the South Asian immigrants were in trauma and trouble. *Oleander Girl* mentions these events as passing references, focusing not essentially on those events but their remote impacts on the Roy and the Bose families and people connected with them in Kolkata and elsewhere.

Divakaruni comments on the national crisis by fusing its impact with the individual and familial context of the Roys and the Boses. As the writer's purpose is to uncover a family history inscribed with national, cultural, racial and ethnic conflict, she has not invested much space on discussing the cause of the religious riot and its subsequent impacts. However, she mentions its scattered impacts in the course of the fictional characters' dialogue and communication with each other. In the Hindu families of the Roys' and the Boses', the issue of the religious riot is raised only occasionally with various other relevant discussions on the naming of the city of Kolkata from its "anglicized version" (21) or on the attack on the American centre. The discussion exposes their biased views as being Hindu by religion they target only the Muslim for all the clashes, conflicts and its resultant tragedy: "... those Muslims. A violent lot" says Bimal Roy and asks Mr. Bose, "Did you hear about the incident on the train today in Gujarat? All those Hindu pilgrims they burned to death?" (21). Bimal Roy's attitude reflects the singular affiliation of religion to be the only determiner of a Muslim's identity.

Considering the time frame and setting of the novel, it is predicted that the religious minority would free fabricated hatred and would be targeted with discrimination, generating further hatred. The problematic diagnosis of identity had become the only applicable yardstick for segregation of South Asian immigrants in America post 9/11. In *Oleander Girl*, although Divakaruni predominantly emphasizes the central character Korobi's quest for her patrilineal identity, she also opens up scopes for reflecting on the conditions of the traumatized immigrants in America terrorized both by 9/11 and the after effect of the event.

The immigrants on the basis of their national, religious and ethnic identity have been treated violently in America, so much so that many immigrants considered encountering a journey back home. Seema in *Oleander Girl* too considers living "among her own kind" (102) when she is no longer welcomed in the host society. Detention, physical and mental assault, interrogation, search without warrant were some of the common measures to tackle any kind of terrorist activities inside the United States. Divakaruni presents the intensity of such a situation through Mr. Mitra's story of detention. Mr. Mitra's detention like that of Tariq's father's is without any justifiable reason. He was detained when he went to complain about the ransacking in Mumtaz to the police. Neither did Mitra say, nor could Seema know where "they'd taken him, or what they had exactly done with him during detention. When he returned, haggard-eyed, Mitra refused to talk about it. Those two days had changed him, made him bitter and silent the way he'd never been" (102). The detention and ill-treatment have most possibly been because of his identity as an Indian. His national identity before the incidence of 9/11 hardly impairs any social and cultural transactions as long as he applies the strategy of adjustment. Starting from acquiring visa to running and managing the business in the city of New York successfully, Mitra's professional skill and other related aspects of his identity which till now have been considered as significant both by the employers of his homeland and the customers and business dealers of the hostland are now put to question after 9/11.

The issues like the Godhra riot and the 9/11 that influenced few characters in the novel could have been given the prime focus but the writer's concern is more with her central figure's quest and concern with identity. In "*Chitra Banerjee Divakaruni's Oleander Girl Captures the Complex Real India*," Shyam K Sriram observes,

In a post-Godhra India, it would have been easy enough for Divakaruni to make Hindu-Muslim tension the center-piece of this book - a strategy that many Indian authors have employed in the last decade to push for their own agenda. Refreshingly, Divakaruni

does not adopt this path; rather, the riots and subsequent tension across India are visited occasionally to make the events between the Bose and Roy families appear to be more realistic. (Web)

A study of the novel appropriates Sriram's comment as Divakaruni focuses more on the affairs of Korobi's life than on the issue of Gujarat riot.

Traveling to America, Korobi confronts different avenues where lies the "fleeting multiplicity of possible identities" (Hall's *Cultural Identity and Diaspora*, 598). While in India, Korobi never had to assert her ancestral background as a determiner of her identity. However, in post 9/11 America, Korobi's national and cultural identity is the basis on which she faces discrimination. While boarding the flight she notices the strictness of the security check meant particularly for the Indians and other South Asians and feels that "it's not fair" (183). The truth is that flying while brown in post 9/11 America "cost more than Korobi could assume. It saddens her on personal ground because the loss and destruction caused by the terrorist attack saddens her more when she is physically present in that place. While watching the disaster from a distance on television, she felt only a mild sorrow but being physically there in the disaster affected area and experiencing its subsequent impacts Korobi is more worried and anxious. The worry is not merely for herself and the people she has seen suffering but for the edifice of the towers themselves, because, to her, "they had been icons of another world, tiny and distant and beheaded already. In New York, their absence saturates the air "she breathes (101). This feeling, however, is not a sign of empathy for the natives of America as they could not believe relying on the immigrants' feelings at a time when "All Eastern things are associated in people's mind with 9/11" (185).

In *Oleander Girl*, Korobi's little knowledge about her parents conferred on her by her grandparents hardly impacts her being till her grandfather is alive. It has been the natural pangs and discomfort of an orphan girl who despite missing her parents has accepted their absence as an

unavoidable truth. This phase of faith and belief in her identity as an orphan girl brought up by her grandparents in one of the reputed and honorable families of Kolkata lasts only temporarily. She starts searching for her identity from that crucial point when Sarojini, her grandmother, reveals the truth about her patrilineage. The writer, through Korobi's character, has questioned the fixed, coherent and stable sense of identity. The phases through which Korobi passes, unveil the changing and decentralized concept of identity where the identity of an individual cannot be said to be limited in the fixed notion of any category.

Korobi, the granddaughter of Bimal Roy, is going to tie her knot with Rajat, the son of Mr. and Mrs. Bose. Korobi, till the death of her grandfather, knew that she had been orphaned at birth. Her mother died during child birth and her father "died months before her mother" (52). Her identity as the descendant of an esteemed and revered Bengali family in Kolkata appears to be unified and unchangeable, although she longs for her dead parents. This particular attitude to one's own self can be substantiated in Hall's argument as he puts it, "If we feel we have a unified identity from birth to death, it is only because we construct a comforting story or 'narrative of the self about ourselves" (*Cultural Identity and Diaspora*, 598). In Korobi's case, the comforting narrative about herself is told by others, the others being her grandparents.

Korobi did not suffer from any identity crisis till she considered the knowledge given to her about her identity to be constant and stable. However, the crisis arises when Sarojini reveals after the death of her grandfather: "your dear grandfather lied to you - and forced me to do the same. Your father's alive. His name is Rob. Yes, Rob. He lives in America." (52). The truth of her father being alive makes Korobi see her life in two different ways: feeling jubilant at the truth and getting inquisitive about unfolding the truth further. It would in turn open up new possibilities to determine the transformation in her identity. Her journey of life thus takes a new turn, venturing not only new circumstances but a new country altogether. At Rajat's reluctance to find her father out just before their marriage, Korobi says, "You

want me to go through my whole life with my in-laws pretending that my father is dead? That he was Indian? Are you ashamed of who I am?" (73) This very question leads her to overcome all obstacles and she bravely sets out for finding her patrilineage.

Discovering her identity has been a devastating experience for Korobi as she says, "My entire notion of who I am was shaken up. I felt betrayed. Unworthy" (273). Korobi unfolds layer after layer of her identity. First, she comes to know that her father is alive and an American. Secondly, she discovers her father as an African-American. Thirdly, she unveils that she is illegitimately born of her parents. Whereas the first and the second layers, despite giving her shock, fail to break down her indelible spirit for the search of her identity, the third layer crushes her into pieces. She suddenly starts feeling "ashamed" of herself and contradicts her previous self. She came to America to find answers of "too many unanswered questions" (85) despite everyone's reluctance. Korobi feels, "Some kinds of success are worse than failure. It would have been better not to have found my father than to live with this profound shame. I'm furious with everyone - my mother, my father, my grandfather" (246). Divakaruni posits Korobi in such a juncture that she discovers a whole new identity of herself: "My whole world has been turned upside down all over again. Today I was looking at myself in the mirror, my skin, my hair - I'm seeing everything differently now. Every detail has taken on a new meaning" (226). Korobi was unaware of the changes that would redefine her identity as a whole.

Korobi's search of her father's identity and thereby her own identity assumes to be, in Hall's words, a "moveable feast" ("Cultural Identity and Diaspora," 598). Her identity is formed and transformed at different levels when she envisages some or the other fact that would determine who she is or what her identity is. Divakaruni makes Korobi realize that a "fully, unified, completed, secure and coherent identity is a fantasy" ("Cultural Identity and Diaspora," 598). Moreover, the changing phases in Korobi's life and her surroundings unfold the fact that identity is a complex issue. Korobi, at the end of the novel,

shows the spirit of courage to accept the "other stories" and learns to live her namesake - "beautiful but also tough" (253).

Korobi's struggle to find and create her own identity at the face of all odds underscores the idea of emancipating tone which the women of the traditional and conservative Roy family could not afford to achieve. She emerges out to be the connective cord to implant an assertive voice in the other two women preceding her in the family. Sarojini, Anuradha, Korobi - the three women in a line show gradual transition in the matter of identity formation. The transitional phase has its bearing upon time, space and above all an urge to break-free the constraints that pull back and fasten the individual to an all engulfing homogeneous notion of identity.

In *Identity and Violence: The Illusion of Destiny*, Amartya Sen argues that one's identity is not a one-dimensional property owned by religious or cultural aspects. Rather one should recognize and give value to the different other aspects which can equally be the determiners of one's identity. He makes the argument that "The sense of identity can make an important contribution to the strength and the warmth of our relations with others, such as neighbors, or members of the same community, or fellow citizens or followers of the same religion" (2). This sense generates a community feeling. However, along with an understanding of inclusionism, the attitude of exclusionism involved in the recognition of identity is important. Because, the sense of identity giving rise to and substantiating a community feeling can "exclude many people even as it warmly embraces others" (2). Not merely the plurality of identity with its diverse implications should be a matter of concern but the choices one makes regarding the relative importance of the divergent loyalties and affiliations according to the given context are equally important. In *Oleander Girl*, the attitudes attached with community feeling as well as inclusionism and exclusivism in connection with identity formation find an argumentative ground.

Divakaruni, in different ways, has empowered her character Korobi. She goes through the changing

phases of her identity accepting the upheavals with strength and courage. Through the character of Korobi, Divakaruni makes the point that the changing phases contribute to a flexible notion of identity. While multiple aspects of identity formation find their voice in *Oleander Girl*, the aspect of diasporic identity does not make a prominent presence. Although voyage to America and staying there for a period are encountered by two women of two generations and through these characters' interaction, some other characters are introduced who are essentially diasporic in nature, the focus is not solely on the particularities of diasporic identity.

Korobi's travel is time-bound although at the onset of the journey, she feels the uncertainty of returning: "Grandmother had once told me about the enchanted land. When people went there, they forgot the loved ones they had left behind. They forgot themselves too. No one returned from the country, although they were not unhappy there in their bewitchment. What if America turned out to be like that?" (92). The enchantment of the new land foils to hold back Korobi. On different occasions in the host-land, Divakaruni Shows Korobi giving in to memory, homesickness and nostalgia which are typical of Divakaruni's immigrant characters.

To sum-up, it can be said in these contexts that the notion of identity is represented in this novel with the help of various parameters which suggest flexibility and multiplicity. National, religious, racial, ethnic and cultural backgrounds that work as the determiners of one's identity have been problematized in the novel. The idea of plurality embedded in one's identity has been emphasized in the process instead of the illusion of any singular identity.

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# Teaching and Learning through Moocs: Influence, Impact and Way Forward

*Alamgir Biswas*

## ABSTRACT

Virtual Interaction has become the popular tool or rather a trend to interact distant individual. Education system has also adopted virtual learning pattern and this has got it boost during the COVID pandemic. The aim of this study is to find the implications of MOOCs and how it has positively impacted the education sector and the prospects of MOOCs in India. This paper also highlights and investigates the development process of MOOCs and their opportunities as well as challenges. Descriptive approach and extensive literature review have been implemented to carry out the research.

*Keywords:* moocs, virtual teaching, virtual learning, education system.

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# Teaching and Learning through Moocs: Influence, Impact and Way Forward

Alamgir Biswas

## ABSTRACT

*Virtual Interaction has become the popular tool or rather a trend to interact distant individual. Education system has also adopted virtual learning pattern and this has got it boost during the COVID pandemic. The aim of this study is to find the implications of MOOCs and how it has positively impacted the education sector and the prospects of MOOCs in India. This paper also highlights and investigates the development process of MOOCs and their opportunities as well as challenges. Descriptive approach and extensive literature review have been implemented to carry out the research.*

**Keywords:** moocs, virtual teaching, virtual learning, education system.

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## I. INTRODUCTION

After the introduction of computer and internet, the use of digital technology in the field of higher education is one of the most dramatic changes that the world has ever witnessed. During the COVID pandemic, India's education experienced a phase of realization, thought and learning. As per the announcement in the National Education Policy (NEP) 2020, the government plans to set up National Educational Technology Forum (NETF) to promote and monitor capacity building, develop e-content and provide a platform for educational institutes and stakeholders to share best practices leveraging technology. The new set up will act as a bridge to digital divide and ensure greater reach of online education and a virtual teaching-learning environment.

Technology driven new education policy is about to bring benefit to the youth where potential skills can be best utilized. The new policy supports digital literacy, coding, and computational thinking from an early age. The new learning approach where skill-based education is given at the foundation courses to identify hidden skill sets, and that empowers to be future ready for the virtual job market.

Apart from the leading edtech companies, different IITs, NITs, Universities have come up with their owned developed online courses. It aims to provide a range of e-courses not just in English but in several other regional languages. NEP, 2020 aims to provide different learning apps, satellite based TV channels dedicated to education, and systematic teachers training to strengthen online learning environment. The higher education centres are likely to collaborate with content providers to seek for advanced contents to fulfil the curriculum. This will bring a greater opportunity for the edtech companies to strive for the development high quality course content

## II. LITERATURE REVIEW

In most of the cases, the MOOCs have been offered free of cost. The purpose of this research is to shed light on MOOCs, which has contributed significantly in the development of teaching and learning in universities during suspension of regular classes. There is no denying that this type of education through online courses, in its current state, is still in its early phases. Though, it faces some challenges that might not necessarily prove to be obstacles to its implementation in university teaching and learning in the higher education of India.

Some students seem to thrive and eager on online learning portal. Learning through online courses

where they can study what they like and when they want are highly motivating. MOOC's may provide one answer to their needs. The flexible nature of MOOC's was highly appreciated by the students (Cripps, 2014).

The student has their preference to find out about a new subject or to extend modern-day knowledge, and they had been curious about MOOCs and different courses offered, for the private challenge, and the desire to collect as many course completion certificates as possible. (Hew & Cheung, 2014).

MOOCs present new possibilities for the delivery of education over the internet, an offer learning opportunity to those who aren't able to attend traditional physical classes. Learners can enrol and attend virtual classrooms from the comfort of their homes or office, and earn course completion certificates from reputed institutions around the globe (Pujar and Tadasad, 2016).

Bralic and Divjak (2018) reveal that MOOCs support the experience of learning in virtual environments, providing a new experience to majority of the students, and make learning available to those who might not be able to follow conventional methods. Massive open online courses (MOOCs) have become a prominent feature of the higher education discourse in recent years.

As per the study conduct by Eom, Wen, and Ashill (2006) among 397 US students who has at least completed one MOOC course suggests that instructor feedback have influenced them a lot and affected both learning outcomes and users satisfaction.

From the above literature review, one conclusion is emerging; MOOC's has some impact on higher education globally. Educators and policymaker and local researchers should investigate the effect of MOOC in higher education and to explore more possibility that can impact higher education through MOOCs. Teaching and learning may face challenges and constraints when MOOC's are introduced to the higher education curriculum as an integrated course delivery system.

### III. PROBLEM OF THE STUDY

The problem of this research focuses on the impact of MOOCs in the teaching-learning process. The MOOCs have impacted the higher education scenario worldwide though potential uses have not received yet but the pandemic situation has given more rises to the development of online courses nationally and globally. Universities and higher education institutions are thriving for better content development and to establish their own repository of online courses to be delivered to the classes.

### IV. RESEARCH METHODS

The current study aims to find impact of MOOCs courses in teaching and learning. To accomplish this research, descriptive research methodology has been used. More than 50 research articles on MOOCs from 2012-2021 have been consulted and synthesised.

### V. DATA ANALYSIS & INTERPRETATION

Analysis of this study has been made based on the data extracted from the secondary source of information consulted. Significant research papers were thoroughly gone through and synthesized their findings. Those findings are later synchronized to sum up the results of this study.

### VI. RESULTS

The literature review made in this paper shows the exponential growth of MOOCs across the world. Special mention can be done when the COVID pandemic grasped the world and education institutions were forced to shut their physical classes, MOOCs brought a positive teaching-learning platforms to continue learning. Education has been profoundly affected, as classes were forced to move online at very short notice and partway through the semester. This worldwide transition had massive practical implications for schools (Viner et al., 2020) and colleges (Crawford et al., 2020). Educational institutions around the world closed rapidly in March, 2021 as the pandemic took grip (UNESCO, 2020). The China lockdown ran from 24 January

to 25 March, but most countries started their lockdowns in a three-week period from mid-March to early-April (Aura Vision, 2020). Lockdowns have eased in most countries at different times through April and May, although they have recurred as parts of the world experienced additional COVID-19 surges in late 2020 and early 2021. For the purposes of the paper, we set the period starting the data after the WHO declaration, March 12, 2020 as the time during the pandemic.

MOOC phenomenon has grown to 13,500 courses from 900 universities worldwide, reaching over 110 million students, a total which excludes China (Shah, 2019). For the UdeMy course, over the three years from January 2017 to the end of December 2019, an average of 840 enrolled in the course per month. In 2020, the approximate numbers that enrolled in the first five months of the year were 860, 720, 1590, 10820, and 2600. On UdeMy, the enrollment surge was concentrated in April, the first full month of layoffs and the lockdown in most countries. Adopting the normal spring enrollment baseline of 840, the extra enrollment from March to May was 12,490. During those three months, 83% of all

those enrolled were associated with the pandemic. Enrollments in Coursera also showed a surge by more than a factor of ten relative to the previous few years, but the timing was slightly different. An average of 1100 people enrolled per month from January 2017 to the end of December 2019. In the first five months of 2020, approximate numbers that enrolled were 1310, 1040, 4360, 16740, and 13980.

Since 2012, MOOCs have seen a dramatic growth worldwide. This surge can be witness even in the South-Eastern countries. Extended growth can be observed when the COVID pandemic spread all over the world and educational institutions started opting MOOCs as teaching-learning platform. Because of its very natures like free access, international course curriculum, own course-own space etc., MOOCs become a sensation and attracted the learners' community globally. Again, it can be perceived that the pandemic situation gave ample opportunity to the learners to explore and opt for their suitable course. The freedom to choose as many courses as they like again impacted the very growth of MOOCs.

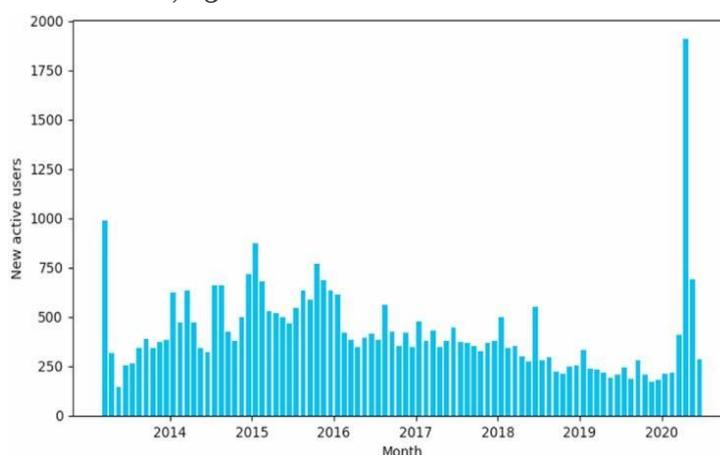


Figure 1: Year-wise growth of MOOCs' user

Source: MOOCs and 100 Days of COVID: Enrollment surges in massive open online astronomy classes during the coronavirus pandemic by Chris Impey and Martin Formanek (2021)

Most recently Bill Gates has opted a MOOC in Oceanography. In an interview in The Chronicle, he said, "It's a kind of ironic that I'm dropout. I

love college courses probably as much as anyone around." With this, he gives a hint that MOOCs are for everyone those who are passionate and genuinely seek to learn. Though the number of learners seem quite high in the following figure, yet the last tower catches special attention, where 60+ super-agers still have that passion to learn.

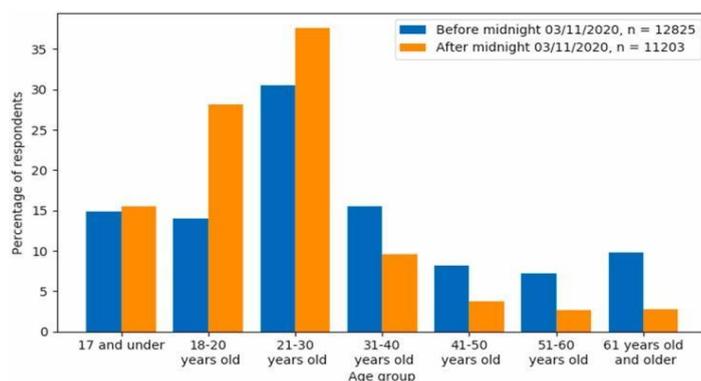


Figure 2: Demography of MOOCs user

Source: MOOCS and 100 Days of COVID: Enrollment surges in massive open online astronomy classes during the coronavirus pandemic by Chris Impey and Martin Formanek (2021)

## VII. RESEARCH IMPLICATIONS

Even before the global pandemic hit in early 2020, online education was growing rapidly and it was delivering high quality instructional content to audiences worldwide. In less than a decade, MOOCs have reached 380 million people worldwide. There is a steady trend towards credentials, for-credit classes, and even full degree programs. If MOOCs can offer more tertiary education, they could make a big impact on economic development.

Higher levels of education correlate with higher earnings all across the OECD (Card, 1999). In the United States, with education beyond a Bachelor's degree, the gain in earnings is 90% (Autor, 2014).

Udemy issued a report documenting a surge in global online learning as the pandemic hit (Udemy, 2020b). In a month, they saw 425% enrollment growth from individuals, an 80% increase in use by businesses and governments, and 55% growth in new course creation. Surges in India, Italy, and Spain were coincident with orders to shelter in place. The biggest enrollment growth was seen in courses for technical skills like neural networks, courses for soft skills such as communication, and courses for hobbies and recreation. All the major providers of MOOCs saw an increase in traffic of over 50% (Shah, 2020b).

'Swayam' is a platform of India's higher education and offers an opportunity to students to earn academic credit earmarked as credit-eligible for institutions' certificates. Being the world's biggest Massive Open Online Courses (MOOC) platform, it offers over 700 courses from more than 135 Indian institutions. The portal saw over one crore enrolments as educational institutes resorted to virtual learning due to the pandemic and lockdowns.

## VIII. CONCLUSIONS

National and institutional policy makers should be approached and made aware of the promising benefits of online learning environment. They should be encouraged to propagate and draft a national policy on online education (Shafiq, Wani, Mahajan & Qadri, 2017). Few studies revealed that the least number of courses have been contributed to the MOOCs platforms as a contributing nation and need to do more in this field. Talking about the most benefit of MOOCs, many people take great interest initially in these fields but due to lack of opportunities and continuous engagement, such people are discouraged to learn further. Therefore, MOOC platforms should revise their knowledge and course content frameworks as well as scope of subject matter periodically in order to meet all the information needs of students keeping into consideration the current scenario of information overload and information explosion.

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