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LONDON JOURNAL OF RESEARCH IN HUMANITIES AND SOCIAL SCIENCES

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# Cultural Studies

*R. Sucharitha*

## ABSTRACT

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“What are cultural studies?”

"Stuart Hall noted that the centre of cultural studies had given rise to two independent methodological branches. The "culturalist" school, which drew its inspiration from sociology, anthropology, social history, and the writings of Raymond Williams and E.P. Thompson, saw culture as a complete way of life and struggle that could be understood through meticulous concrete (empirical) descriptions that captured the homologies of everyday cultural forms and material life. By drawing on linguistics, literary criticism, and semiotic theory, and by paying close attention to the writings of Louis Althusser, Roland Barthes, and Michel Foucault, the "(post) structuralist" line "conceived constitutions and ideological consequences".

*Keywords:* cultural studies, art, intellectual, communication, literature.

*Classification:* DDC Code: 882.01 LCC Code: PA4414.A7

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# Cultural Studies

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## ABSTRACT

*"What are cultural studies?"*

*"Stuart Hall noted that the centre of cultural studies had given rise to two independent methodological branches. The "culturalist" school, which drew its inspiration from sociology, anthropology, social history, and the writings of Raymond Williams and E.P. Thompson, saw culture as a complete way of life and struggle that could be understood through meticulous concrete (empirical) descriptions that captured the homologies of everyday cultural forms and material life. By drawing on linguistics, literary criticism, and semiotic theory, and by paying close attention to the writings of Louis Althusser, Roland Barthes, and Michel Foucault, the "(post) structuralist" line "conceived constitutions and ideological consequences."*

*"In the English-speaking world, cultural studies became a distinct academic field between the 1960s and 1990s as a result of a general trend in universities toward two types of interdisciplinary analysis." "Women's studies and ethnic studies, which frequently began as divisions of English or communications departments", developed concurrently but were formalised as centres and institutes rather than departments.*

**Keywords:** cultural studies, art, intellectual, communication, literature.

**Author:** Lecturer in English, Government Degree College, Khairatabad, Hyderabad, India.

## I. INTRODUCTION

According to cultural critic Raymond Williams, "Cultural studies is not truly a discrete approach at all", unlike the majority of the other techniques described in this volume, but rather a collection of actions. Patrick Brantlinger observes that cultural studies are not a "firmly comprehensible unified

movement with a set objective" but rather "a loose systematic group of tendencies, concerns, and questions" (IX). Amidst the hardships of 1960's, "Cultural Studies are the Elements of Marxism, New Historicism, Film Theory, Public Policies Studies, Gender Studies, Anthropology, Sociology, Studies of Race and Ethnicity, Urban studies, Feminism, Popular Cultural Studies and Post-Colonial Studies: those fields that focus on Social and Cultural Forces that either create community or cause division and alienation".

Cultural studies, are used in journals as diverse as critical inquiry, involve examining a cultural phenomenon—such as Italian opera, Latino telenovelas, British women's fiction from the 19th century, the design of prisons, or body piercing—and making predictions about how that phenomenon will change over time. These illustrations show that cultural studies are not always about literature and "art," as one can see. But there are four common goals in cultural studies approaches.

- "Cultural studies transcends and confines of a particular discipline such as literary criticism or history". In their introduction to cultural studies, Lawrence Gross Berg, Cary Nelson, Paula Treichler, emphasize that the intellectual promise of cultural studies lies in its attempts to "cut across diverse social and political interests and address many of the struggles with in the current scene "Methodology might involve textual analysis semiotics, deconstruction, ethnography, interviews, linguistic analysis and psycho analysis (1-3). According to cultural studies practitioners, intellectual works cannot and should not stop at the borders of single text historical problems, or disciplines: the critic's own connections to what is analyzed are actually part of the analysis.

- Cultural studies are politically engaged: cultural critics see themselves as “Oppositional to the power structures, including the classroom and seek to the restructure relationships among dominant and subordinated cultures. Since meaning and personal subjectivity are cultural constructs, they may be rebuilt. The autonomy of the individual, whether a real person or a piece of literature, is denied by cultural studies taken to an extreme. This constitutes a rebuttal of the humanist “Great Man” or “Great Book” approach and moves aesthetics and culture from the ideal realms of taste and sensibility into the arena of a whole society’s everyday life, or its common “Constructions”.
- The distinction between "high" and "low" or elite and public culture is refuted by cultural studies. It is important to examine how each type of cultural output relates to other types of cultural expression. Cultural studies is committed to examining the entire range of a society’s beliefs, institution, and communicative practices, including arts. This could entail rapping in Central Park while also studying Ezra Pound's poetry. Although popular culture has always been researched at universities, it has not always been with the same rigour and depth as it is now. Some people believe that cultural studies can help the university re-establish touch with the general public through the "counter" of disciplinary breaking down of intellectual barriers.
- Cultural studies examine both the methods of production and the cultural work that is created. Who supports a certain artist, for example, is a para literary topic that Marxist critics have for years recognised as important. Who publishes the author's books and how they are promoted? " Reading the Courtship: Popular Literature, Patriarchy, and Women", a well-known production analysis, "demonstrates the textual effects of the mass market publishing industry's decisions about which books will minimise its financial risks," is Janice Radway's seminal investigation of the American romantic book and its readers.

Essays about literacy and Gender in the Colonial New England urban magazine are included in the anthology. Reading in American Social History and Literature, edited by Cathy N. Davidson in 18th Century. New York City: The Book of the Month Club, how writers and texts experience changes in popularity and canonicity, and how technological advancements like improved eyeglasses, electric lights, and trains affect reading. These investigations enlighten us to the fact that literature does not take place in isolation from the majority of our problems.

## II. CONCLUSION

Leaders can better understand their own cultural preferences and biases by using the findings regarding culture. These findings can aid global leaders in more successful cross-cultural and geographic communication because different cultures have different beliefs about what they desire from their leaders.

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# To Reflect of Teaching Practice. A Case Study in Chile

Marco Antonio Villalta Paucar

Universidad De Santiago De C

## ABSTRACT

**Introduction:** The think the action configures the practical knowledge of the teacher and enhanced when this becomes aware of his action in the classroom

**Objective:** The objective of the study is to analyze the awareness of pedagogical action in the classroom of teachers of participación different in a Support Program for the improvement of pedagogical practices (PAPP in spanish).

**Method:** The method used is the qualitative case study. We work with two cases of primary education teachers, from a school located in a social vulnerable of Santiago de Chile, and of High/Low participation in the PAPP of mixed modality (face-to-face and virtual) of 90 hours over 6 months with the objective to promote awareness of pedagogical action in the classroom. The techniques: (a) interviews at the end of the process; (b) the teachers did send written stories, weekly.

**Keywords:** reflective practice; basic education; classroom; practical knowledge.

**Classification:** LCC Code: AC4

**Language:** English



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# To Reflect of Teaching Practice. A Case Study in Chile

La Reflexión de la Práctica Pedagógica. Un Estudio de Casos en Chile

Marco Antonio Villalta Paucar

## ABSTRACT

*Introduction: The think the action configures the practical knowledge of the teacher and enhanced when this becomes aware of his action in the classroom*

*Objective: The objective of the study is to analyze the awareness of pedagogical action in the classroom of teachers of participación different in a Support Program for the improvement of pedagogical practices (PAPP in Spanish).*

*Method: The method used is the qualitative case study. We work with two cases of primary education teachers, from a school located in a social vulnerable of Santiago de Chile, and of High/Low participation in the PAPP of mixed modality (face-to-face and virtual) of 90 hours over 6 months with the objective to promote awareness of pedagogical action in the classroom. The techniques: (a) interviews at the end of the process; (b) the teachers did send written stories, weekly. The data analysis was semantic content analysis for the speeches and written stories.*

*Results: (1) repeated reflective practice advances awareness of action from less to more complex; (2) the teacher with the longest time participating in the reflection process of the practice promotes judgments aimed at investigating the possibilities of transformation that education has, valuing positive aspects of the family and professional peers; while the teacher with less time of participation in the reflection process of the pedagogical practice develops judgments of her work in the classroom that positively value the achievement of basic routines for her homework in the classroom, critical*

*judgments of the role of the family and of their peers professionals.*

*Conclusion: the reflection processes of the practice favor the breadth of consciousness of the pedagogical action in the classroom, relating it to other aspects that affect the educational task. It is possible that programs such as the PAPP promote reflective dispositions of the teachers.*

*Study sponsored by the National Fund for Scientific and Technological Development (FONDECYT) of Chile, grant N° 1150237 and 1200106.*

*Keywords:* reflective practice; basic education; classroom; practical knowledge.

*Author:* Universidad de Santiago de Chile, Escuela de Psicología.

*Introducción: la reflexión de la acción configura el saber práctico del docente, el cual se potencia cuando el docente hace conciencia de su acción en el aula.*

*Objetivo: analizar la conciencia de acción pedagógico en aula de profesoras de diferente tiempo de participación en un Programa de Acompañamiento al mejoramiento de las prácticas pedagógicas (PAPP).*

*Método: estudio cualitativo de casos. Se trabaja con dos casos de profesoras de educación primaria de una escuela ubicada en sector vulnerable de Santiago de Chile, de Alta/Baja participación en el PAPP de modalidad mixta (presencial y virtual) de 90 horas a lo largo de 6 meses con el objetivo de promover la conciencia de la acción pedagógica en aula. Las técnicas son: (a) entrevistas al final del proceso; (b) las profesoras envían Relatos escritos*

*semanalmente. El análisis de datos se realiza de análisis de contenido semántico para los discursos y relatos escritos.*

*Resultados: (1) la práctica reflexiva reiterada avanza la conciencia de la acción de menor a mayor complejidad; (2) la profesora con mayor tiempo de participación en proceso de reflexión de la práctica promueve juicios orientados a indagar sobre las posibilidades de transformación que tiene la educación, valoración de aspectos positivos de la familia y pares profesionales; en tanto que la profesora con menor tiempo de participación en el proceso de reflexión de la práctica pedagógica desarrolla juicios de su trabajo en aula que valoran positivamente el logro de rutinas básicas para su tarea en aula, juicios críticos al rol la familia y de sus pares profesionales.*

*Conclusión: los procesos de reflexión de la práctica favorecen la amplitud de conciencia de la acción pedagógica en aula relacionando con otros aspectos que inciden en la tarea educativa. Es posible que programas como el PAPP potencian disposiciones reflexivas de las profesoras.*

*Estudio auspiciado por el Fondo Nacional de Desarrollo Científico y Tecnológico (FONDECYT) del Estado de Chile, N° 1150237 y 1200106.*

*Palabras clave:* reflexión; educación básica; sala de clase; saber práctico.

## I. INTRODUCCIÓN

La reflexión es la fuente del saber práctico que la literatura suele estudiar con el término de práctica reflexiva, y la experiencia directa es fuente necesaria —aunque no suficiente— de dicho proceso (Kolb, 1984; Korthagen, 2010; Schön, 1998).

Recientes estudios indican que, en el caso educativo, dicho proceso se potencia o desencadena con la conciencia de la acción, y los relatos generados son cercanos a los hechos prácticos filmados y pueden ser promovidos hacia la transformación de la práctica en un ciclo de diálogo a partir de dichos registros (Gröschner et al., 2015; Pehmer et al., 2015).

El relato de la práctica pone de relieve el lenguaje como herramienta de expresión de diálogos interiorizados epistémicos (razones, creencias) y no epistémicos (emociones, deseos), que orientan la acción (Bruno & Dell'Aversana, 2017, 2018)

Así, es posible considerar que la conciencia de la acción reduce la brecha existente entre “Discurso” y “acción” y establece un nexo que abre la posibilidad de promover acciones de cambio a través de promover procesos reflexivos de la acción misma. La pregunta es: ¿Cómo promover este proceso de conciencia, basta con el video o el relato?; ¿Cuáles pueden ser las condiciones?

El objetivo del trabajo es: analizar la conciencia de acción pedagógica en aula de profesoras de diferente tiempo de participación en un Programa de Acompañamiento al mejoramiento de las prácticas pedagógicas (PAPP).

## II. METODOLOGIA

Es un estudio de casos instrumental. Se emplea metodología cualitativa de análisis de contenido.

Las participantes del presente reporte son dos (2) profesoras en cuyos criterios de inclusión se considera: (1) similar tiempo de experiencia docente, (2) de un mismo establecimiento educativo (de alta vulnerabilidad social); (3) que trabajan la misma asignatura —Lenguaje—; (4) con similar cantidad de alumnos en el aula. Las profesoras fueron seleccionadas según su frecuencia de participación (Tabla 1) de un grupo de 8 profesoras participantes del Programa de Acompañamiento a práctica pedagógica (PAPP).

*Técnica:* Las profesoras recibieron una intervención.

*Programa de Acompañamiento a práctica pedagógica (PAPP).* El objetivo general del programa era: fortalecer las habilidades docentes en la sala de clase de los profesores a través de la reflexión de su propia práctica incorporando elementos teórico-prácticos pertinentes al aprendizaje autónomo de los estudiantes en el contexto escolar.

El PAPP fue diseñado articulando los principios de reflexión compartida y cognición distribuida (Derobertmeasure, 2012) y la investigación-acción del profesor (Álvarez-Álvarez, 2015; Guerra et al., 2017) con uso de auto filmación para favorecer la autonomía en la reflexión de sus prácticas (Gröschner et al., 2015). Los elementos conceptuales del PAPP y las filmaciones de clase fueron recursos para que las profesoras participantes tuvieran una semántica compartida que facilitara la comunicación entre ellas y con el equipo formador para promover la reflexión y toma de decisiones.

El PAPP se desarrolló entre junio y octubre del 2017, en modalidad semipresencial, apoyado por plataforma online Moodle para la interacción semanal de los formadores con las profesoras, donde ellas reportaban un relato semanal de alguna situación de sus clases sobre la que querían reflexionar; las auto filmaciones fueron

de dos a tres minutos de sus clases, y fueron el objeto a reflexionar en los relatos semanales.

El relato se organizó en tres componentes secuenciales de profundización gradual: descripción (“describe una situación de tu clase esta semana”), análisis (“que descubres de ti misma en lo que observaste”) y discernimiento (“¿Qué claridades o dudas te deja tu actuación?, ¿Qué acciones puedes realizar?”), que eran enviados y retroalimentado por el equipo formador en la misma semana que eran recibidos. Para el análisis comparativo se consideraron solamente los tres primeros relatos.

Las profesoras se diferencian en su participación en el PAPP, una tuvo Alta Participación y la otra tuvo Baja Participación (Tabla 1). Al final del proceso ambas profesoras fueron entrevistadas para conocer sus discursos sobre logros y desafíos de prácticas de enseñanza que promuevan el aprendizaje autónomo de los estudiantes

*Tabla 1:* Descripción comparativa de los casos

n°	1	2
Nombre (*)	D	I
Escuela (*)	Escuela ALF	Escuela ALF
ZONA	Urbana	Urbana
Total de relatos	15	4
Total auto -filmaciones	2	1
Categoría de participación	ALTA	BAJA
Asignatura	Lenguaje	Lenguaje
Experiencia en aula (años)	7	9
Año en Escuela	1	6
Alumnos en aula	30	31

(\*) *seudónimo de nombre de profesoras D e I y de Escuelas.  
Ambas son de la misma Escuela.*

### III. ANÁLISIS

Los relatos semanales fueron abordados con análisis de contenido temático, donde los segmentos o referencias textuales fueron organizados según los niveles de procesos reflexivos que proponen Bruno y Dell'Aversana (2018) según estos movilizan estados mentales (pensamientos, emociones, deseos) manifiestos en los relatos (Tabla 2).

Tabla 2: Niveles de práctica reflexiva de textos escritos (Adaptado de (Bruno y Dell'Aversana, 2018

Tema	Definición
Nivel 0 Práctica no reflexiva	El texto no tiene ningún término mental. Relato informa un evento observado o una experiencia personal sin referirse a sus propios estados mentales o a los de otros. Ejemplo: "Comenzamos la evaluación, yo doy las instrucciones y dirijo la actividad" (YH, r2)
1 - Práctica declarativa reflexiva	Relaciona el evento con estados mentales, pero tal referencia es solo enunciación. Los pensamientos y las emociones se expresan, sin plantear ninguna pregunta por sí misma o de otras maneras de interactuar con la situación. Esta práctica parece indicar la conciencia en el trabajo, pero el estilo es descriptivo. Ejemplo: "cuesta controlar la concentración en los estudiantes, se distraen fácilmente" (YH, r8).
2 - Práctica reflexiva relacional	Relaciona el evento declarando sus propios estados mentales o los de otros, y también comparando diferentes estados mentales, su evolución a lo largo del tiempo ('antes de que lo pensara, ahora ... creo ...'), sobre espacio ('en esa experiencia pensé / sentí de esa manera, ahora siento / pienso de esta manera ...'), o comparando subjetividades ('Yo pienso / siento de esta manera, pero otros piensan / sienten diferente'). Ejemplo: "han avanzado y aprendido mucho ya la mayoría de mis alumnos están leyendo y eso me hace sentir que lo hemos estado haciendo bien" (YH, R8)
3 - Práctica reflexiva interpretativa	Expresa estados mentales que subyacen en los comportamientos de los demás (acciones, pero también decisiones y configuración de problemas) y se refiere a ellos para entender e interpretar tales comportamientos. Ejemplo: "Llegaron unos trabajos hermosos y eso me demuestra además un compromiso de los apoderados hacia el aprendizaje de sus hijos". (YH, r14)
4 - Práctica de reflexión crítica	Referencias explícitas a la evolución de las ideas, creencias, emociones y las razones de esta transformación. Ejemplo: "...puedo percibir que tanto los estudiantes, como yo estamos un poco agotados, ha sido un año largo, con muchos desafíos tanto para ellos en su aprendizaje, como para mí en mi rol de educadora. Por lo que estoy pensando y reflexionando que el tiempo que nos queda en el colegio debo aplicarse estrategias en dónde salgamos de la rutina, rompiendo esquemas..." (caso YH, r15)

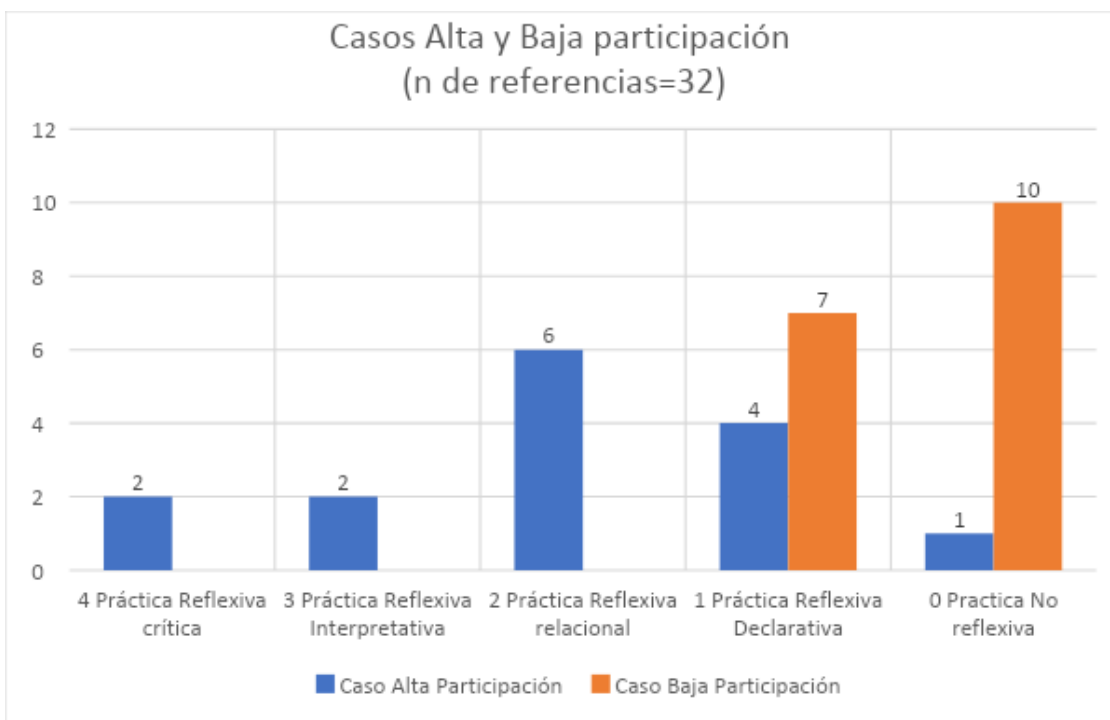
Fuente: Adaptado de Bruno y Dell'Aversana, 2018: pp 347-348

Las entrevistas fueron analizadas con análisis temático, donde las referencias o segmentos textuales de fueron organizados en categorías de cuatro campos temáticos emergentes: (1) Contexto fuera del aula: Juicios atribuidos al contexto antes, después y fuera del aula, referidos a la escuela o el sector socioeducativo que toma como elementos para analizar su práctica; (2) Juicio de sí: autopercepción, juicios calificativos del propio rol e identidad; (3) Juicio del otro: percepción del alumno, atribuciones a los alumnos; y, (4) Microcontexto del aula: Juicios referido a sentido de la acción en el aula.

## IV. RESULTADOS

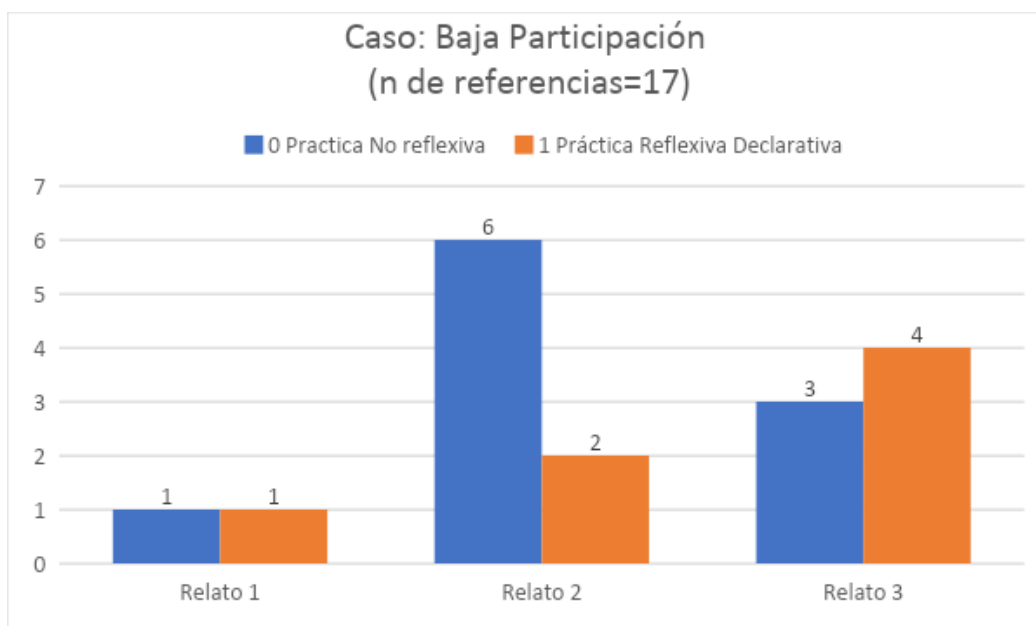
### 4.1 Los niveles de reflexión de los relatos

La aproximación al conjunto de los tres primeros relatos (Figura 1) indica que el caso de alta participación se observa mayor amplitud de referencias de niveles reflexivos relacionales, interpretativos y críticos, comparado con el caso de Baja Participación.



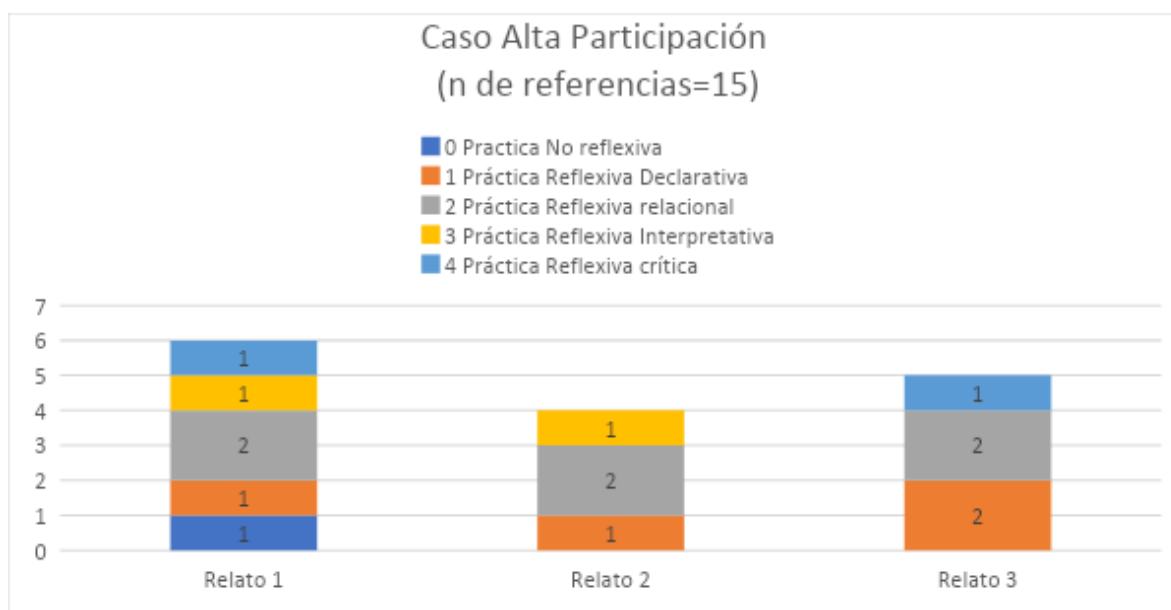
*Figura 1:* Reflexión en tres relatos de casos de Alta y Baja Participación en PAPP

En el análisis de los tres primeros relatos se observa que en el caso de baja Participación las referencias al nivel reflexivo Declarativo tienden a



*Figura 2:* Reflexión en tres relatos de caso de Baja Participación en PAPP

En el caso de Alta Participación (Figura 3) se observan referencias los 4 niveles de reflexión desde el primer relato, las referencias a práctica no reflexiva desaparecen desde el segundo relato, y en el tercer relato las referencias son de nivel Declarativo, Relacional y Crítico.



*Figura 3:* Reflexión en tres relatos de caso de Alta Participación en PAPP

En efecto, en el caso de Baja Participación se observan relatos descriptivos que no denotan términos reflexivos: “*La profesora en conjunto con los estudiantes realiza el saludo diario, para esta actividad se utiliza el panel de asistencia el cual esta intencionado para desarrollar operaciones matemáticas*” (Relato 1, Baja participación); y referencias de práctica reflexiva Declarativa: “*Siento que al dar intención a los recursos y actividades que uno va a realizar facilita mayormente los aprendizajes de los estudiantes*” (Baja Participación, Relato 3).

En el caso de Alta Participación se observan niveles reflexivos de tipo relacional: “*.. en un principio me dio temor, no lo niego, dudaba de si podría darle a él la atención que merece y requiere, pero al tomarlo con la naturalidad que acostumbro, los niños lo han tomado igual*” (Alta participación, Relato 2); Práctica Interpretativa: “*es muy grato para mí, darme cuenta de que mis alumnos, no tienen reparos, ni miedos para decirme que no entienden algo, lo que me ratifica, que pese a ser muy exigente con la disciplina, ellos no me temen*” (Alta Participación, relato 2); y Práctica reflexiva Crítica: “*permiten que me “de cuenta” de lo que si estoy logrando, pese a que mi curso ha resultado particularmente difícil en cuanto al desnivel de contenidos que traían , pero he observado*

*importante avances en autonomía*”, (Alta Participación, relato 3).

#### 4.2 Los discursos de la Práctica.

En el análisis de las entrevistas se observa que el caso de Alta Participación tiene mayor número de referencias al Contexto fuera del aula, Juicio de sí y Juicio del otro, comparado con el caso de Baja Participación quien tiene mayor número de referencias al micro contexto de aula. Interesa conocer las diferencias semánticas en cada uno de los temas.

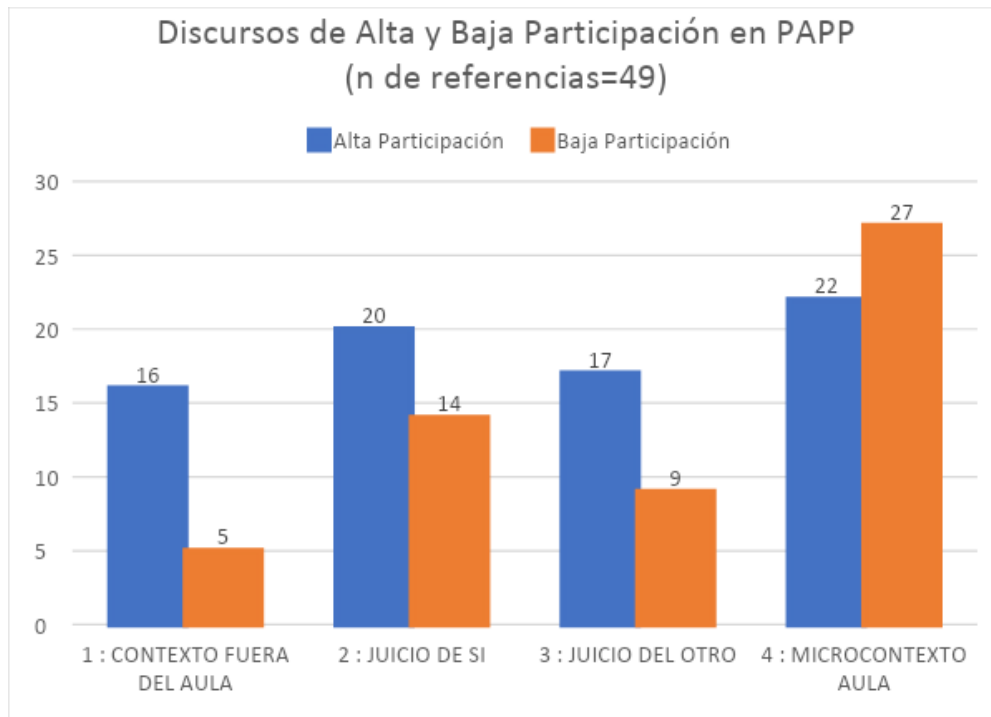


Figura 4: Referencias sobre la práctica en casos de Alta y Baja Participación en PAPP

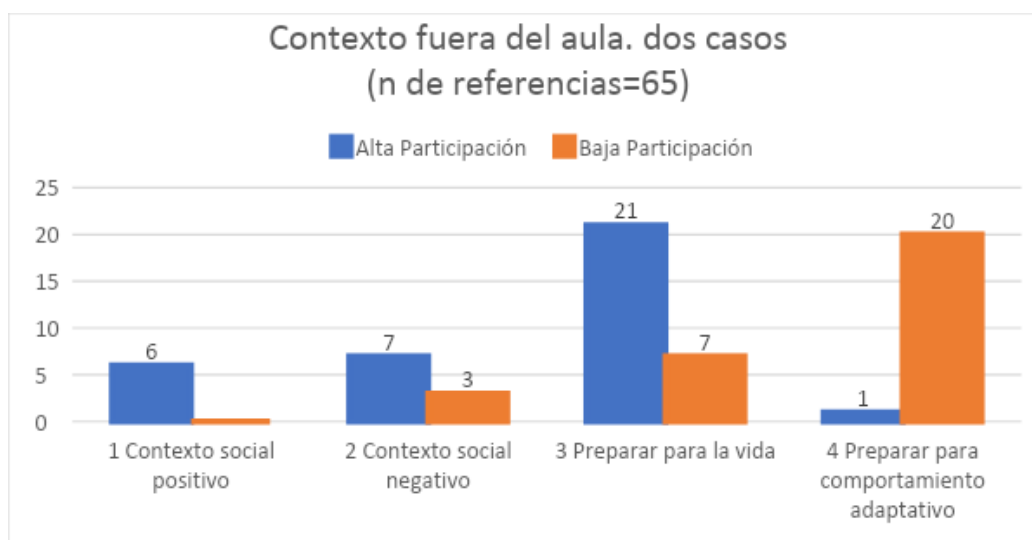
#### Contexto Fuera del aula

Para el contexto social y sucesos en el aula se organizaron dos categorías dicotómicas. Las categorías fueron definidas:

- *Contexto social positivo*, referido a juicios positivos tales como apoyo de colegas, familia, sociedad. Ejemplo: “ella siempre a mí me trato como una colega de igual a igual y sin quererlo ella, porque además ella era muy buena profesora, fue como una tutoría para mí, yo así lo sentí” (Alta participación).
- *Contexto social negativo*, referido a juicios negativos o críticos al apoyo de la familia y a la sociedad. Ejemplo: “te das cuenta, que vas con una proyección de “aquí me van a enseñar a cómo hacerlo” y al final se van por las ramas y al final es más de lo mismo” (Baja Participación)
- *Preparar para la vida*, referencias de sentido amplio de la educación expresado en preparar a los niños para lograr su mejor desempeño fuera del aula, donde puedan ser transformadores del entorno, que tengan aprendizajes significativos, que logren

relaciones de reciprocidad, con sus profesores y compañeros. Ejemplo: “ellos son personas inteligentes, que tienen habilidades, que el entorno yo no lo elijo, la historia yo no la elijo, pero el ser quien yo quiera, eso es de ellos y eso yo lo potencio” (Alta Participación)

- *Preparar para comportamiento adaptativo*; referencias a un sentido restringido de educación, expresado en lograr en los niños comportamientos funcionales a las actividades académicas dentro del aula tales como gestionar participación, dominio de contenidos y establecimiento de rutinas. Ejemplo: “parto con mi trabajo de lenguaje, mi clase de matemáticas, o mi clase de ciencias o historia, pero siempre se parte con esa rutina y eso me ha servido para que los chiquillos manejen algunos términos dentro de la clase” (Baja Participación).



*Figura 5:* Referencias al Contexto fuera del aula en casos de Alta y Baja Participación en PAPP

Se observa (Figura 5) que las referencias al Contexto tanto positivo como negativo es mayor en el caso de Alta Participación comparada con el caso de Baja Participación. El sentido del trabajo en el aula tiene marcadas diferencias, el caso de Alta Participación se orienta a formar a los niños para el entorno, y el caso de baja Participación para las actividades y metas educativas de la escuela.

#### *Juicios de sí.*

Respecto a los juicios sobre sí mismo las referencias se organizaron en 4 categorías:

- *Afectuosa*, referencias a juicio sobre sí mismo como profesora que es afectuosa con sus estudiantes y lo valora como un recurso para relacionarse de la mejor manera con ellos. Ejemplo: “yo les digo que yo me pongo de repente en el papel de mamá, porque yo también soy mamá y yo paso a veces más tiempo con ellos que con mis hijas” (Baja Participación)
- *Autocrítica*, referencias donde la profesora reflexiona su hacer en el aula distinguiendo aprendizajes desde los fracasos. Ejemplo: “soy muy autocrítica, no me gusta mucho esa postura de “yo sé lo que hago” no, porque en realidad uno no aprende nada con eso” (Alta Participación).

- *Autoeficacia*, referencias donde la profesora expresa satisfacción con su labor y desempeño en el aula. Describe su acción en el aula demostrando que sabe lo que debe hacer en su trabajo profesional. Ejemplo: “yo siento que a los textos les falta esa picardía de agregarles un poco más y eso me gusta, porque además los mantengo atentos del relato, entienden mejor las ideas, el vocabulario se enriquece más” (Alta Participación)
- *Busquilla*, juicios de sí referido a la constante búsqueda de maneras o métodos didácticos de gestión del aula y nuevas estrategias para lograr aprendizajes. Ejemplo: “cuando tú estás de busquilla, voy a usar ese término, digo, esto me sirve, lo mezclo y trato de sacar algo que me sirva a mí en realidad...” (Baja Participación).

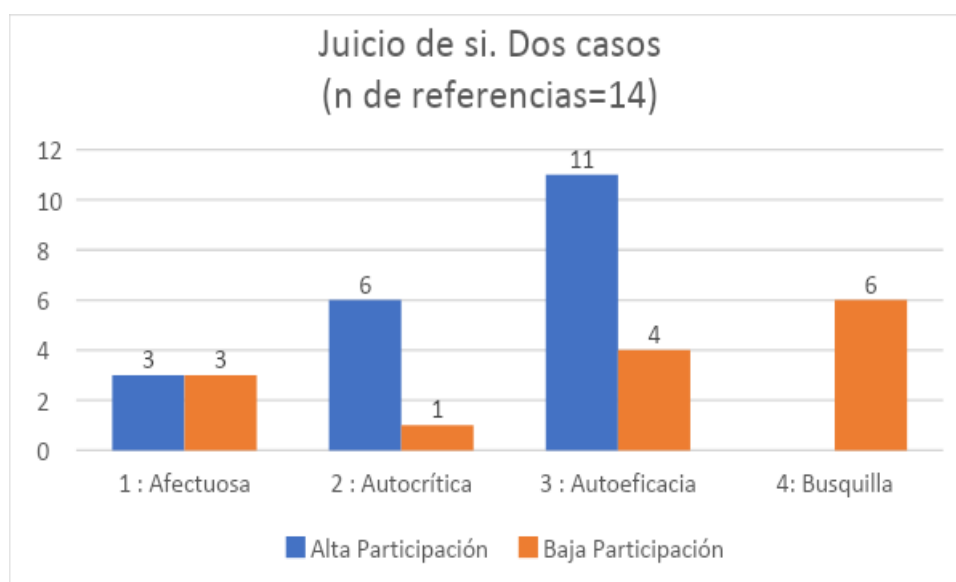


Figura 6: Referencias a juicios de sí en casos de Alta y Baja Participación en PAPP

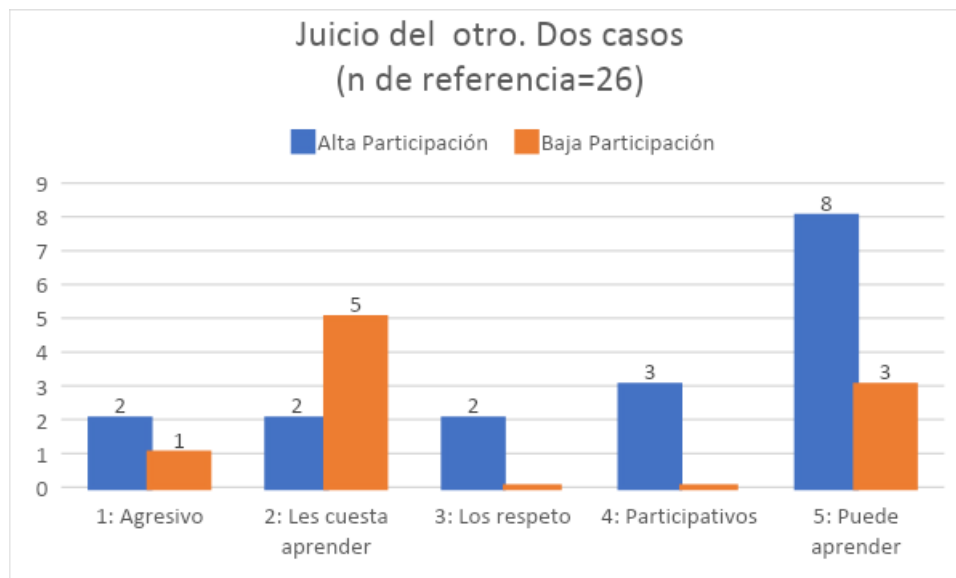
Respecto a los Juicios sobre sí mismo (Figura 6) se observa que el caso de Alta Participación tiene más referencias a la Autoeficacia y Autocrítica, en tanto el caso de Baja Participación pone de relieve su actitud de “busquilla” de estrategias o métodos que sirvan a su trabajo en aula. Esto es coherente con su definición del sentido del quehacer educativo en el aula.

#### Juicio del otro.

La reflexión es una acción dialogal consigo mismo y con la idea establecida del otro, en este caso los estudiantes. Las referencias a los estudiantes se organizaron en 5 categorías:

- *Agresivo*, Juicios que refieren a las dificultades comportamentales de los niños en el aula. Ejemplo: “él no entiende que pegarle a otro niño es malo, no entiende que faltarle el respeto al profesor no corresponde” (Alta Participación)
- *Les cuesta aprender*, referencias que identifican a los alumnos con características que preocupan y perjudican o limitan los resultados de la acción educativa. Ejemplo: “Hay alumnos con los que una se queda pegada y le da y le da y le da con preguntas y uno piensa que no están aprendiendo” (Baja Participación)

- *Los respeto*, juicio de respetar al estudiante en tanto personas y sus procesos individuales. Ejemplo: “yo les tengo profundo respeto a mis estudiantes, o sea, ellos son seres humanos inteligentes, tienen opinión” (Alta Participación)
- *Participativos*, referencias que definen a los alumnos con características positivas de participación que orientan la intervención educativa. Ejemplo: “yo creo que ellos sienten el respeto, entonces a ellos les gusta participar en la clase, porque no sienten que yo los voy a ridiculizar o me voy a burlar de lo que dijeron, todo el rato está ahí participando” (Alta Participación).
- *Puede aprender*, juicios que indican lo que los alumnos pueden o logran hacer como resultado de la acción docente. Ejemplo: “ellos son muy inteligentes, entienden más de la vida de lo que uno piensa” (Alta Participación).



*Figura 7:* Referencias a juicios del alumno en casos de Alta y Baja Participación en PAPP

Se observa (Figura 7) que el caso de Alta Participación tiene mayor frecuencia de referencia positivas hacia sus estudiantes (son *participativos*, *Los respeto* y *pueden aprender*) en tanto que el caso de Baja Participación tiene un juicio crítico de los niños (*Les cuesta aprender*).

#### *Micro contexto aula.*

Este campo temático se organizó en seis categorías:

- *Educar para la autonomía.* Referencias a favorecer la autonomía de los alumnos respecto a sus vidas, más allá de lo que hacen o dejen de hacer en el aula, Ejemplo: “*trato de desafiarlos con preguntas que yo sé que para ellos van a ser difíciles, porque también yo creo que uno tiene que ampliarles el horizonte*” (Alta participación)
- *Gestión de comportamientos.* Referencias que describen formas de abordar los comportamientos disruptivos de los niños en el aula. Ejemplo: “*tu vez ahí que el niño, por algo te está contestando, porque algo siente, entonces desde ahí el vínculo que tú creas con él puede cambiarlo totalmente dentro del ambiente de la sala...y eso lo vas aprendiendo con el tiempo, no llegas a la sala y ya...se aprende con el tiempo...*” (Baja Participación)
- *Lograr dominio de contenidos.* Referencias al logro de dominio de los contenidos entregados. Da valor al desempeño de los niños. Ejemplo: “*yo tengo un tablero y comenzamos netamente practicando matemáticas en la mañana, nos contamos entre todos, aplicamos conceptos que hemos estado aprendiendo, ahora estamos en gráficos..*” (Baja Participación).
- *Involucrar la experiencia.* Referencias a la relación de los contenidos con las experiencias y/o saberes previos de los niños. Ejemplo: “*Yo soy mucho de involucrarlos en la clase, les doy ejemplo de ellos mismos incluso [...] para que ellos participen, darles la mayor libertad posible, la mayor autonomía posible, que ellos sientan que están eligiendo algo*” (Alta Participación).
- *Promover reciprocidad.* Referencias a educar a través del modelamiento que hace la profesora en el trato con los estudiantes. Ejemplo: “*soy la profesora, pero no se los ando recordando a cada rato, como “me*

*debes respeto porque yo soy la profesora, me debes respeto porque yo he sido respetuosa contigo” o sea, ese es mi discurso” (Alta Participación)*

- *Promover rutinas.* Promueve que los niños desarrollen rutinas de acción funcionales a las actividades planificadas. Ejemplo: “... siempre

*se parte con eso [secuencia de actividades de contenidos escolares], con esa rutina y eso me ha servido para que los chiquillos manejen algunos términos dentro de las clase más duras en general.” (Baja Participación).*

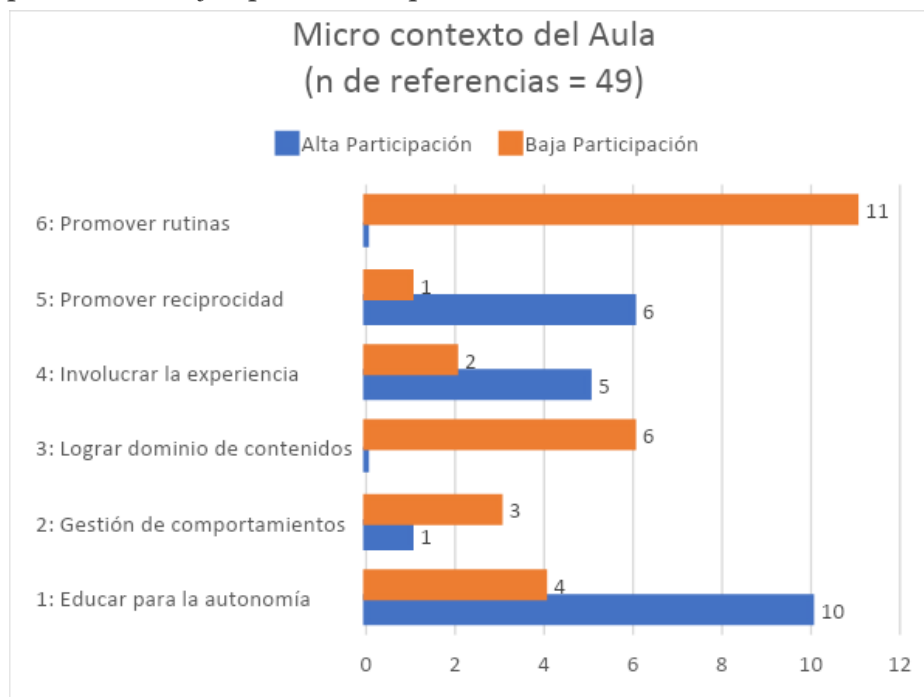


Figura 8: Referencias Micro contexto del aula en casos de Alta y Baja Participación en PAPP

Respecto a las referencias al micro contexto del aula (Figura 8) se observa que el caso del Alta participación tiene mayores referencias a lograr experiencias educativas que trasciendan el espacio-tiempo del aula, comparado con el caso de Baja Participación cuyas referencias focalizan en los objetivos y actividades del espacio-tiempo del aula.

En síntesis, la profesora de Alta participación tiene mayores referencias al contexto fuera del aula de carácter crítico, percibe que su trabajo en aula se orienta a preparar a los niños para el entorno, tiene juicio positivo de sí misma y de los niños; en tanto la profesora de baja Participación, concentra más su discurso al contexto del aula, los sucesos del aula son su preocupación y marcador de identidad, y tiene un juicio negativo de sus estudiantes respecto a sus condiciones para aprender.

## V. DISCUSIÓN Y CONCLUSIONES

La diferente trayectoria de los relatos que presentan las profesoras tiene relación con procesos reflexivos previos al Programa de acompañamiento a la práctica pedagógica propuesta. La conciencia de la experiencia concreta es el primer recurso para la reflexión (Korthagen, 2010; Perrenoud, 2011). Tal como lo muestran las entrevistas, la profundidad de la reflexión se encuentra orientada por el objetivo del quehacer en el aula, juicio de sí y juicio de los interlocutores alumnos, que las profesoras tienen.

El presente estudio ha mostrado además que la valoración positiva sobre los estudiantes tiende a aumentar cuando la profesora implica más elementos mentales para reflexionar su práctica de aula. Es posible se dé un círculo virtuoso donde la profesora al implicarse más en la reflexión de su práctica, desarrolle más conciencia de sus estudiantes y de su propia actuación pedagógica,

revalorando las posibilidades y condiciones educativas de sus estudiantes en relación a su rol como promotora de aprendizajes.

No obstante, la conciencia de la acción es un recurso necesario, pero tal vez no suficiente para movilizar y promover la reflexión con mayor implicancia de componentes de la experiencia. La profesora de Baja Participación no presento referencias en todos los niveles de reflexión de su práctica en el transcurso de los relatos. Aunque transito desde relatos de Práctica no reflexiva a Práctica Reflexiva Declarativa. Esto tiene relación con juicios más restringidos sobre su rol en el aula, sus preocupaciones, el juicio de sí y de los estudiantes.

Los resultados indican que la participación en cursos de acompañamiento de reflexión de la práctica tiene relación con definiciones de rol profesional y sentido de la tarea educativa preexistentes en las participantes, incidiendo en la trayectoria de los niveles de reflexión de la práctica y la amplitud del quehacer educativo alcanzado. Es recomendable profundizar en este aspecto en futuros estudios.

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# Modular-Distance Learning Experiences of Public School Teachers in the Philippines: A Phenomenology

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*Cebu Normal University*

## ABSTRACT

The Department of Education of the Philippines adopted Modular-Distance Learning as the primary learning modality to be implemented in public schools to continuously educate its learners. The purpose of the study was to dwell on the public school teachers' lived experiences in the Modular-Distance Learning modality. There were 45 public school teachers participants in Cebu Province. The six themes that emerged from the contextual learning experiences of the teachers were 1.) Modular-Distance Learning provides self-paced learning opportunities for learners. 2.) Teachers' presence as facilitators of learning is still significant. 3.)

*Keywords:* modular-distance learning, experien- ces, public school, teachers, philippines.

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# Modular-Distance Learning Experiences of Public School Teachers in the Philippines: A Phenomenology

Helen B. Boholano<sup>α</sup>, Bernard Evangelicom V. Jamon<sup>σ</sup> & Mary Grace M. Cabanes-Jamon<sup>ρ</sup>

## ABSTRACT

*The Department of Education of the Philippines adopted Modular-Distance Learning as the primary learning modality to be implemented in public schools to continuously educate its learners. The purpose of the study was to dwell on the public school teachers' lived experiences in the Modular-Distance Learning modality. There were 45 public school teachers participants in Cebu Province. The six themes that emerged from the contextual learning experiences of the teachers were 1.) Modular-Distance Learning provides self-paced learning opportunities for learners. 2.) Teachers' presence as facilitators of learning is still significant. 3.) There is no assurance that learners are learning. 4.) Assessing, evaluating, monitoring, and feedbacking are challenging for the teachers. 5.) Making, printing, distributing, retrieving modules, and marking answer sheets (MPDRM) are the new critical tasks of teachers. 6.) There is a scarcity of resources to support Modular-Distance Learning. The themes suggest that the Modular-Distance Learning modality still needs to be evaluated and continuously improved to address the pressing teachers' concerns, issues, gaps, and problems for the betterment of their experiences and the improved delivery of quality of education in the country despite the pandemic situation.*

**Keywords:** modular-distance learning, experiences, public school, teachers, philippines.

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## I. INTRODUCTION

The Covid 19 pandemic has made an enormous impact on Philippine education. The education sector was the most affected when the pandemic came (Jamon et al., 2021). Despite its impact, the government, through the Commission on Higher Education (CHED), Technical Education and Skills Development Authority (TESDA), and the Department of Education (DepEd), introduced the different learning modalities as an alternative to continuously deliver quality education to all learners during the pandemic.

In the case of the Department of Education, it adopted the three learning modalities that would fit its teachers' preparedness and capabilities and its students' socio-economic status. These three learning modalities are Modular Distance Learning, Online Distance Learning, and Radio/TV-Based instruction (Quinones, 2020). Among these modalities, the most favored learning modality, according to the survey conducted by the DepEd among the 8.9 million parents, is the adaptation of modular distance learning (Bernardo, 2020).

With its favorability among parents, the DepEd decided to adopt Modular-Distance Learning as its primary mode of delivering lessons among its learners from kinder to grade 12. According to DepEd, 13 million, or 59% out of 22 million public school learners, would learn through modular distance learning (Magsambo, 2020).

Since the opening of classes for the School Year 2020-2021, the DepEd ordered the prioritization of module reproduction in every school's Maintenance and Other Operating Expenses (MOOE), sought the Special Education Fund

(SEF) to fund other resources not covered by the MOOE to boost module reproduction, and provided additional PHP 16.6 Billion budget for the 2021 General Appropriations Act (GAA) to efficiently reproduce the modules for its learners (Montemayor, 2021).

Despite all the efforts of the government to address all the gaps and problems in the implementation of Modular- Distance Learning, teachers as the direct implementers of the curriculum have been greatly affected and challenged to implement this learning modality successfully. Hence, it is worth knowing how they perceive this modality, what are their roles, what are its advantages and disadvantages, and what are their struggles with this type of modality.

Based on the thorough review of related literature and studies, no study has yet been conducted which explores their contextual experiences in Modular-Distance Learning in the Philippines. Therefore, this study dwells on the lived experiences of public basic education teachers in Modular-Distance Learning in the Philippines during the pandemic.

## II. RESEARCH OBJECTIVES

The purpose of this study was to determine the lived experiences of public school teachers in the Philippines during the implementation of modular distance learning.

## III. METHODOLOGY

This study used a Phenomenological research design because it dwells on the public school teachers' lived experiences and their interpretations of their lived experiences as they teach under Modular-Distance Learning. Selected 45 public school teachers were the study participants chosen among the different public schools in Cebu Province, Philippines. The unstructured questionnaire was developed by the researchers to gather the needed data. The "questionnaire was validated to find out if the instrument would draw out the responses desired to provide the needed data for this study and the clarity of the purpose of the study" (Boholano,

Merin & Dapat, 2021). Formal letters were sent to the participants informing them that this research was purely academic, no risk would be involved in the study, and they were at liberty to withdraw anytime. Upon their written approval, the teachers' narratives were gathered through semi-structured interview guide questions via Google Forms sent to them in Facebook Messenger and Email. After, the data from the teachers' responses underwent a coding process to develop common themes and patterns.

## IV. FINDINGS AND DISCUSSION

After gathering the data, the researchers clustered, described, and structured the narratives of the teachers and came up with the following themes that emerged from the Modular-Distance Learning (MDL) experiences of the public school teachers.

*Theme 1: Modular-Distance Learning provides self-paced learning opportunities for learners.*

The participants view that Modular-Distance Learning provides self-paced learning opportunities for learners, which is evident from their narratives.

*"Students can learn at their own pace and it gave the family a quality time since the students are just going to stay home." (P 2)*

*"Modular distance learning provides flexibility towards teachers as well as with the students." (P 4)*

*"Here also, we can see those students who are independent to learn by themselves." (P 5)*

*"Students will be able to have all their time in answering, and can ask answers to those who know better." (P 6)*

*"Modular distance learning allows the students to study at home in their own convenience." (P 7)*

*"Even though they couldn't go to school due to pandemic but still learning never stops because of this kind of distance learning that gives favor to those less fortunate children." (P 8)*

*“Students have to do their own study without further explanation by the professionals like their teacher.” (P 12)*

*“Learners learn at their own pace.*

*It is safe considering our challenge now, the COVID-19.” (P 16)*

*“Through MDL, education continues despite the challenging times.” (P 18)*

*“Students can do their tasks at their own pace.” (P 22)*

*“Students are taught to be self-independent learners.” (P 29)*

The participants’ responses suggest that learners, through modular instructions, are given opportunities to be independent learners. Similarly, Sadiq and Zamir (2014) noted that modular learning offers learners opportunities to learn at their own pace. Several studies suggest that modular learning is more effective than other teaching pedagogies because it makes the teaching-learning process more student-centered. Similar to online classes, the greatest strength of Modular-Distance Learning is its flexibility (Rose, 2009)

The modules given to the learners for them to learn on their own must be logical, self-explanatory, and flexible to make sure that the learner learns at his/her own speed (Bautista, 2015). As defined by UNESCO (1988) as cited in Ali et al. (2010), a module is a learning resource organized around a specific topic, elements of teaching, clear learning objectives, activities, and evaluation using criterion-referenced assessment. Similarly, Sepai (2013) argued that modular learning must be the focus of a flexible curriculum.

Rybushkina and Sedorenko (2015) suggested that in modular learning, learners must be assessed using different types of assessment, such as written tests, group discussion, and oral recitations; however, considering the limitations imposed because of the pandemic, teachers cannot allow the students to perform or present their authentic tasks at school due to no

face-to-face classes set by the Philippine government. Similarly, the technological divide in the Philippines limits the use of technology to aid in the teaching-learning process. Therefore, students have to learn on their own with the help of More Knowledgeable Other (MKO) at home and submit their written tests to schools.

*Theme 2: Teachers’ presence as facilitators of learning is still significant.*

Based on the participants’ responses, teachers’ presence as facilitators of learning still is essential, which is revealed from their responses.

*“Most of the children learned better through teacher’s discussion.” (P 7)*

*“Students have difficulties in answering the modules and certain activities without a proper explanation of the teacher.” (P 12)*

*“Students couldn’t experience thorough discussion, and there are a lot of things and lessons that might give them confusions because these are not discussed to them.” (P 13)*

*“Students have low reading comprehension which leads to misunderstanding to the concept of the lesson.” (P 14)*

*“There is no interaction with teachers.*

*Some parents were not equipped enough to be aid of help of learners especially those who were not able to attend school.” (P 15)*

*“No discussion in Modular Distance Learning. It’s hard for the students to ask clarifications while reading the information. Not all parents can guide their children in answering the module.” (P 16)*

*“There will be no face-to-face guidance from the teacher so it will be difficult for the learners to attain the objectives of the lesson.” (P 24)*

*“There is no assured MKO (More Knowledgeable Other) who could guide and teach the child in replacement of a teacher.” (P 32)*

*“In Modular Distance Learning, lessons or topics could not expound or elaborated. Whenever the*

*learners need assistance, the only help they can ask help is from their family members. The problem also is that some members don't have enough knowledge to extend help to the learners.” (P 4)*

Based on the teachers' narratives, their critical roles as facilitators of teaching and learning (Jagtap, 2015) are still crucial for learners to learn despite all the challenges in Modular-Distance Learning.

Nothing is really like when teachers, as subject-matter experts, explain in the simplest way possible the critical concepts that learners must learn. Teachers can also explain further the tasks will be accomplished or performed if they are present with learners.

In the study of Glazier and Harris (2020), 2/3 or 66.66% of the respondent learners preferred face-to-face classes compared to 1/3 or 33.33% who preferred online classes. However, no study has explored the learners' preference for Modular-Distance Learning compared to face-to-face classes, and online classes. The main reason why learners and teachers prefer face-to-face classes is because of the opportunities for both of them to interact through interactive discussions, collaborative groupings, brainstorming, debates, and other interactive activities (Crews & Butterfield, 2014; Platt et al., 2014). In face-to-face classes, cheating is also minimal compared to online classes and Modular-Distance Learning (Miller, 2012).

Meanwhile, Sarmiento et al. (2021) suggested that face-to-face classes in time of COVID-19 must be carefully planned and shall adhere the school safety health protocols prescribed by the government to assure the safety of learners, teachers, and other school officials.

*Theme 3:* There is no assurance that learners are learning.

The teachers' experiences in Modular-Distance Learning provide doubts among the participants that there is no assurance that students are learning which emerged from their narratives.

*“The disadvantage of modular distance learning is the student's comprehension regarding the content of the modules. They find it difficult to understand the module and have to analyze it on their own.” (P 4)*

*“The scores or the grades, in general, cannot guarantee the understanding and the learning of the students.” (P 5)*

*“Probably another person will answer the modules. They can easily search for the answers on the internet without thinking about themselves. They can copy the answers immediately. They can, as well, ask answers from other classmates without the teacher knowing.” (P 6)*

*“Parents were the ones who answered the modules, so no learning on the part of the child.” (P 7)*

*“It's okay if you have students that can comprehend and understand the content of the module. Sadly, most of them have difficulty answering the written activities and tasks. Also, based on the feedback notes, the students preferred the face-to-face classes.” (P 9)*

*“Mastery of the lesson is less evident, and skills are not hard to test.” (P 11)*

*“In modular distance learning, the problem is students' comprehension in which they cannot be able to really grasp the concepts to be learned due to their poor reading comprehension.” (P 17)*

*“Some of the parents answer the modules by themselves, not their child/children.” (P 18)*

*“Teachers cannot assure whether the students learned from the Self-Learning Modules.” (P 19)*

*“Some parents answer the modules instead of the students. I know because of the good penmanship I found in the answer sheets.” (P 25)*

*“Pupils have difficulty in grasping the lesson. Also, there is a tendency that the pupil is not the one answering the activities instead he/she asks somebody to answer it for him/her.” (P 25)*

*“Other students cheat upon answering the modules. This can be done through group chats on messenger where they can send their answers, or they just copied answers from a student of a neighboring house. Other students’ performance tasks, as well as in the answering of modules, were done by the parents, siblings, or close family members. Some students didn’t answer the modules seriously even, if the answers to some verbatim questions can be found in the modules. They just answer it for the sake of compliance.” (P 27)*

*“Some learners only copied the answers from the answer key without reading the whole self-learning module.” (P 30)*

*“Some learners are having a hard time because they cannot understand what they are reading. The learners copy from the answer key provided. The distribution of the lessons per module is not equal because there are modules that are longer than the others.” (P 31)*

*“Students copy their answers from other students without understanding the modules. Second, parents answer the modules instead of the students. Third, these materials are for formality cause, and students are not actually learning since some are just answering without studying the modules.” (P 33)*

*Not all students do their homework wholeheartedly. Some parents spoil their children and do the deed instead of their children. In fact, some students tend to copy their answers from others. Based on students’ comments, they said they actually never learn from the modules. (P 34)*

Teachers cast doubt about the quality of learning in Modular-Distance Learning. Teachers argue that the scores and grades that students get are unreliable, considering they are not present and no proper lesson instructions are given to learners.

The teachers also pause distrust about the integrity of learners’ answers in their modules because they know the capabilities of their learners in the public schools, and some parents,

according to them, “answer the modules of their children.” Answer keys are also found in the module, which tempted the learners just to copy what is located in the answer keys without studying the entire contents of the module. Cheating, according to the teachers, is also rampant in this type of modality. These teachers’ experiences imply that they are unsure whether learners are learning in this type of modality.

*Theme 4: Assessing, evaluating, monitoring, and feedbacking are challenging for the teachers.*

In Modular-Distance Learning, the teachers faced challenges in assessing, evaluating, monitoring, and feedbacking on their students’ learning which they exposed from their stories.

*“It’s hard for us, the teachers, to assess the child’s progress. (P 7)*

*“There are various disadvantages of modular distance learning such as the students can’t fully grasp the necessary knowledge and skills and teachers could not have an accurate assessment of student’s learning.” (P 20)*

*“Teachers have lesser time in monitoring students’ progress due to multi-tasking activities such as attending seminars and meetings while printing the modules.” (P 27)*

*“It is difficult to assess learning since there is no assurance that the learners were the ones who accomplished the modules. Hence, effective and successful learning may be compromised.” (P 32)*

*“As a teacher, it is tough to monitor students’ progress. It is hard to distinguish if it’s really the student who answered the activities in the modules.” (P 34)*

*“It is difficult to assess effective learning among students.” (P 37)*

*“Providing of feedback is less given importance. Feedbacking is crucial towards learning especially with the idea that students are learning on their own. They still need to be monitored and guided.” (P 39)*

*“Modular Distance Learning is challenging for me starting from the delivery of the lessons to assessing.” (P 41)*

The teachers in the public schools have difficulties in assessing, evaluating, monitoring, and feedbacking. Jamon et al. (2020) opined that assessing, evaluating, and feedbacking are still important mechanisms to determine if learners are learning in the present setup in the Philippines (Jamon et al., 2021). In the same breath, Khan and Jawaid (2020) advocated the formative and summative assessment to measure what learners are learning and how much they have learned from their Self-Learning Modules.

The data tell that teachers have difficulties concerning those mechanisms. It is important to note that these are the crucial roles of teachers even before the pandemic. Hence, teachers were not prepared to adapt to the new mechanisms of assessing, evaluating, monitoring, and feedbacking learners. It is also worth noting that teachers are responsible for giving feedback to learners' submitted written works and outputs (Putri, 2020).

The implication of these challenges can be attributed to the preparedness of the Philippine education sector to implement Modular-Distance Learning. In this case, teachers have to endure, and learners have to persist.

*Theme 5:* Making, printing, distributing, retrieving modules, and marking answer sheets (MPDRM) are the new critical tasks of teachers.

The following teachers' narratives showed that making, printing, distributing, and retrieving modules became their critical roles.

*“My routine is to distribute modules and retrieve answered modules.” (P 2)*

*“My role in modular distance learning the following: communicate the parents, check the output and worksheets of my learners, and prepare the modules of my learners.” (P 7)*

*“My usual tasks are to make, print, distribute, retrieve the modules, check their outputs, and record them.”*

*“My role in modular distance learning is really great since I made some modules for the students; I printed and still going to print numerous modules for students. I have to print a lot of modules, and there are some reports that we need to give to the Division, which leads to time shortage.” (P 8)*

*“There are so many paper works, plus we have to make and print the modules, distribute and retrieve them. We barely have time to check their written outputs and projects, etc.” (P 9)*

*“My role in modular distance learning is to distribute and check it after my learners answer it.” (P 10)*

*“In MDL, distribution and retrieval is easy but checking, and monitoring is harder than I thought.” (P 11)*

*“I deliver and retrieve appropriate learning materials. I communicate and follow-up my students, check their papers, give them grades and feedback.” (P 19)*

*“Modular Distance Learning is challenging because we (teachers) are the ones who make the modules, print the modules, and distribute those to the parents.” (P 24)*

*“Teachers reproduce the learning materials as well as facilitate in the conduct of Retrieval/Distribution of printed learning modules.” (P 27)*

*“My roles are printing, modifying, distributing and checking of the returned activity sheets.” (P 38)*

*“My experience about MDL is that the retrieval of modules poses a problem for learners or parents don't pass on time that also affects the distribution. Parents also keep on complaining about how hard in answering the modules, for they are the ones who answer to pass it on time.” (P 42)*

The new tasks for teachers in Modular-Distance Learning in the Philippine public schools are making, printing, distributing, retrieving modules, and marking answer sheets. Before the

pandemic, teachers were already used to marking learners' papers. Meanwhile, teachers were not used to making, printing, distributing, and retrieving modules. These were on top of other paper works that teachers in the public schools have to accomplish.

The data imply that teachers' roles in Modular-Distance Learning are limited. This modality eliminates the most critical role of the teacher as the facilitator of the teaching-learning process. The facilitating of the learning process involves discussing, explaining, processing, and using pedagogies to make the learning meaningful and exciting.

This modality may cause the teachers to lose passion for teaching due to their new clerical tasks, which are routinely done. These tasks can lead to teachers' burnout. Bosquet (2012) previously found out that the common causes of teachers' burnout are paperwork, lesson planning, grading, and seminars. The consequence of teachers' burnout may lead to anger, frustration (Chang, 2009), or worse, anxiety, stress, or quitting the profession, Aliyyah et al. (2020) cautioned that pedagogical teaching, an essential aspect of a learner-centered teaching-learning environment, had been one of the most affected in a pandemic situation. Hence, it is imperative to capacitate teachers about the new pedagogical approaches for they not to lag behind and to continuously improve professionally. Moreover, the Department of Education must find mechanisms to lessen the teachers' workloads for them to effectively and efficiently fulfill their critical tasks.

*Theme 6:* There is a scarcity of resources to support Modular-Distance Learning.

Despite all the efforts of the government to support Modular-Distance Learning, teachers still experienced a scarcity of resources to support this learning modality that emerged from their responses.

*"There is a lack of resource materials like ink and bond papers. Printers are also easily damaged due to frequent use. No soft copies of SLMs are*

*also available, which caused a delay in the distribution of learning modules." (P 23)*

*"The printers used in the production of modules are very limited. The number of printers cannot accommodate the total number of teachers in the school. This opted the teachers, especially for beginning teachers like me, to wait for whatever printer was available. There is a lack of preparation time on the part of the teachers, especially in the case that there are limited resources in the production of modules." (P 27)*

*"There are not enough materials for producing the modules. There is also a delay of production of modules due to lack of crafted modules from the Central Office." (P 30)*

*"The struggle as a teacher on MDL is that we keep on waiting for the supplementary materials used for producing modules like ink and bond paper. Also, the slow internet affects the downloading of modules provided by the division office." (P 42)*

*"The government was not financially prepared for the MDL because in the schools, there are no photocopiers provided to us, and there are not enough bond papers, inks, and printers to reproduce the modules." (P 43)*

*"I have to buy from my own money bond papers and inks to reproduce the modules. When the MDL started, I had to use my personal printer just to print the modules." (P 44)*

*"Our school head scolded us when we had the modules printed in booklet type to save inks and bond papers, but she did not realize that we had not enough inks and bond papers to reproduce the modules." (P 45)*

Even before the pandemic, Philippine education, particularly basic education, has been experiencing a scarcity of resources, equipment, and facilities, such as books, computers, laboratory equipment, and the like. When the pandemic came, the Department of Education was also unprepared to face the challenges in these unprecedented times. However, it believes that learning must continue despite the current threat

of the COVID-19 virus. Hence, when the Department of Education adopted the Modular-Distance Learning modality, the scarcity of equipment and materials to support this modality became a challenge to all officials and employees of the basic education bureaucracy.

The narratives of the teachers suggest that more is still to be done to improve Modular-Distance Learning in the Philippines. Though it is not expected to perfect the delivery of this modality, at least in the future, the Department of Education can improve its implementation to lessen the burdens of the teachers who are its direct implementers.

## V. CONCLUSION AND RECOMMENDATIONS

Based on the teachers' accounts and narratives modular distance learning is challenging for both teachers and students. The retrieval of modules is demanding for the teachers. Students need teachers' guidance and facilitation of learning for them to learn during this pandemic. The resources for the students and teachers are minimal; thus, this pandemic has offered challenges and opportunities in the teaching and learning process. Monitoring and evaluation in implementing modular distance learning in the Philippines may be conducted.

Thus, modular distance learning implementation in the Department of Education needs to be evaluated and monitored to maintain and sustain excellence in education. The slow and safe opening of schools and the resumption of face-to-face classes must start the soonest possible to ease the tasks of teachers and for them to go back to teaching.

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# Perception and Practice on Flying Kite as Traditional Cultural Game: A Study in Bangladesh

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## ABSTRACT

Traditional activity is the reflection of a country's culture. Flying kites is a tradition of Bangladeshi culture. Over the decade, it has lost its previous stand [1]. So, it is rational to re-evaluate its tradition, culture, emotional attachment to the local community, social relations, and myth. The specific objectives were: assessing the perception (views and speculations) of the senior citizens who have witnessed the changing fortunes of this tradition, exploring the current practice and perception of traditional Bangladeshi culture of flying kites among practitioners and non-practitioners and comparing the perception of flying kites as traditional Bangladeshi culture among seniors and the current generation.

*Keywords:* kite, bangladeshi community, senior citizens, district, current generation.

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# Perception and Practice on Flying Kite as Traditional Cultural Game: A Study in Bangladesh

Md Faisal Hossain<sup>α</sup>, Nafiul Khalid<sup>σ</sup> & Dr. Rafia Rahman<sup>ρ</sup>

## ABSTRACT

*Traditional activity is the reflection of a country's culture. Flying kites is a tradition of Bangladeshi culture. Over the decade, it has lost its previous stand [1]. So, it is rational to re-evaluate its tradition, culture, emotional attachment to the local community, social relations, and myth. The specific objectives were: assessing the perception (views and speculations) of the senior citizens who have witnessed the changing fortunes of this tradition, exploring the current practice and perception of traditional Bangladeshi culture of flying kites among practitioners and non-practitioners and comparing the perception of flying kites as traditional Bangladeshi culture among seniors and the current generation. This was a cross-section, quantitative and explorative study. The period was from January 2020 to August 2022 in eight divisions of Bangladesh. Senior citizens aged 60 to 85 and current generations aged 15 to 18 were the research respondents. A purposive and selective method of sampling was used in this research. After taking verbal informed consent to participate in this research, the research questions were asked and recorded. Selected 500 young individuals from all over the country randomly varied geographically: Urban, Suburban, and Rural. Forty senior citizens from eight divisions of Bangladesh were senior citizen respondents. A semi-structured set of questionnaires were prepared. Data collection techniques were: observational reporting, focus groups, and one-on-one interviews. The study explored that senior citizens perceive flying kites has seen a golden time in their life span, and they recommend it's very important to cherish this culture. Current citizens don't practice this culture of flying kites as they are engaged mostly in digital platforms for their leisure. The study*

*concludes with the recommendation that cultural societies are ardently required to come forward to keep this tradition alive. Further study is required to identify feasible approaches for the national stakeholders to leap into action.*

**Keywords:** kite, bangladeshi community, senior citizens, district, current generation.

**Author α σ ρ:** Mirzapur Cadet College, and Dhaka University, Bangladesh.

## I. INTRODUCTION AND BACKGROUND

Culture shared social behaviours, beliefs, values, institutions, norms, customs, or practices – is the way of life of a group of people, learned by enculturation and socialization and presented in the form of material culture such as art, music, dance, habits, symbols, ritual, religion, technologies [2]. Kite flying in Bangladesh is part of the shared history and culture of the Indian subcontinent. The tradition of kite flying in undivided India is ancient and believed to have been brought into this country by Chinese travellers Huin Tsang and F Hien [3].

*In January 2012, the Bangladesh Kite Federation organized a National Kite Festival at Cox's Bazar Laboni Beach Point. The event was a great success, with a vast stretch of beach accommodating all the enthusiastic kite flyers and spectators, spectacular weather conditions, and a range of festivities. Besides, 'Shakraim' is observed yearly on Jan. 14-15 with thousands of colourful kites. Old Dhaka has been a venue for annual kite flying festivals going back to the Mughal era of Bangladesh. From the Nawabs of Subah Bangla of the Mughal Empire to Governor of 200 years of British rule, to the partition of British India and chained again as East Pakistan, to the victory of December 16, 1971[4]; the land was named*

differently with time but the culture, even after derivations, variations and changes, remains as the Culture of Bengal. Kite flying is a part of the unique culture of Bengal. Historically, every tradition is treated differently, but together form a lifestyle and an identity.

According to locals, with time, the festival has adapted new features. Only two days left till Shakrain, but the thrill of the festivities can be felt in the air of Luxmibazar, Shankari Bazaar, and Gandaria. A lot has changed during these years of celebrating it. Initially, Shakrain was all about sharing the joy of flying kites in the Poush (Bengali Season) air and enjoying the delightful tastes of winter pithas (cakes) with near and dear ones. Before the liberation war of 1971 and the birth of Bangladesh, Bangladesh was a part of Pakistan, British India, Subah Bangla, and Bengal.

Human values sculpt our decision-making, and our actions frame actions of posterity since a previous preference causes volition. Modernization does not mean leaving previous customs while coping with the new. "Kite- flying happens, but not on the same scale as before. The young adults and children -busy making kites in different shapes and colours, preparing threads while learning techniques to fly kites on the roof - are no longer a picture we get to see. Mahfuzur Rahman, General Secretary of Bangladesh Nriyashilpi Sangstha, thinks change is inevitable. "Everything in this world has gone through change or modification. Modification is tolerable to a certain extent, as long as the essence doesn't get lost," he added. The average flying and kite sales are not the same as before, proving people are shifting to new factors to celebrate their festivals. In the name of urbanization, technological advancements, digital substitutes, busy schedules, updated lifestyle and status, and lack of opportunity, the present generation is living virtually or caged. Due to lack of practices, many traditions or cultures like Kite Flying are on the way to extinction. According to the Kaiser Family Foundation, kids ages 8-18 now spend, on average, a whopping 7.5 hours in front of a screen for entertainment each day, 4.5 of which are spent watching T.V. Over a year, that adds to 114 full days—watching a screen for fun [5].

The civilians focus more on the virtual world, hiding these practices from the present and upcoming generations in the dark and unknown. Development with the pace of the developing world is better but not leaving our social practices behind, which build our culture.

As there isn't any previous instance on the research of Bangladeshi kites, the methods used to approach the art historical point of view of kites were fully archival studies of papers that weren't particularly Bangladeshi by origin.

So, it is very rational to explore the practice and perception of the Bangladeshi community on their native traditional culture of kite flying.

*Objective:*

The study aims to explore the present practice and perception of the Bangladeshi community on their native traditional cultural flying of kites.

*Specific objectives:*

- To assess the perception (views and speculations) of the senior citizens who have witnessed the changing fortunes of this tradition.
- To explore the current practice and perception of traditional Bangladeshi culture of flying kites among practitioners and non-practitioners.
- To compare the perception of flying kites as traditional Bangladeshi culture among seniors and the current generation.

*Research question:* This study answers the question of "what is the current practice and perception of the Bangladeshi community on their native traditional culture of flying a kite?"

The entire paper is organized in literature review, methodology, result and discussion, and conclusion and recommendation, following the scientific research steps.

## II. LITERATURE REVIEW

### 2.1 Kites in a World Perspective

In the history of flight, the first lighter-than-air balloon (1783) and the first powered aircraft (1903) are very recent compared to kites' age [6].

The kite's exact dates and origin are unknown, but it is believed that they were flown in China for the first time.

The earliest written account of kite flying was about 200 B.C., when the Chinese General Han Hsin of the Han Dynasty flew a kite over the walls of a city, he was attacking to measure how far his army would have to tunnel to reach past the defences. Knowing this distance, his troops entered the city, surprised their enemy, and were victorious [7].

During World War I, the British, French, Italian, and Russian armies used kites for enemy observation and signalling [8]. The German Navy continued to use man-lifting box kites to increase the viewing range of surface-cruising submarines. In World War II, the U.S. Navy found several uses for kites. Harry Saul's Barrage Kite prevented aeroplanes from flying too low over targets. Pilots lost at sea raised the Gibson-Girl Box kite so they could be found. And Paul Garber's Target Kite, a sizeable steerable Diamond, was used for target practice and aircraft recognition at sea [9]. In Australia, the Festival of the Winds is an annual international kite flying event and competition held every September in Waverly, the famous beach suburb of Kingston [10]. In Micronesia, kite-flying is practised as a religious function. In Micronesian kite culture, Kite fishing is remarkable. Some of the earliest documentation of kite fishing comes via European explorers in the late 1500s, who witnessed Southeast Asian fishermen in a canoe using a kite and two lengths of cordage — one that served as kite line and one that served as fishing line [11]. In Brazil, the traditional kite is called 'Pipa.' In Chile, kites are very popular, especially during Independence Day festivities (September 18).

In Greece and Cyprus, flying kites is a tradition for Clean Monday, the first day of Lent. In the British Overseas Territory of Bermuda, traditional Bermuda kites are made and flown at Easter to symbolize Christ's ascent. In Fuerteventura, a kite festival is usually held on the weekend of November 8, lasting for three days. Washington State International Kite Festival is North America's largest kite flying celebration.

In Pakistan, kite flying is often known as Gudi-Bazi or Patang-Bazi [12]. Kite flying is a well-known ritual of spring festival celebration known as Jashn-e-Bahrain. Pakistan has its tradition of the Basant Kite Flying Festival, a springtime kite flying event during the Basant Panchami festival in Punjab [13].

In the Indian subcontinent, the practice of kite flying was gradually replaced by the sport of kite fighting with the arrival of Mughal rule. In 1610, after capturing Dhaka, the largest subdivision of the Mughal Empire was formed, including Bangladesh and a few Indian states [14]. From then, Bangladesh witnessed and absorbed the culture of the Mughals. Kite flying was one of the many different forms of entertainment of the elite people of Dhaka in the Mughal period.

It is customary to give gifts in Gujarat, and Gujarati pundits grant scholarships to students for higher studies in astrology and philosophy. Celebrated on January 14, Uttarayan also marks the biannual change in wind direction, an event crucial to the traders who have sailed from the coasts of Gujarat since the times of the Indus valley civilization [15].

In Maharashtra, Uttarayan is celebrated as the harvest festival. The custom is to exchange a sweet preparation called *til-polis*, or *til laddu*, a sweet prepared of jaggery and sesame seed, as a token of love.

In Karnataka, the Kite festival is celebrated with families exchanging platters of sesame seeds mixed with fried groundnuts, jaggery, coconut pieces, candy, and sugarcane. This last symbolizes the sugarcane harvest, and the ritual is called *Ellu Birodu* [16].

In Mathura in Uttar Pradesh, kites are flown during Dussehra, which falls in mid-October or early November, to celebrate the victory of good over evil. Basant Panchmi, the arrival of spring, is celebrated in the Punjab region (both in India and Pakistan) with the flying of yellow kites.

Delhi flies kites on August 15 to celebrate the nation's Independence. On this day, kite flying is symbolic of the freedom to soar, alongside the

responsibility to control and sustain one's progress, to reach greater heights as a nation. Kites are often flown in the capital during the Republic Day celebrations of January 26 [17].

### 2.2 Introduction to Bangladeshi kites and related festivities

After 1971, Independence allowed us to modify and structurize our culture. In Bangladesh, Shakrain Festival is nationally celebrated like Uttarayan. Though it is mainly celebrated around the southern regions of Dhaka, people of all localities celebrate it too. Especially at the Chittagong Festival, kite fighting is a favourite attraction where people from other localities come to challenge each other. During the dawn, beside the seashore, on a wood fire on the sides of the beach, the kites twinkle like evening stars over the setting Sun. In northern Bengal, especially in Rajshahi, Rangpur, and Mymensingh, kite

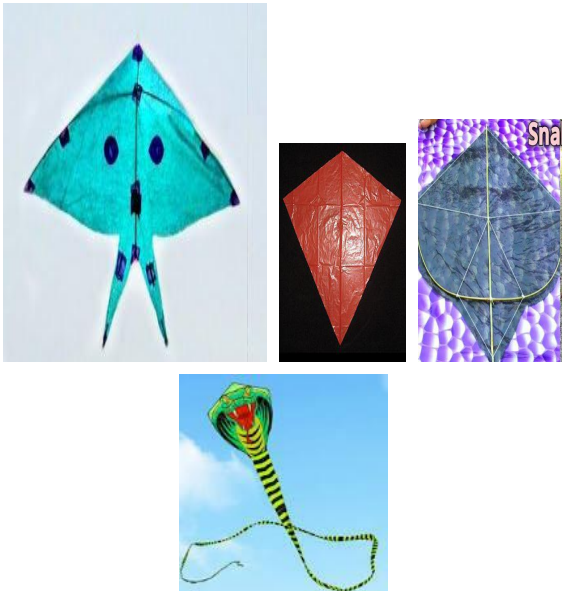
fighting organized by local organizations are well competitive and celebrated. In Khulna and Barisal, people, especially the children, fly kites competitively but not for particular purposes. In rural areas, kite flying is one of the mediums of outdoor recreation for children.

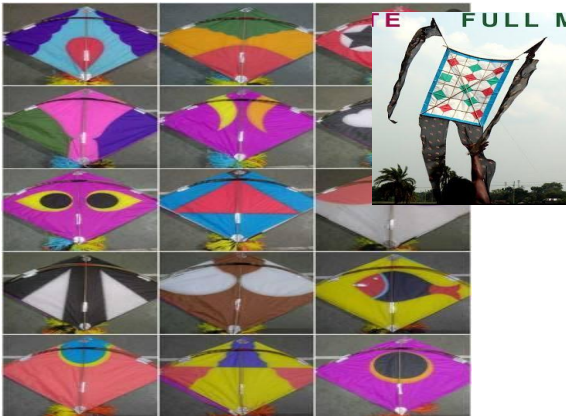







### 2.3 Classification and Etymology of Bangladeshi Kites

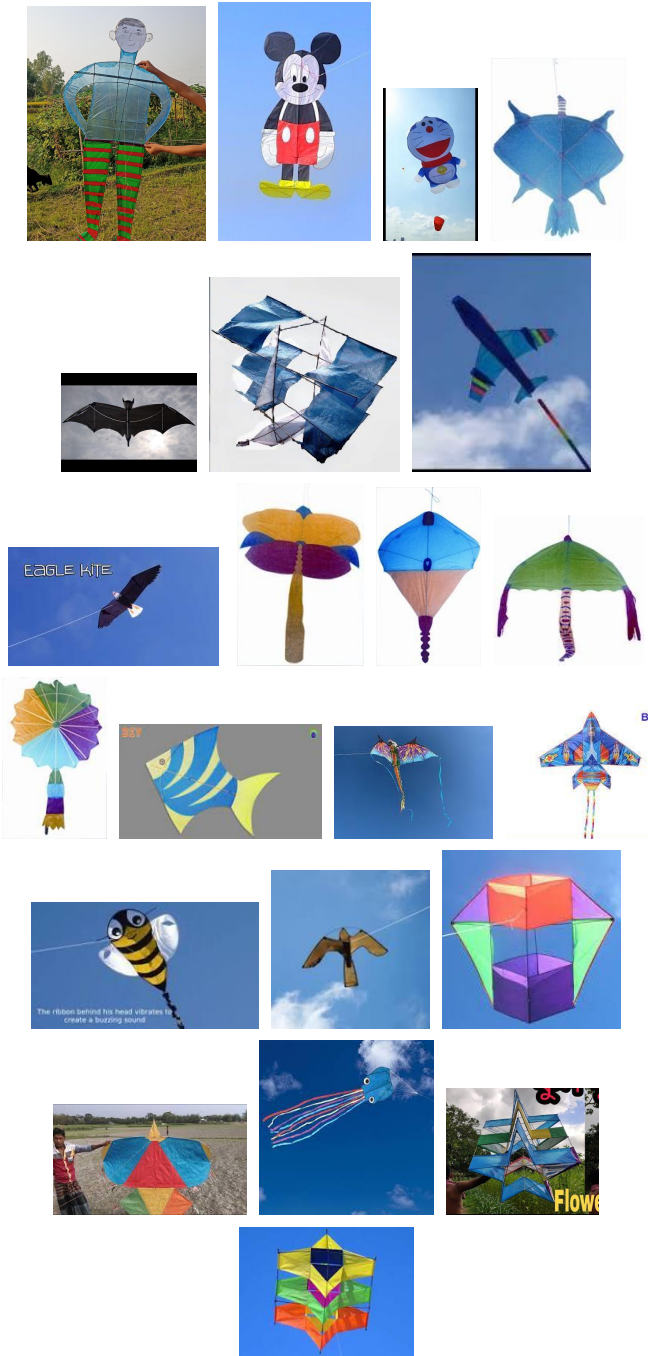
In Bangladesh, kite flying has been prevailing for three categorical purposes. They are primarily based on the difficulty level of making procedures of those kites. The genres are:

- Kites which children fly, i.e., very basic shaped kites
- Kites which are flown by adults for pastimes but are very artistic
- Kites which are made keeping the competitions in mind

We found 50 distinguished kites in practice; these are:

Shapes	Names	Kites
Triangle (stand)	Rupchanda Kite, Diamond Kite, Shapa ( hapa, haipa, haipe), Snake	

<p>Rectangle</p>	<p>Patang (Dui kuada, Gayaldar, Shadadar, Lovedar, Nakdar, Chokhdar, Chikonchokhdar, Maldar, ShalerGhuri, Gorudar, Kolshilej, Machlej), Chong, Duari, Guddi, Koure</p>	 
<p>Square</p>	<p>Lonthon, Multibox (Baksho), Square(cross shola), Cellular Ghuri</p>	   
<p>Circle</p>	<p>Rotor kite (ghinni kite), Fanush</p>	 

<p>Complex</p>	<p>Humanoid (cartoon characters mickey mouse, Doraemon), Turtle, Bat, Boat, Aeroplane, Eagle, Butterfly, Top, Umbrella, Star, Fish, Dragonfly, Jet, Bee kite, Bird, Rocket, Feiska (feiskuilla), Dragon, Octopus, Flower, Carambola</p>	 <p>The image displays a wide variety of kites. At the top left, a person holds a large human-shaped kite with a blue torso and red-and-green striped legs. Next to it is a Mickey Mouse kite with red shorts and yellow shoes. Other kites include a blue fish, a bat, a sailboat, an airplane, an eagle, a bee, a butterfly, a star, a flower, and several colorful geometric shapes like squares and diamonds. Some kites are shown in flight against a blue sky, while others are being held or displayed on the ground.</p>
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### III. METHODOLOGY

This was a cross-section, quantitative and explorative type of study. The period was from January 2020 to August 2022 in eight divisions of Bangladesh. Senior citizens aged 60 to 85 and current generations aged 15 to 18 were the research respondents. A purposive and selective method of sampling was used in this research. Five kite experts on flying kites in each division were the study's sample. Five (05) experts from each of eight divisions were sample size for

seniors, a total of [(8X5) =40] forty in number. After taking verbal informed consent to participate in this research, the research questions were asked and recorded. Selected 500 young individuals from all over the country randomly varied geographically: Urban, Suburban, and Rural. The researchers took the rural interviews in person because of the lack of a digital communication medium. The urban and suburban questionnaires were run through zoom meetings and social media texting. The answers

were recorded, assigning the responder's name with them. The interviewees did the questions voluntarily. A semi-structured set of questionnaires (enclosed in the annexure) we created was mainly to determine precisely the reason and time for the separation of Bengali people from the widespread practice of kite flying and, later on, to have a profoundly reflective analysis of the current situation of this complex culture. The questions were intentionally designed to be conversational to give the responders greater scope and turn while answering our questions. And every question reflected relevance to the targeted cultural practice: kite flying according to what they have experienced over the years. Data collection techniques were observational reporting, focus groups, and one-on-one interviews.

#### IV. RESULTS AND DISCUSSION

##### *4.1 Perception (views and speculations) of the senior citizens who have witnessed the changing fortunes of kite flying tradition):*

###### *4.1.1 Falling into the practice of kite flying*

When the survey of the kites was taken in 2021, the average responders of this sample size were in their 70s to 80s. The golden time, according to them, is between the 1960s-1970s, and that's when my subjects started to affiliate themselves with the practice of kite making and flying. The story goes before the liberation of Bangladesh in the 1950s. At that time, kite flying was practised in every locality (Zillas and Upazilas). Peer influencing was one of the fundamental outlying facts behind attracting more kids to share the pleasure of spending time flying a kite. In an interview, one senior named Franchise Hajong said in their 10s, they didn't have any virtual leisure time spending option available to them. Available options mostly revolved around outdoor sports and free movements with peers, allowing them to have in-person interactions regularly, transmitting the passion for kite flying from one individual to another. Bangladesh is a diversified nation with many tribes besides Hindus, Muslims, Christians and Buddhists. That allowed them to have a lot of mixed cultural festivals and gatherings from the onset of her journey. And this

allowed the spread of kite flying amongst the attendants of those festivals.

###### *4.1.2 Disseminating to the next generation*

The interviewees made the point clear that their immediately followed generation (the 1980s-1990s) had the same vigour and practices of kite flying and related festivities. According to the study subjects, this generation wasn't responsible for the changing fortune of kite flying. They didn't teach or instruct their kids in pen and paper to practice kite flying; instead, the social moulding automatically forebore that culture within them. But according to the senior citizens, the next generation of their kids means the 3rd generation was the one which started to drift away from kite flying.

###### *4.1.3 A radical change indeed*

The practice of kite flying and related culture is radically declining. Apart from the formal festivities, respondents didn't see any instance of kite flying other than in the villages in the last decade. The burning example they cited was 03 different spots: Sutrapur, Old Dhaka; Bhajahari Lodge, adjacent to Eye Care Hospital; central Jame Mosque, where it used to be a huge kite flying over the years. Unfortunately, those lively kite flying practices sites have long been lost entirely. Another example was the probable number of kites flown in the Shakrain festivals of Old Dhaka. In the 1980s, the number of kites flown two days in Shakrain used to be more than 10,000 in total, whereas the number of kites flown now is barely 1000. That too, apart from festivals, kite flying is quite rare.

##### *4.2 Current practice and perception of flying kites among practitioners and non-practitioners:*

###### *4.2.1 Familiarity with kites*

The observation indicates that the rural people are more interested and involved in kite culture than their urban and suburban counterparts. 95% of the rural surveyed claimed that they have flown a kite in their lifetime or seen someone flying a kite in person. This practice helps grow interests among others to have a try. Involvement and

practices are the main driving force behind the prevailing existence of kite culture in rural areas amongst the present generation. The perspective shifts radically in the sub-urban region. The response has a dramatic shift to 50% cases of encountering. Amongst 20% of suburban respondents, the idea of kite flying was still a foreign concept, while 30% had slight touch with this culture. The downward spiral in the trend of this material culture is predominant in the more densely populated and urbanized area. The metropolis lifestyles radically changed our way of thinking and options of alternate activities, which spoke itself when only 5% of urban respondents ever flew a kite; this too was possible because they had their early childhood in the rural areas.

#### *4.2.2 Kite flying heritage across family decedents*

The present generations were asked to recall the stories or anecdotes regarding kites flying from their fatherly figures. As predicted, it followed the same gradual declination until the urban respondents sparked an irregularity. Rural responders' heritage and tales of kites flying from their elders resonated in 100% of the survey. The rural respondents confirmed that 95% have indeed connected with their fore generations about this practice of kite flying; the rest, 5%, were not sure but hazily recalled getting the luck. The sub-urban interviewees also slowed 78% in their cohesion with kites following the footsteps of their elders. However, 22% of the respondents couldn't actively recall any such instance. In the urban counterpart, 50% of the responders assured us about hearing kite flying tales from their seniors in the family. But they didn't take any further interest in experiencing it alone.

#### *4.2.3 Kite flying as an outdoor recreation*

With the advancement of time and technology, young generations are not interested in the same leisure choices as before. Competitive industrial lives have allowed the present agers to advance towards a more readymade mode of indoor recreations, leaving behind the outdoor ones. It directly affected the practice of folklore activities, motivating the researchers to ask the respondents about their views of kite flying as outdoor

recreation. In rural regions, 90% were interested in kite flying at weekends. In Suburban and urban areas, the agreeability of flying a kite on a weekend day dropped to 60% and 40%, respectively. With a diverse array of leisure options and less acquaintance with kite flying, the young Bangladeshi generation of this era opted not to perform too many outdoor activities, including kite flying.

#### *4.3 The comparison of the seniors' and young generation's perspectives regarding kite flying culture:*

The research subject seniors' perspectives were broader in a subjective analysis. In contrast, the responses from the junior perspectives were more myopic and personal level reasons of their attachments/ not attachments with this hard culture. A declining trend in folklores was observed from rural to suburban to urban. The seniors did their best to disseminate this culture to the young generations (60% of the urban responders heard about their seniors sharing the tales of kite flying). Still, the course didn't gain widespread attention in urban areas. The main reason behind this is the reluctance of the urban youths to delve into this culture. It was bolstered when 60% of urban youngsters heard stories but showed no pragmatic interest in doing so.

## V. CONCLUSION AND RECOMMENDATION

Bangladesh has undergone a massive industrial revolution causing a reshuffle of the mass economy after the liberation war of 1971[18]. This phenomenon changed the lifestyle of people tremendously. Digital devices and indoor and outdoor sports from the western hemisphere were diluted with Bangladeshi cultural practices [19]. As mentioned earlier, the advent of cultural diversification resulted in a preference change. Mass media broadcasted the overseas affairs and their cultural contents, leaving our practices aside, combining which all in return accelerated the decline of Bangladeshi folklore practices; kite flying was one of them. The main reason behind the extinction of any course or tradition is the lesser interaction and interests of the affiliated

people. Kite flying is a social activity, the existence of which is renounced in the practices of hundreds of years from the histories of Asia and Europe [20]. After juxtaposing the observation of two Bangladeshi generations in the 1960s and 2000s, two completely different views and interests regarding kite flying evolved.

Infuriation of the cultural practice of kite flying with the current generation started just after the urbanization and a huge generation gap: separating the modern generation from their grandparent generation. The golden culture of kite flying is declining rapidly. Cultural societies must come forward to keep this tradition alive, and further study is required to identify feasible approaches for the national stakeholders to leap into action.

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# The Movement towards Sustainable Development in Tamil Nadu, India

*Sivakumar, Iyyanar & Manimekalai, Kalidasan*

## ABSTRACT

The Tamil Nadu state has established significant policies and programmes to carry out the objectives outlined in the United Nations Millennium Declaration, which emphasises the significance of raising the standard of living for the most vulnerable groups. The study aims to find out the socio-economic, education, and health status as well as the various development policies and programmes that were implemented by the Tamil Nadu state during 2011–2015. The research finding shows that the Tamil Nadu state made significant efforts to reduce poverty, violence, infant mortality, maternal mortality, access to safe drinking water, energy, communication technology, and increase human capability, education, and women's workforce through the implementation of numerous effective policies and programmes.

*Keywords:* poverty, dignity, education, employ- ment, equality & sustainability.

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# The Movement towards Sustainable Development in Tamil Nadu, India

Sivakumar, Iyyanar<sup>α</sup> & Manimekalai, Kalidasan<sup>σ</sup>

## ABSTRACT

*The Tamil Nadu state has established significant policies and programmes to carry out the objectives outlined in the United Nations Millennium Declaration, which emphasises the significance of raising the standard of living for the most vulnerable groups. The study aims to find out the socio-economic, education, and health status as well as the various development policies and programmes that were implemented by the Tamil Nadu state during 2011–2015. The research finding shows that the Tamil Nadu state made significant efforts to reduce poverty, violence, infant mortality, maternal mortality, access to safe drinking water, energy, communication technology, and increase human capability, education, and women's workforce through the implementation of numerous effective policies and programmes. As a result, Tamil Nadu has emerged as one of India's model state. The research concludes that the state has made notable achievements in the MDGs and is making great progress towards achieving the SDGs.*

**Keywords:** poverty, dignity, education, employment, equality & sustainability.

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## I. INTRODUCTION

Global countries have approached a milestone for development by 2015 (MDGs). The Millennium Development Goals (MDGs) are the cornerstone of a development agenda that prioritises the needs of people, although they are set to finish in December 2015. As a result, world leaders adopted a new set of transformative and universal

Sustainable Development Goals (SDGs) as part of the post-2015 development agenda during the United Nations General Assembly in September 2015. The Sustainable Development agenda seeks to ensure that the momentum generated by the MDGs is carried forward beyond 2015 to achieve not just substantial reductions in poverty, hunger, and other deprivations but finally end them to provide a life of dignity to everyone (UNDP, 2015).

As a signatory to the historic Millennium Declaration adopted at the United Nations, India has remained committed to eliminating poverty and other scarcities. Achieving the MDGs is a core development challenge for India. The Indian government has reinforced this priority through the principle of Sabka Sath, Sabka Vikas (everyone's support, everyone's development, with everyone's trust) (Govt. of India & UN, 2018). It has urged Indians to work together towards triumph over poverty, illiteracy, environmental degradation, lack of sanitation, and gender inequality, which are all fundamental MDG tasks.

According to India's former United Nations Resident Coordinator, Mr. Yuri Afanasiev, India has one of the fastest-growing economies in the world. It is in a strong position to deliver on its national development priorities as well as on the globally agreed-upon 2030 Agenda for Sustainable Development. India has also provided leadership in shaping the SDGs, particularly in ensuring that the voices of developing countries find prominence in the global discourse. It is no surprise that several of India's development priorities are mirrored in the SDGs. It is projected to be the most populous and youngest country in the world by 2024. India's contributions will be indispensable to the achievement of the SDGs globally. India is embarking on a long-term

visioning exercise aligned with the SDGs. The government is committed to inclusive growth and has launched many national programmes to achieve, within a short period, ambitious goals such as rural electrification, sanitation, housing for all, clean and renewable energy expansion, universal elementary school education, smart cities and skills development, to name just a few. These will determine the success of SDGs both in national and international contexts (Govt. of India & UN, 2018).

The Indian state of Tamil Nadu is committed to enhancing the lives of those in disadvantaged groups. Hence, special preference has been given to the vulnerable sections of society to improve their standard of living. Accordingly, the government provided mid-day meals for school-going children; free electricity for farmers; dairy animals for women; and free grinders, fans, and food processors. The government of Tamil Nadu implemented different development policies and programmes during 2011–2015 with the ideas of eminent personalities. The policies and programmes were implemented by the state, which is perfectly in tune with the SDGs.

## II. RESEARCH METHOD AND OBJECTIVES

The main aim of this study is to assess socioeconomic, educational, and health conditions as well as analyse the various development policies and programmes that were implemented by the Tamil Nadu state during 2011–2015. The study was conducted with the available secondary sources. This research paper covers the different policies and programmes the Tamil Nadu state has put in place to meet the basic requirements and aspirations of its residents and demonstrates how well they have been carried out during 2011–2015. Throughout this time, there has been an extraordinary convergence of vision in the priorities of Tamil Nadu state's planned Sustainable Development Goals. The Tamil Nadu state policies and programmes are designed to make development economically, socially, and environmentally sustainable while eradicating poverty and deprivation in all of its manifestations.

## III. ERADICATION OF EXTREME POVERTY AND HUNGER

According to estimates from the 2018 global Multidimensional Poverty Index (MPI) released by the United Nations Development Programme (UNDP) and the Oxford Poverty and Human Development Initiative, India has made momentous progress in reducing multidimensional poverty. The incidence of multidimensional poverty has almost halved between 2005–06 and 2015–16, climbing down to 27.5% from 54.7%. As per the report, within ten years, the number of multidimensional poor people in India fell by more than 271 million, from 635 million to 364 million (UNDP, 2019).

In the case of Tamil Nadu state, fair-priced shops are running in almost all areas. The fair-priced shops provide the necessities, including rice, sugar, wheat, cooking oil, kerosene, dhal, tea powder, salt, and soap, at extremely low costs. Apart from these shops, the state has also opened Amma Unavagam (the state opened in the name of a mother's canteen). These canteens offer affordable, hygienic, and nutritious cuisine from morning till night. The canteen provides advantages to a variety of population segments (Social Welfare and Nutritious Meal Programme, 2015). The MDG-1, namely the eradication of extreme poverty and hunger, is achieved directly through this. In addition, these canteens are managed by the women of the Self-Help Group who belong to this zone. By providing employment opportunities for women in Amma Unavagam, is a way to indirectly deliver on MDG-3, which promotes gender equality and women's empowerment. A healthy and hygienic diet helps people stay healthy, and the quality of the food supply is regularly monitored by the state. These canteens help people a lot to avoid platform hotels, where food is prepared in an unhealthy manner and in an unhealthy environment. By avoiding the food of this small hotel by the road, people will protect themselves from cholera, jaundice and other viral and communicable diseases. As a result, it has met MDG 6.

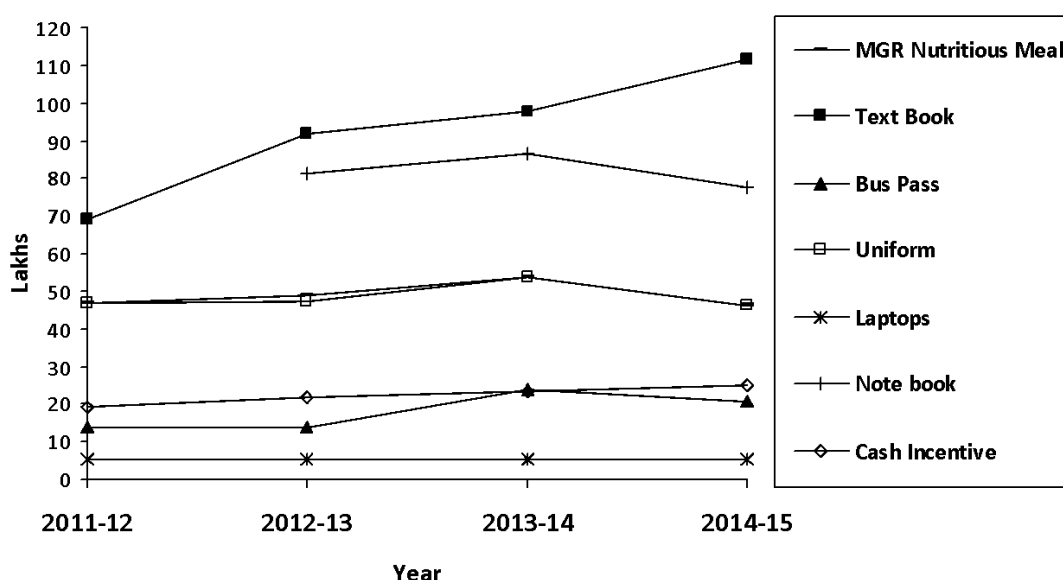
The poor school-going children, for whom having a good breakfast remains a very big dream, can have breakfast at a low cost of ₹5 in these canteens. Healthy food increases the concentration power of the students, leading to higher education and employment status, which automatically raises the economic status of the state. People in general think that these canteens represent a financial burden for the government. The study reveals that this is not an expenditure or a burden on the government, but simply an investment. It provides complete, healthy, and hygienic food for the working class and poor students, thereby reducing the expenses for health services and interns and reducing the hunger rate in society. The southern states of Tamil Nadu, Kerala, and Andhra Pradesh have seen the most success in poverty reduction and are also among the Indian states with the highest rates of health coverage, which is critical for poverty avoidance.

#### IV. ACHIEVE UNIVERSAL PRIMARY EDUCATION

Education is crucial for the development of a country or state. To improve the resources, peace, and happiness in society, it is a must that the literacy level of the state is high. Immediately after independence, the government of India

made various efforts to enrol all children in school, but that remained a failure. India aims to provide all primary and secondary students with a quality education and to date, only the Southern and Western States have come closest to this goal (Agrawala, R. 2014). Lower perceived value of education results in higher dropout rates. India is working to reduce its average annual dropout rate to 10%, which some states have already accomplished, including Tamil Nadu, Himachal Pradesh, and Punjab. Tamil Nadu is the most populous state, with a net primary and secondary enrollment ratio of 93%, the same as Delhi. India has made considerable gains in promoting literacy and education and expanding the network of educational institutions. Adult literacy increased from 61% in 2001 to 71% in 2014 (National Sample Survey 71st round).

The Tamil Nadu state has implemented effective schemes to improve the Gross Enrolment Ratio (GER), quality, and access to education. The state provides free books, uniforms, bicycles, laptops, bus passes, special cash incentives and lunches for children attending school (Figure 1). To assist the underprivileged children in the village to receive a healthy education, the state has provided these fundamental necessities for government and government aid schools.



Source: School Education Department (2015): Policy Note 2015-16, Tamil Nadu: Government Press.

Figure 1: Number of School Children Benefited by the Government Schemes during 2011-15

**4.1 Noon Meal:** Free Noon Meals under the Puratchi Thalaivar MGR Nutritious Meal Programme are provided to the students in 1st to 10th standards. Under this scheme, 46.88 lakhs students benefited in the academic year 2011–2012; 48.63 lakhs, and 53.40 lakhs students benefited in the academic years 2012–2013 and 2013–2014 respectively. During 2014–15, 46.29 lakhs students benefited.

**4.2 Textbook:** Textbooks were distributed to 69.25 lakh students in 1st to 12th standards in 2011–2012. In the year 2012–2013, after the introduction of continuous and comprehensive evaluation and trimester, textbooks were provided to 92 lakh students studying in 1st to 12th standards. In the year 2013–2014, 97.70 lakh students benefited, and in the year 2014–2015, 111.29 lakh students benefited.

**4.3 Bus Pass:** Free bus passes are provided to students from 1st to 12th standard in all government and aided schools to enable them to have access to school. Under this scheme, in the year 2011–2012, 14.02 lakh students; in 2012–2013, 14.02 lakh students; in 2013–2014, 23.73 lakh students; and in 2014–2015, 20.57 lakh students have enjoyed the benefit.

**4.4 Uniform:** The number of free uniforms for school students has been increased from one set to two sets in 2011–2012 and four sets for the academic year 2012–2013. In the years

2011–2012, 46.88 lakh, 2012–2013, 47.07 lakh, 2013–2014, 53.54 lakh, and in the year 2014–2015, four sets of uniforms were distributed to 46.29 lakh students. The first sets of uniforms were issued on the day of the reopening of schools.

**4.5 Laptop:** In the academic year 2011–2012, laptops were provided to 5.31 lakh students; to 5.35 lakh students in 2012–2013; in 2013–2014, laptops were provided to 5.50 lakh students; and in 2014–15, 5.40 lakh laptops were provided to students.

**4.6 Notebook:** For the first time, notebooks were supplied to students from the year 2012–2013. Notebooks were distributed to 81.02 lakh students in 1st to 10th standards. A total of 86.71 lakh students benefited in the academic years 2013–2014 and 77.66 lakh students benefited in 2014–2015.

**4.7 Special Cash Incentive:** A special cash incentive scheme has been introduced in the academic year 2011–2012. Through this incentive scheme, an amount ₹1500 of students studying in the 10th and 11th standards, and ₹2000 provided to students studying in the 12th standard. In the year 2011–2012, 19.10 lakh students; in 2012–2013, 21.52 lakh students; in 2013–2014, 23.21 lakh students; and in the year 2014–2015, 24.76 lakh students benefited.

*Table 1:* Children Out of School and Dropout Rate during 2011–2015

Year	No. of Children out from School	Achievement	Dropout Rate	
			Primary	Upper Primary
2011-2012	63178	55758	0.95	1.74
2012-2013	53832	47684	0.93	1.70
2013-2014	51447	46737	0.95	1.65
2014-2015	43024	42245	0.94	1.58

*Source: UDISE and Monthly Reports, 2016*

The Tamil Nadu state has made efforts to reduce the dropout rate (Table-1) at the upper primary level from 1.74% in 2011–12 to 1.58% during

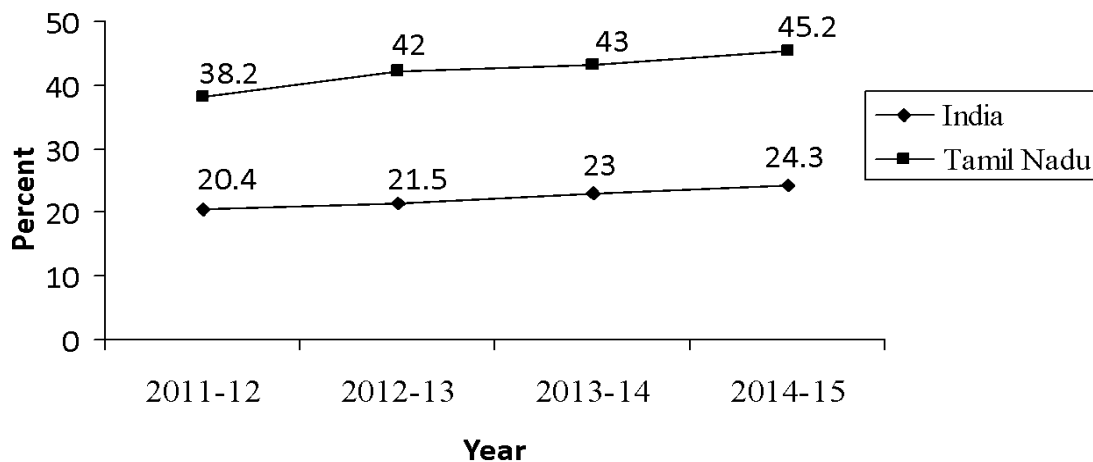
2014–15. According to the Ministry of Human Resource Development's report 2014–15, Tamil Nadu had the lowest percentage of children out of

school at the elementary level. It is only 0.66% among the large states like Karnataka (1.49%), Kerala (0.82%) and Andhra Pradesh (0.91%). In Tamil Nadu, out-of-school children are much lower than all India's percentages, which is 2.97%. The interventions detailed above have played a crucial role in the state's efforts to reduce children's absence from school. To increase the enrolment ratio, the government provided special scholarships; four sets of uniforms; foot wares; books; coloured pencils; atlases; geometry boxes; mid-day meals; bicycles; and bus passes for government and government school-going children. The state is very concerned about adolescent girls who attend school and are not familiar with menstrual hygiene practices. As a result, the government provides free sanitary napkins to help them feel comfortable during menstruation. It helps the girls focus on their studies and also maintain their hygiene.

At the same time, the state is focused on higher education too. The state of Tamil Nadu is the first in India to take steps towards bringing eminent personalities from foreign universities to frame the curriculum to meet the world's standard education. Children aspire and dream of getting an education abroad. But for economically weak students, though meritorious, it remains a hard nut to crack. Keeping in mind the lives of these economically backward and studious students, the state has set up a "study abroad" program to make their dreams come true. Initially, 50 students from various government colleges have been selected for this program, and they are in different universities and colleges in the United Kingdom for six months (one semester), along with ten teachers. This scheme has given them the opportunity to expose themselves to the outside world and it also helps them to get knowledge about the western education system. The state has also set up a video conference facility at all universities in Tamil Nadu. To develop that connection, effective communication is needed. Thus, language labs are established in all universities to develop the language skills of students in various languages. It tries to train students on an equal footing with world-class quality.

Today, technology has become a part of our life. It is extremely useful in communicating our ideas to others. Hence, the government has decided to provide free laptops for school students. Through this scheme, 21.72 lakh students benefited from 2011–15 (School Education Department, 2015). Above all, to inculcate an innovative quality among younger students, the state has introduced Entrepreneurship Cells in all universities. These cells aid in the development of student confidence while also providing the necessary platform for creativity and innovation to achieve their goals. Considering the fact that higher learning institutions are responsible for converting human beings into human resources, it is essential to concentrate not only on the growth of physical infrastructure but also on psychological growth for an effective contribution.

Education is used as an instrument to create a healthy society. If an individual is educated, it is a hypothesis that their thinking will be productive and rational towards the country. Hence, to provide quality higher education to children in rural areas, the Tamil Nadu state has started 14 arts and science colleges, 24 university colleges, 11 polytechnic colleges, four engineering colleges, and one Indian Institute of Information Technology. Government colleges have been started in rural areas to enable the rural poor to enrol themselves without much expense in the nearby colleges. Moreover, to encourage students, the state provides free education to first-generation graduates. Through all the above schemes, the state's (Figure 2) Gross Enrollment Ratio increased to 45.2%, while compared to India, it was only 24.3% in the year 2014–15.



Source: Ministry of Human Resource Development, Department of Higher Education, All India Survey on Higher Education, 2014-2015, New Delhi, 2016

Figure 2: Gross Enrolment Ratio in Higher Education during 2011-15

## V. PROMOTE GENDER EQUALITY AND EMPOWER WOMEN

India's society is patriarchal, in which women are treated as secondary citizens. Women represent 49.5 per cent of the Indian population, but no society in the world recognizes their work, their contributions and potential. Instead, they are ignored and discriminated against by the social system for being women. The worst circumstance in India is that most women are unaware of their basic rights in the workplace and at home (Sivakumar, I., & Manimekalai, K., 2021).

Education helps women to empower themselves and to achieve gender equality (Sivakumar, I., & Usha, V.T., 2012 & 2013). Nevertheless, according to the 2011 census, 65.46% of women are educated, but in the political, civil, economic, law, and police departments, only a few women hold high-order positions. Unfortunately, the girls' parents strongly believe that spending money to raise a girl is ineffective. To break this attitude and to promote education among girls, the Tamil Nadu state provides ₹25000, also, four-gram gold for girls who have completed their school education and ₹50000, in addition, four-gram

gold for girls who have completed their under graduation. That money and gold will be provided at the time the girl gets married. Through the implementation of this scheme, girls' enrolment has tremendously increased in schools and colleges and child marriages have significantly reduced.

Furthermore, family counselling centres intervene and provide moral and psychological guidance to those who have an imbalanced family, as well as serve as a forum for resolving family disputes. These centres provide counseling, referral, and rehabilitative services, especially to women and children, who are victims of atrocities and family maladjustments. It helps women to redress their grievances relating to dowry harassment, cases of alcoholism, and AIDS by giving suitable and appropriate guidance. Also, the state has implemented a social security scheme to protect the vulnerable sections of the society, i.e., aged people, widows, differently abled, agricultural laborers, destitute and unmarried women of 50 years of age and above. On the eve of International Women's Day (March 8), the "Avvaiyar Award" is given to eminent women who have rendered excellent service in the fields of

social reform, women's development, communal harmony, service to language, press, administration, etc. In this scheme, the state provided an eight-gram gold medal and ₹1 lakh was given.

Above all, for the development of transgender, the Tamil Nadu state has introduced a scheme to start an income-generating activity through Self Help Group. The state provided ₹15 lakh with a 25% subsidy for deserving transgender. This has helped transgender to improve their quality of life.

## VI. REDUCE CHILD MORTALITY, IMPROVE MATERNAL HEALTH AND COMBAT HIV/AIDS, MALARIA, AND OTHER DISEASES

India has made major health gains in reducing both communicable and non-communicable diseases. Life expectancy at birth in India has increased from 63 years in 2000 to 68 years in 2015, the same as in many developed countries (WHO, 2016). High rates of maternal and infant mortality constitute a major obstacle to life expectancy. The five major southern states, Punjab, and West Bengal have built the most robust public health infrastructures as reflected by maternal and early childhood mortality, disease incidence rates, and health staff per capita. Tamil Nadu, Kerala, and Maharashtra have each achieved the explicit SDG target of reducing maternal mortality to below 70/100,000, an achievement no other states can yet match, although Andhra Pradesh and Maharashtra are within striking distance. The integrated Emergency Maternity Service Scheme (24 hours) was also introduced by the state to reduce the MMR and IMR. The Infant Mortality Rate of the state is 21 per thousand (Sample Registration System, 2013) and the state has already achieved a Maternal Mortality Ratio of 79 per lakh live births as per the Sample Registration System, 2012–2014. Now it has been further brought down to 68 as per the state data. The Maternal Mortality Ratio (MMR), which was 97 as per the Sample Registration System (SRS) in 2009–11, was reduced to 90 in the period of 2010–12. As per SRS data (2013), the Infant

Mortality Rate (IMR), which was 24 in 2010, is reduced to 21 per 1000 live births against the national IMR of 40. To protect maternal health, 64 integrated child centres are run by government hospitals (Health and Family Department, 2015).

It is natural that, immediately after childbirth, the family provides care for the newborn and not for the woman who gave birth to the newborn. Hence, the Tamil Nadu state has provided financial assistance to pregnant women under the Dr. Muthulakshmi Maternity Benefit Scheme, and it has been enhanced to ₹18000. Through this scheme till 2015, 29.27 lakh pregnant women have benefited to the tune of ₹2720.91 crores. Further, new infant care centers and Amma Nalla Pettagam (medical kit box) are also introduced. The medical kit box contains 16 fundamental things for the newborn baby and the mother.

The Tamil Nadu Health System Projects (TNHSP) have launched free ambulance service. Any person in need of medical attention in an emergency can call the 108 emergency ambulance, which is a 24-hour service system. It is a great help to the poor people and those who meet with accidents on the roadside. Also, Amma Pharmacy (Mother Pharmacy) has opened, where medicines are given at a "fair price". The cost would be 10 to 15% less than that of private medical shops. This low-cost initiative is well received by large sections of the population.

The Chief Minister's Comprehensive Health Insurance Scheme as rolled out is providing treatment for 1,016 procedures, 23 important diagnostic procedures, and 113 follow-up procedures, providing an insurance cover of ₹1 lakh per year. Smart cards (for medical purposes) have been issued to ₹1.57 crores families. Up to August 2015, 11.35 lakh people benefited under this scheme with an approved amount of ₹2265.22 crores. 783 hospitals, including all the Government Medical College Hospitals and the District Headquarter Hospitals, are empaneled to provide treatment (Anaivarukum Nalavazhu, 2015).

Tamil Nadu is a model state in addressing the diverse challenges in the health sector. The state

has made considerable achievements in health indicators like life expectancy at birth, infant mortality rate, and maternal rate, and it is marching towards achieving the goals set by the developed nations. The state is also at the forefront in addressing the threat of communicable and non-communicable diseases. Progress in health outcomes has become possible due to the strengthening of public health institutions and the provision of adequate healthy human resources in the state. As a result, Tamil Nadu is ranked "fourth-highest" among the major states in life expectancy at birth; "second-lowest" for newborn and birth rates; "third-lowest" for maternal mortality rates; and "tenth lowest" for death rates.

## VII. ENSURE ENVIRONMENTAL SUSTAINABILITY

The Tamil Nadu state prioritises industrial development at a rate that is faster than the national average. The vision of the Tamil Nadu 2023 manifesto emphasises the state's necessity to protect the environment. The vision 2023 document's eighth theme emphasises the need for environmental protection to cover all aspects of human activity's ecological footprint (Environment and Forest Department, 2015). Also the state implemented the Plastic Waste (Management & Handling) Rules 2011, effectively in all the districts, a drive was carried out in September 2014, under the leadership of the District Collector, to ensure that the traders do not sell the banned plastic carry bags and impose fines on defaulters. Every year, the state provides a total of ₹10 lakhs, which is distributed as first, second, and third prizes of ₹5 lakhs, ₹3 lakhs, and ₹2 lakhs, respectively, to the best three plastic-free villages; the best three self-help groups that play a significant role in collecting the most plastic waste in their area; and the best three plastic-free, green, and clean schools.

The Tamil Nadu Pollution Control Board has identified and listed out 3,427 units generating hazardous waste under the Hazardous Waste Management, Handling, and Tran's Boundary Movement Rules, 2008 as of December 31<sup>st</sup>, 2014. About 6.18 lakh tonnes of hazardous waste are

annually generated, of which 2.65 lakh tonnes of land is fillable, 3.16 lakh tonnes of recyclable material, and 0.37 lakh tonnes are incinerated. The Board is taking effective steps in handling hazardous waste, its treatment, and disposal in an environmentally safe manner. The Board has advised all District Collectors, all Municipal Corporation Commissioners, the Director of Municipal Administration, and the Director of Town Panchayat to instruct the local bodies in their respective jurisdictions to prohibit/ban the stocking, selling, and use of any carry bag less than 40-micron thickness and has authorised local bodies to impose a fine of ₹1 lakh on those who have stocked or sold such carry bags; the material stocked or sold shall be confiscated. The Board has sanctioned and released a sum of ₹50000 every year to each District Collector of Tamil Nadu to conduct, an awareness programme among school-going children and the general public on the avoidance of throwaway plastic. Also, the government decided to use the plastic waste collected by the local bodies for the reusing of roads. Accordingly, from 2011–2012 to 2014–2015, an amount of ₹218.67 crores has been utilised for relaying plastic roads to a total length of 1596 km. The cash prize schemes and awareness activities were introduced to make Tamil Nadu a plastic free state.

## VIII. DEVELOP A GLOBAL PARTNERSHIP FOR DEVELOPMENT

India mutually receives and provides development assistance. While Official Development Assistance received by India has been important, it is small in proportion to its GDP, and evaluations, recommend that there is scope for improving its effectiveness. India has helped developing countries through technical assistance, capacity-building support, economic assistance, and market access to least developed countries as a part of its development partnership activities that have benefited over 160 countries. India's development assistance, at ₹140 crores a year in nominal terms and ₹530 crores in Purchasing Power Parity terms, is significant for its level of development and can usefully complement the

conventional Official Development Assistance from developed countries (NITI Aayog, 2018).

Tamil Nadu's younger generation is interested in establishing industrial facilities of any size. In September 2015, the Tamil Nadu state hosted the Global Investors Meet to build Tamil Nadu's brand equity globally, to provide a platform for networking on investment and growth

opportunities, and to highlight the state's potential as the leading and preferred investment destination worldwide. At the meeting, 98 Memorandums of Understanding (MOUs) were signed, for a sum of ₹2,42,160 crores. For this project, South Tamil Nadu was given a sum of 97,181 crores (Labour and Employment Department, 2015).

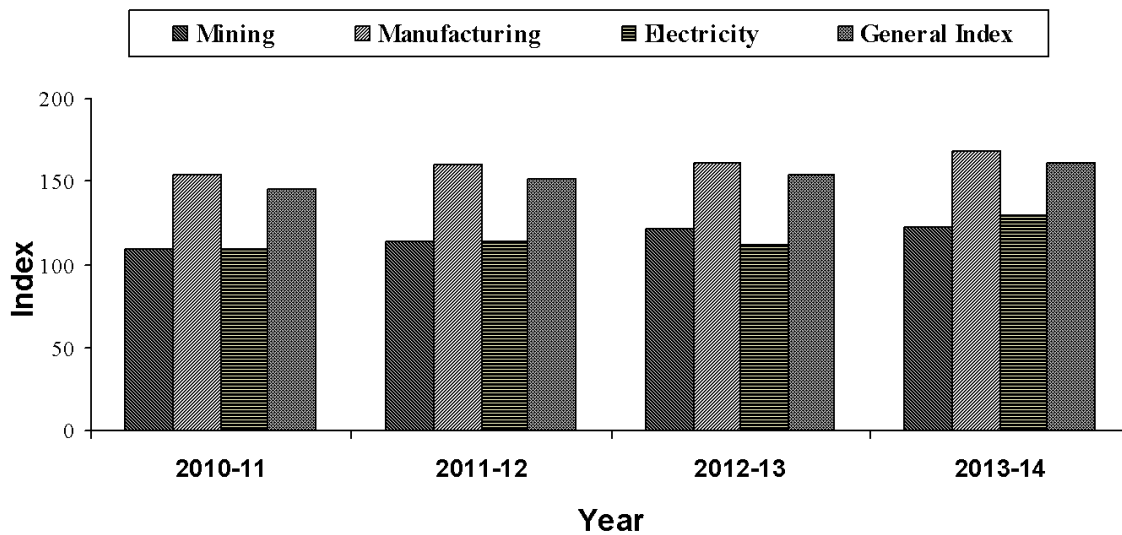


Figure 3: Index on Industrial Production in Tamil Nadu during 2010-14

Source: Department of Economics and Statistics, Government of Tamil Nadu & Central Statistical Organization, Government of India, New Delhi, 2015.

Figure 3 explains, undoubtedly, that Tamil Nadu is marching towards development in industrial production. The main objectives of all these schemes are to reduce unemployment and eliminate poverty.

## IX. SUMMARY

Overall, the Sustainable Development Solution Network (SDSN) ranks India's SDG attainment at 115th out of 162 surveyed countries, placing it somewhat below the East and South Asia regional average (UN, 2015). According to former RBI Governor Mr. Raghuram Rajan, Tamil Nadu is a state in India that has advanced in many areas, including the sixth place it holds in the Human Development Index, the second-largest economy,

the second place it holds for total employment, and one of the top seven developed states in India. The study found that Tamil Nadu, the state in India, has been moving in the right direction during the period of 2011–2015. The state performed well on measures of governance and economic sustainability, such as poverty reduction, public health, quality education, and reduction of inequalities. The state fulfilled the fundamental needs of the people and moved them towards sustainable practices.

## X. CONCLUSIONS

The Tamil Nadu state has made all efforts to provide good health, education, employment, skills, and to save the environment. The present Tamil Nadu government has also made significant efforts to improve the vulnerable section's standard of living, i.e., free bus service for women and girls on government local bus transport. The research concludes that Tamil Nadu is claimed to be the state that has witnessed the most progress

in all aspects, and it stands very close to achieving sustainable development goals.

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# The Influence of Alentejo Puppets in the Theatrical Creation of the Popular Tale "The Enchanted Girl of the 7 Dresses"

*Andréia de Oliveira Souza*

## ABSTRACT

In this text I analyze the research carried out for Laboratory II, Module I, of the Masters in Theater at the University of Évora, in which was worked on the preparation of the actor, according to Grotowski's methodology, and the study of Alentejo puppets for the creation of the play was developed "The enchanted girl of the 7 dresses". The presentation used the technique of stick puppet theater and a regional language to tell the story of "The enchanted girl with 7 dresses", who was kidnapped by the Snake and trapped in a saw. In a playful way, the play talks about the role of women at the present time.

*Keywords:* actor preparation; alentejo puppets; dramaturgy; popular culture; puppet theater.

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*In this text I analyze the research carried out for Laboratory II, Module I, of the Masters in Theater at the University of Évora, in which was worked on the preparation of the actor, according to Grotowski's methodology, and the study of Alentejo puppets for the creation of the play was developed "The enchanted girl of the 7 dresses". The presentation used the technique of stick puppet theater and a regional language to tell the story of "The enchanted girl with 7 dresses", who was kidnapped by the Snake and trapped in a saw. In a playful way, the play talks about the role of women at the present time.*

**Keywords:** actor preparation; alentejo puppets; dramaturgy; popular culture; puppet theater.

## I. INTRODUCTION

### 1.1 Brief Rationale of the Laboratory II Module I

In my work as an actress, playwright, puppeteer and director at “Cia. Teatro da Recusa”, I have in all the pieces of our repertoire, “Charivaro, A City of Puppets” (2017), “Segismundo and Geometric, A City of Puppets” (2018), “The disappearance of Segismundo” (2019), “The Talking Pill” (2019), “Memories of a Place – Solitude” (2020), and “Memories” (2021), related to puppet theater with the theme of popular culture.

During the scenic laboratory work, supervised by Prof. Dr. Ana Tamen<sup>1</sup>, some questions arose: what

<sup>1</sup> Professor at the School of Arts (Scenic Arts) at the University of Évora. PhD in Communication Culture and Arts/Theater (University of Algarve - 2015). Master in Theater Arts/Actor/Director (University of Minnesota - 1989). Degree in Philosophy (Faculty of Letters - University of Lisbon - 1982)

is the role of choice<sup>2</sup> in the training of the actress? What to work on during the psychophysical training of the actress? How to develop this training? What results from this training? How to transform a popular tale into a current dramaturgy? What was the influence of Alentejo puppets on the Santo Aleixo Puppet Theater? Is it really necessary to keep the entire textual component rigid in a contemporary theatrical creation?

## II. THE PSYCHOPHYSICAL TRAINING OF THE ACTRESS

On the first day of meeting with Prof. Dr. Ana Tamen, we started a study process on the body and psychophysical actions, according to the Grotowski method.

We started by isolating each part of the body, to try to awaken it to the expressive work that would come later. I already knew about my dramatic situations, but how do I find a way to be alive through my behavior?

This process was for me an awaken of my perceptions. There was no dedication to experimental or avant-garde theater, but a conduction by our teacher towards a solid and systematic work on the craft of actress and actor. After these moments, we sat down to talk, in order to investigate what it was like for each member to put their body into action. What are the comfort points? What part of the work-room was uncomfortable?

<sup>2</sup> Here in this question, choice is action. And its unfolding will be reflected in increasingly select choices.

For me, this module resulted in a possibility to renew artistic and personal discoveries.

After these first two days, we entered a phase where we practiced yoga, outdoors, in the small woods next to the work-room. This practice added to my work as an actress. A state of emptiness of tension points and an immediate disposition for concentration, which when entering the rehearsal, was organically delivered to that moment of creation.

I managed through this process to align my thinking with my action and to make increasingly conscious choices. It was possible to work on points that, due to the trip, from Brazil to Portugal, I had not yet been able to work. I felt the elimination of toxins. For a few days he was sweating like someone who was removing sentimental toxins from my body.

The rehearsals, moments shared with Gonçalo Ribeiro<sup>3</sup>, and often with the presence of our teacher, were not just the preparation for the presentation, but a field of investigations and discoveries, about me and my expressive possibilities with the theater of puppets.

According to Thomas Richard, in his book "Working with Grotowski on Physical Actions" (2012) "rehearsals are a great adventure when we work seriously". And so was my chance to test my own limits. Knowing what was still unknown, but that found space in my body. Have focus and concentration to dedicate time to the isolated study of the puppet's voice.

A process that totaled about 50 hours of actor training and rehearsal. Not to mention the hours dedicated at home to the study and construction of dramaturgy, the symbology of the popular tale, and the making of the puppets and small altarpiece.

### III. FROM THE POPULAR TALE TO DRAMATURGY FOR PUPPET THEATER

This phase, from a popular tale to dramaturgy, was undoubtedly the most decisive moment for the construction of the expressive phase of this process.

Months before the start of the meetings, the Prof. Dr. Ana Tamen, already in web meetings, motivated everyone to search for their repertoire. We start from a very particular point: what kind of theater would each like to do? And what kind of theater wouldn't we like to do ?

In response, I said that I would like to make a theater that is alive and that represents the context in which I am inserted, and that, if possible, would be performed through the language of puppet theater.

I presented some contents referring to my previous research, the work with the Brazilian popular puppet theater, the relationship of a dramaturgy with the popular theater.

As a suggestion, the teacher, who also acted as advisor and director, presented two archives of popular tales, one of traditional gypsy tales and the other, popular tales from the Alentejo.

I spent a few weeks reading these stories, recognizing the dramatic potential of each story, and finally I chose an Alentejo story; "The enchanted girl of the seven dresses".

A fairy tale or enchantment, with text was taken from volume XIV, series III, from Arquivo de Beja. A story where the wonderful predominates, taken "from a time that includes one of the popular Portuguese stories, passed from generation to generation by oral tradition, like the 'Conto da Carochinha<sup>4</sup>'" (Pedroso, 1996, p.39).

This story was collected orally by an informant, who did not give a title, only determining how to tell it, and according to her, she had already kept

<sup>3</sup> Actor and Master's student in Theater at the University of Évora.

<sup>4</sup> Uma história onde predomina o maravilhoso, retirada de um tempo que "compreende também as histórias da carochinha" (Pedroso, 1996, p.39).

this story with her for seventy years. She had heard it from an uncle who told many stories.

She was a lady who had not been to school as she had to take care of a younger sister so her mother could go to work.

“I didn't go to school. Because I had a younger sister and my mother had no one, and I always had to carry her, because, my mother had to work and at that time nobody gave us anything<sup>5</sup>.” (Arquivo de Beja, 2000, p.84)

For the transposition of the popular tale to the dramaturgy, I organized a script that contained physical characteristics and archetypes of the characters, and other plot elements.

This process that culminated in the dramaturgical text, we do not understand dramaturgy in its classical sense, as an action that is close to the text, and that will be transported to the stage.

According to the Pavis dictionary, it identifies as the classic sense of dramaturgy:

“Classical dramaturgy exclusively examines the work of the author and the narrative structure of the work. It is not directly concerned with the scenic performance of the show” (PAVIS, 2008, p. 113)<sup>6</sup>.

Contrary to this definition, we saw dramaturgy as an expanded possibility. Modern definition given by Bernard Dort (2013), when he writes about emancipated staging and to justify his choices he uses the book “The Ignorant Master”, by Jacques Rancière (2010).

This choice involved think about dramaturgy as a broad and complex process. Be attentive to the movements of the puppets, their entrances, exits,

<sup>5</sup> “Ê não andi à escola. Porque eu tinha uma irmanita mais pequena e minha mãe não tinha ninguém, e eu tinha que andar sempre com ela às costas, pois então<sup>8</sup>, minha mãe tinha que trabalhar e nesse tempo ninguém dava nada à gente.” (Arquivo de Beja, 2000, p.84). \*Written in Alentejo dialect.

<sup>6</sup> “A dramaturgia clássica examina exclusivamente o trabalho do autor e a estrutura narrativa da obra. Ela não se preocupa diretamente com a realização cênica do espetáculo” (PAVIS, 2008, p. 113).

displacements through the scenic space. The function of the dialogues, the fabric of the costumes, the music, the materiality of the puppet, the lighting, the positioning of the actors behind the altarpiece. Everything aesthetic and ethical was treated as dramaturgy.

Artaud defended that directors and actors should not submit to the text, but rather appropriate it and even violate it, change it, if necessary: “The enslavement of the author, submission to the text, what a funeral boat! But each text has infinite possibilities. The spirit and not the letter of the text!” (Artaud, 2006, p. 25).

#### IV. THE ALENTEJO PUPPETS AND THE PLAY “THE ENCHANTED GIRL OF THE 7 DRESSES”

In March 2022 I participated in a four-day training on the *Bonecos de Santo Aleixo*, produced by Tarumba and CENDREV<sup>7</sup>, at Theater São Luiz, in Lisbon. And I was able to get to know some secrets that this tradition keeps.

Representatives of the popular European tradition of stick puppets, the Alentejo marionettes still carry traces of medieval religious drama. Present in the theatrical environment of the city of Évora through the *Bonecos de Santo Aleixo*. They keep the rarity, and the memory of a people.

According to researcher John McCormick (2015) “in it we can find much of what, in other places, has already disappeared or is in the process of disappearing”<sup>8</sup>.

Heirs of the crib theater, the *Bonecos de Santo Aleixo*, maintain the expression of a people in the form of dolls. They express their beliefs, dreams, conflicts, values, the accent of a people, of a region. It is the theater that speaks of its territory, with a lot of humor and scenes of improvisation with the public.

About this theater that speaks from its territory, the researcher Maria Clara de Almeida Lucas, in her article “The Individual Creation and the

<sup>7</sup> Évora Drama Center

<sup>8</sup> “(...) nele podemos encontrar muito do que, noutros lados, já desapareceu ou está em vias de desaparecer.”

Collective Rite<sup>9</sup>”, creates the concept of a textual component of the externalization of a *modus vivendi*. When the theatrical text undergoes changes to make room for the voice of the people of that place.

“Initially, there is always an individual creation, leaving us after adoption [by the linguistic community] with a text that is ritualized little by little and undergoes the changes that the voice of the people imposes on it. (...) That initial text is now nothing more than a mere reason for the externalization of a *modus vivendi* that the community lends and transmits to us.” (Lucas 1981, p. 106)<sup>10</sup>

From these references I made, with the material I had available, in my improvised studio, in Évora, the stick puppets, of the five characters present in the dramaturgy of the play “The girl with the 7 dresses”.

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<sup>9</sup> Article published in Revista Lusitana (Reprint), Nova Série, nº 2, Lisbon, 1981.

<sup>10</sup> “Existe de início sempre uma criação individual, restando-nos depois da adopção [pela comunidade linguística] um texto que se ritualiza a pouco e pouco e sofre as alterações que a voz do povo lhe vai imprimindo. Simultaneamente a obra individual que se gerou vai-se perdendo na distância e acabará e acabará por desaparecer o seu autor, o que, contudo, não significa que seja ‘anônima’. Viverá uma longa vida acidentada, em que “recitadores” vários e possíveis escribas irão alterar aqui e ali a forma mas não o conteúdo. Este permanecerá inalterado ao longo de vários momentos de uma vida comunitária que marcará apenas a expressão de que se reveste. A alfabetização e as migrações são outros tantos fatores que têm muito a ver com essa evolução do texto oral. Aquele texto inicial não passa agora de mero motivo para a exteriorização de um *modus vivendi* que a coletividade lhe empresta e nos transmite. Isto significa que ela o adotou, e fez dele seu porta-voz!” (Lucas 1981, p. 106)



Figure 1: Bonecos de Santo Aleixo

The heads were sculpted from styrofoam, the hands and feet modeled with putty, and the body made with foam and fabric rolls. The costumes were inspired by the characteristics that the Alentejo tale already proposed, in its social, geographic and economic context.

The music, performed live, was composed by Gonçalo Ribeiro, served as an element of dialogue with the spectators, and also of narrative of the plot. Thematic parody was used, with the intonation of the Alentejo chant, and the *bailinho*<sup>11</sup> was offered to a spectator present in the room.

In Passos (1999) it is possible to find the following description of the Bailinhos present in the Bonecos de Santo Aleixo:

“These popular balls were (and are) always preceded by the same ceremonial: four dolls entered the stage who established a dialogue with the public, in which the Master-Salas also intervened, and to whom he asked “if they wanted a bailinho” and if anyone wanted to see whichever one was represented (and the

<sup>11</sup> About the bailinho, it is important to emphasize its presence in the Alentejo puppets. These were popular dances, which still take place during the staging, mediated by female puppets, who established a dialogue with the audience.



Figure 2: Stick puppets from the popular tale

rural public who were used to puppet shows would be aware of the entire repertoire), chose him or her. (Passos, 1999, p.170)<sup>12</sup>

“These popular dances are a pretext for dialogues and even skirmishes between puppets and spectators, filled with indecorous and satirical allusions, social criticism, jokes and personal banter.” (Passos, 1999, p.171)<sup>13</sup>

Within the original structure of the popular tale, “The enchanted girl with 7 dresses” lives in a situation of submission to the family, society and patriarchy.

This question bothered me a lot and accompanied the investigation in all other phases.

As a woman, I thought about the lack of utility in reproducing in the theater of present a character

<sup>12</sup> “Estes bailes populares era (e são) sempre precedidos do mesmo cerimonial: entravam no palco quatro bonecas que estabeleciam diálogo com o público, no qual intervinham igualmente o Mestre-Salas, e a quem perguntava “se queriam bailinho” e se alguém pretendia ver qualquer deles representado (e o público rural habituê dos espetáculos dos bonecos estaria a par de todo o repertório), escolhia-o. (Passos, 1999, p.170)

<sup>13</sup> “Estes bailinhos populares são pretexto para diálogos e mesmo despiques entre títeres e espectadores, recheados de alusões indecorosas e satíricas, crítica social, motejos e remoques pessoais.” (Passos, 1999, p.171)

with these characteristics so rooted in a past that exists only in the popular tale because even Alentejo society has already changed as a conception of women's rights and place in society.

What's the point of continuing to repeat a history that no longer corresponds to the rights, experiences and coexistence conquered by portions of the population understood as minorities? What is the use of representing in the theater today a woman who has no voice? What's the point of not being aligned with the ONU sustainable development issues? I, who am a foreigner, are investigating, today, the dramatic possibilities of stick puppets in Portugal; where do I start? What is a staging that has tradition and modernity inserted in the scenic action?

After several discussions with the group, we decided that in our proposal, the "Girl enchanted with the 7 dresses" would make her decisions, according to her conscience and desires. For the woman of today would be aligned. We seek to build an emancipated woman and different from the original text, we create another end for the character.

In Brazil, within the *Teatro de Mamulengo*<sup>14</sup>, as playing artists of a traditional and popular practice of puppet theater, all these processes of transposition of a traditional textual component to the present day, which were discussed and accepted by the masters of tradition.

Considering that the tradition goes back to an ancient time, in a world where women didn't have the rights they have today, it was necessary to bring to the theatrical creation these issues that had already been overcome in the political and social debate on human rights.

To end the play with this great change, we used Gloria Gaynor, *I will survive*, which referred to the scope of women's rights and freedom to be able to marry whoever they want, when they think they should.

<sup>14</sup> The Teatro de Mamulengo, is part of the Brazilian popular puppet theater, which originated through the nativity scene, inserted in Brazil through the navigators of the Iberian Peninsula in the 16th century, and like the BSA, has in its theatrical component the expression of a people.

For the scenic space, a fundamental space in this theatrical representation of Alentejo puppets, I tried to reproduce a small altarpiece, which was built with a cardboard box<sup>15</sup>, lined with fabrics and illuminated by a light source on the proscenium.

About the altarpiece in the composition of the *Bonecos de Santo Aleixo*, in Passos (1999), it is possible to find the following descriptions:

“The representation space is composed of this altarpiece, whose scene, in the form of an isosceles trapeze, has in the middle, in the closest part of the proscenium, a semicircular opening with a radius of 18 centimeters [...]. The “floor” of the scene measures 1.48 cm at the front; 0.67cm at the bottom and 0.90cm at the sides. In front, two frames of the front of the stage are mounted vertically, the first having 47 cotton threads stretched in the direction of the height, and the second 39 (order to be considered from the spectators); are about 40 cm apart from each other. And the wires are 4 cm apart” (Passos, 1999, p.215)<sup>16</sup>

<sup>15</sup> Model suggested by Zé Alegria, at a meeting on 05/27/2022.

<sup>16</sup> “O espaço de representação é composto por esse retábulo, cuja cena, em forma de trapézio isósceles, tem ao meio, na parte mais aproximada do proscênio, uma abertura semicircular de 18 centímetros de raio [...]. O “chão” da cena mede 1,48 cm na frente; 0,67cm ao fundo e 0,90cm dos lados. Em frente são montados, verticalmente, dois quadros de boca de cena, tendo, o primeiro, 47 fios de algodão esticados no sentido da altura, e o segundo 39 (ordem a considerar a partir dos espectadores); distam um do outro cerca de 40 cm. E os fios têm uma distância entre si de 4 cm” (Passos, 1999, p.215)



Figure 3: Small altarpiece of the piece “The enchanted girl with the 7 dresses”.

## V. CONCLUSION

In considerations and notes, for the completion of this brief work of academic investigation, I understand the successive transformations that resulted in the dramaturgy and staging of the play “The enchanted girl of the 7 dresses”. From my psychophysical training processes to find my creative energy to the closing of dramaturgy and staging.

Means and methodologies were developed as first attempts to understand the formal academic language to make and think about Alentejo puppets and their relationship with stick puppets in Europe and their popular character.

I suggest that other research, whose theme is specifically, to deal with the figuration of Alentejo puppets, should arise, so that they do not end with the Bonecos de Santo Aleixo. Alongside the BSA, according to the catalog “Mestre Salas presents... Portuguese Puppet Exhibition” (2007), there was, “since the 1930s, another puppet set in the Alentejo: Orada<sup>17</sup>”.

<sup>17</sup> (...) existia, “desde os anos 30 do século passado, um outro estojo de títeres no Alentejo: o de Orada”.

The sum of knowledge and studies, with the recovery of historical data, by Passos (1999) and Lucas (1981), reflects this process for structure new dramaturgies that express other and new stories of these brave people, who are the Alentejo people.

Finally this is the end of this writing and I hope it can generate propagations and discoveries about a popular stick puppet theater, which still has a lot to (self) discover.

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# A Study based on Effect of Covid-19 Epidemic on Online Education System

Shahana K

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The COVID-19 epidemic has wreaked havoc on global education institutions, with closely a billion pupils successful over many countries. School, institution, and other learned facility closures have wedged mostly 70 per cent of the nation's pupil's community. As a result, substantial changes have occurred in every aspect of life style. Societal alienation and constraining change argumentation have caused chaos on conventional acquisition methods. Another issue is reopening schools when limitations have been eased, as new standardised operating procedures have been introduced. In the wake of the epidemic circumstance, several academics have mutual work on tutoring and acquiring in a multitude of ways. A number of institutions, colleges, and universities have begun to phasing out face-to-face lecturing. There are fears that the 2020 school year, and possibly future years, will be lost.

*Keywords:* covid-19, virtual classroom, online teaching and learning.

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*The COVID-19 epidemic has wreaked havoc on global education institutions, with closely a billion pupils successful over many countries. School, institution, and other learned facility closures have wedged mostly 70 per cent of the nation's pupil's community. As a result, substantial changes have occurred in every aspect of life style. Societal alienation and constraining change argumentation have caused chaos on conventional acquisition methods. Another issue is reopening schools when limitations have been eased, as new standardised operating procedures have been introduced. In the wake of the epidemic circumstance, several academics have mutual work on tutoring and acquiring in a multitude of ways. A number of institutions, colleges, and universities have begun to phasing out face-to-face lecturing. There are fears that the 2020 school year, and possibly future years, will be lost. Alternative teaching methods and evaluation techniques require urgent innovation and implementation. The COVID-19 outbreak has provided a chance to establish the foundation for a digital method of acquiring knowledge. The goal of this paper is to stipulate an extensive review of the COVID-19 epidemic's impact on e-learning of numerous articles, as well as to recommend a plan of action.*

**Keywords:** covid-19, virtual classroom, online teaching and learning.

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## I. INTRODUCTION

The COVID-19 pandemic has swept the globe, hitting nearly every country and territory. The

eruption was reported in December 2019, Wuhan, China. People were urged to be cautious by countries all across the world. Health-care systems have included basic hygiene, face masks, personal distancing, and avoiding public events and meetings. Shutdown and stay-at-home tactics have been used to flatten the slope and limit the progress of the disease.

During the second week of March 2020, India announced the closure of schools and institutions, as well as a reduction in business hours. From August 1, 2020, the entire country was put on lockdown. In the interim, people were allowed to roam around, offices reopened, schooling institutions and colleges started opening for some grades and others may go for the online mode of classes. The school closure has impacted more than 170,000 Indian pupils in grades PP–XII. The consequences are far-reaching, and they have had an impact on learning this academic year and will continue to do so in the coming days. Many institutions, academic institutions, and university colleges have begun to phasing out face-to-face lecturing. Alternative teaching and evaluation procedures must be formulated and implemented as soon as possible. The COVID-19 outbreak has provided us with the chance to lay the groundwork for the adoption of digital training.

The lack of infrastructure facilities on digital tutoring, teachers' control assessing potential access to computer - based instruction, the knowledge gap, a quasi environment for attending lectures, equity, and educational success in higher learning. This study investigates the effect of the COVID-19 epidemic on the education procedure around the globe. The difficulties and possibility of digital and learning opportunities are highlighted during the COVID-19 epidemic, and a road map forward is provided.

Most countries have enacted shutdown and socially separation measures in response to the COVID-19 epidemic, resulting in the closing of campuses, training centres, and further education institutions. The way instructors deliver high-quality information through a variety of online channels is changing. Despite the challenges that educators and students confront, virtually learning, and continued pedagogy proven to be effective in combating this unexpected global pandemic. Including both instructors and individuals, transmutation for conventional personal teaching to digital training can be an exclusively new situation, which they would change to because there are few or no other alternatives. The schooling and instructors have accepted "Education in Emergency" through a range of digital platforms, and are forced to implement a system for which they are untrained.

During the outbreak, virtually all education technologies were essential in supporting schools and educational institutions in encouraging pupil performance while academic institutions were closed. While trying to adapt changes, management and professional readiness must be tested and encouraged. Trainees with a strong mind have a difficulty in adapting and adapting to different settings, but educators with a development mindset do so effortlessly. The all approach to online courses and numerous themes from which to choose, within each set of prerequisites. Different disciplines and different ages require different approaches to online courses. Digital training can also aid physically disabled pupils and authorise individuals to occupy training in a virtually limited mobility.

As institutions have been shut to deal with the corona disease outbreak, pupils, guardians, and lecturers around the world have suffered the unintended rippling effects of the COVID-19 outbreak. While legislatures, government authorities, emergency personnel, and medical experts do everything they can to keep the disease from spreading, educational sectors struggle to deliver well knowledge for kids trying. As numerous pupils struggled with mentally then, physiological issues at residence or in their surviving environment, making it difficult for

them to engage effectively. The most effective methods for internet home education have yet to be developed.

Both instructors and pupils' abilities and access to internet communication infrastructure may have an impact on the progress of necessary and effective pedagogy for virtual classrooms. Teachers have incorporated communicating and quising-ism systems like "Microsoft Teams, Google Classroom, Canvas, and Blackboard" to construct classroom instruction, training, and skill enhancement programmes in the past. They include services like workplace communication, video meetings, and data storage, each of which aid with class organisation and productivity. They usually let you exchange a variety of files, such as Word, PDF, Excel, audio, and video. It is feasible to track pupil acquisition and appraisal testing by quiz questions and rubric-based method of evaluation in submitted tasks.

The web based teaching method is a simple method of displaying resources for students prior to class. The information shared in the virtual classroom must be put to good use by engaging in conversation with teachers and classmates. This is a highly effective method for encouraging massive issues, rational reasoning, and personality instruction. Virtual classrooms are increasingly using video conferencing as well as configurable cloud-based integrated learning systems like Elias, Moodle, Big BlueButton, and Skype.

## II. ONLINE TEACHING AND LEARNING CHALLENGES AND ISSUES

Due to the variety of platforms and online teaching aids, participants, both instructors, face several difficulties when using or referring to these resources. Several philosophers have investigated and emphasised the following concerns: E-learning has a number of drawbacks, including accessibility, cost, adaptability, learning methods, information literacy, and teaching methods. Many countries confront substantial difficulties in keeping a dependable network connectivity and having accession to electronic inclination. Despite the fact that many

economically poor students in developing nations cannot spend on virtual learning, digital technology is expanding the provisional licence screen time. As a result, students have become increasingly reliant on offline activities and self-exploration, constantly learning.

Inherently visual learners are undisturbed in their knowledge since they require minimal monitoring and assistance, whereas students who are learning inadequately face difficulties. Several pupils with excellent educational achievements but limited financial resources are unable to attend or purchase online instruction. Pupils' academic achievement in sessions held for both year-end and institutional assessments is likely to deteriorate due to reduced courses for pupils and a failure to communicate with teachers during instructional issues.

Pupils are graded on the internet, which entails a lot of testing, as well as a lot of uncertainty and misunderstanding among instructors, pupils, and guardians. The technique for administering formative assessments varies based on the teachers' availability and experience, as well as the pupils' compliance. Due to the large student populations, many learning institutions have yet to select appropriate plagiarism-checking measures. Institutional assessments and assessments for important public credentials such as General Certificates of Schooling have been suspended.

School hours help youngsters acquire social abilities and expertise, in addition to being pleasurable. Children endure economic, social, and psychological implications when they are absent from their usual course load. Many of these pupils are now attending courses online and spending a lot of time on internet platforms, potentially exposing them to online exploitation. As a result of increasing and unplanned hours spent on digital education, pupils have been exposed to the risks of hazardous and aggressive knowledge, as well as a heightened risk of stalking. As a result of closing schools and strict confinement initiatives, more groups are concentrating on digital and technological remedies to keep their pupils involved in the

learning process, amused, and linked with the external world, but not every pupil requisite cognition, expertise, and informant to continue themselves adequately.

Most of them virtual students come from rural areas, where their guardians are mostly uneducated farmers. Pupils help their parents with farm tasks like agriculture, cattle care, and household chores. Because they decided to work on the sectors in the morning, many pupils even petitioned that their tests be rescheduled to the afternoon. Many pupils said that they were expected to look after their sick parents, grandparents, or guardians, which included transferring them to institutions. When they arrive home in the evening, staying up with the lessons gets difficult. Allowing their children to repeat the academic year is preferred by parents with children in lower scores. Aside from restricted Internet, the proportion of students lack access to electronic devices or television at the cottage. A huge percentage of the population has no or little impact on the revenue of business and enterprise closures. In comparison to typical revenues, the data package is quite expensive, and keeping constant Internet connectivity is a significant expense for agriculture.

Although the majority of students prefer online face-to-face teaching methods, several pupils have claimed that face-to-face concepts of online demand more information packets. Instructors are split between listening to whom and using which techniques. Pre-recorded videos, according to several, may further assist, but it curtails action. It's challenging to pattern a way to integrate all of a student's educational needs while still being accessible.

### III. OPPORTUNITIES IN ONLINE TEACHING AND LEARNING

However there have been various issues with digital learning for trainers, universities, institutes, and the authorities, the COVID-19 outbreak has provided multiple opportunities for those who are untrained or have long-run plans to use an e-learning program. It has enhanced the link among parents and educators in ways that it

has never been before. Parents must provide monetary and scholastic assistance for their learning when they homeschool. Disabled people deserve multiple and individualised help throughout this ongoing tragedy.

The very first time digital platforms like Google Classroom, Zoom, virtual learning environments, and social platforms, as well as various group forums like Messenger, Telegram, WhatsApp, and WeChat, are being systematically evaluated for teaching methods in order to pursue training. This can be studied further even after face-to-face instruction continues, and these networks can continue providing resources and mentoring to pupils.

Teachers are encouraged to develop solutions to the challenges of virtual learning. Educators are constantly interacting with one another on a regional level to promote internet - based instructional methods. Because instructors, parents, and children have comparable experiences, there is an unrivalled opportunity for interaction, innovative solutions, and a willingness to learn from others and try new ways. Many academic institutions are offering their resources and remedies freely available online in order to help and encourage more dynamic and interesting teaching methods. Teachers and students have been able to teach and study in innovative ways that would not be feasible in a typical class context thanks to online courses.

## IV. ONLINE TEACHING METHODS AND PEDAGOGY

### 4.1 Presentations

Both classroom instruction and online education use the presentation of content for study. Whether students are learning offline or online, a good presentation has a big impact on them. Teachers only need to provide material from the linked subject and book in a visual way. Teachers can combine visuals such as photographs, GIFs, videos, and other media into a good presentation more captured, and methods can be fairly straightforward to leave on cognition to pupils. Pupils are capable of presenting objectives such

as studying and revising the syllabus in the future.

### 4.2 Online whiteboard

Tutors can utilise online whiteboards to teach online using best practices. An online whiteboard aids in the transmission of knowledge and the creation of a stronger connection between teachers and students in a virtual classroom setting. Tutor can use an online whiteboard to draw diagrams, share pre-made templates and charts, sketch, write, and more. It functions similarly to a chalkboard in a classroom, but it can change what professors teach. It also allows people to share the content with others. Tutors and students can also connect in real-time on the same canvas and use it for a variety of tasks such as mind mapping, interactive exercises, completing assignments, reviewing homework, brainstorming around lessons, and providing feedback.

### 4.3 Live Online classes

Tutors no longer need to gather pupils in the classroom to teach them with online programmes. Instead, they can use live online classrooms to offer lectures in real time. Unrecorded virtual classrooms allow teachers and students to connect face-to-face and provide a learning atmosphere that is similar to that of a classroom.

### 4.4 Pre -recorded Video class

Tutors utilise online video group meeting applications to establish a link with students in order to conduct regular classes. Live online classrooms break down geographical barriers, allowing teachers to engage with students who are studying overseas. In live online classes, using an online whiteboard is more piquant. Tutors aim to employ a variety of teaching approaches to keep students engaged throughout the live online session, and they should be prepared with what they will teach. Tutors should ask questions during and after class and allow students to respond so that pupils do not feel inactive. They should form a discussion group to allow them to participate actively. Teachers should use posters, films, graphics, graphic organisers, and photos to

make it more engaging and fascinating. Educators should avoid covering the full material in one sitting. To make the content more palatable, break it down into smaller portions.

#### V. IMPACT OF ONLINE METHOD OF LEARNING IN KERALA EDUCATION SYSTEM

Digital courses demand more drive and self-discipline than traditional classroom courses. Many professors and Squint can keep learners expecting to study the coursework in a classroom. Virtual courses, on the other hand, require us to set pupils goals, track the improvement and meet endedness . Because it is impossible to study well in solitude, online courses provide discussion boards, email, and one-on-one assistance. Technology enhances the visual experience by introducing interactive animations for optimal learning and communication.

To groom its pupils, an institution gives a pattern, encouragement, and a technique of providing prize and punishment. Face-to-face contacts with classmates, usually regulated by a teacher, are an advantage of traditional classroom education. It provides a smooth environment for interactions socially for children and allows them to learn skills such as boundary setting, empathy, and collaboration. Unlike a virtual learning environment, it also allows for plenty of spontaneity.

#### VI. ONLINE EDUCATION FOR LEARNERS

As they progress through school, students desire more mobility and integrity. They can use digital resources to complete highly personalised training programmes, such as academic skills. These can help children learn more successfully when combined with practical learning activities, actual knowledge and comprehensive assessments. They could explore their options before deciding to specialise by trying out basic topics from a variety of fields. Web - based learning platforms can help the students become more autonomous learners before they join college.

Smartphone devices that give students with extended learning possibilities have recently garnered a lot of attention because phones have already made their way into the hands of pupils. These applications are being used to enhance instructional practices. School administrators as well as parents must act as anchors and advisors during this challenging period of picking which vocation to pursue, selecting the educational materials that individuals are revealed to.

#### VII. ONLINE METHOD OF EDUCATION TO LEARNERS

Internet methods of learning can be customised to fit a number of learning approaches. Almost certainly have to put in extra effort as instructors to integrate virtual learning courses into the curriculum as effectively as feasible.

Tutors and learners can improve their skills in curriculum implementation, policy, education systems, and leadership by engagement in various training courses, which they can accomplish on their own or with the assistance of their education systems. It enables tutors to collaborate with their colleagues while also exploring new teaching skills that are relevant to their field. These programmes can help them create new skills and capabilities in their students by utilising technology and transdisciplinary methods.

As the convergence of offline and digital modalities of academic achievement grows more and more unavoidable, the pupils perceive their future via ingenuity, passion, and rigorous preparation.

#### *Findings*

As of July 2020 July, the epidemic had affected 86% of learners globally, or younger generation in 200 countries, from preschool through higher level of degree. As a result, making learning visible and accessible through homeschooling has become a pressing need. The utilisation of pedagogy that is accessible and used for direct method of instruction is not possible with online learning. Despite the fact that a number of pedagogies for virtual methods of acquiring knowledge have been established, faculties are

digitally illiterate needing mentoring and coaching to match oneself with their students. The learning process relies heavily on formative assessment and frequent feedback. Online distance learning relies heavily on the provision of useful formative evaluations and prompt feedback to students. The provision of evaluations and fast review to students is a critical component of online distance learning.

Many educational firms have created a variety of online infrastructure that has been offered free for study throughout this epidemic. The price and accessibility of these online infrastructures for students from all walks of life remains a challenge. This has been shown to be difficult for instructors and the educational system. Due to higher class sizes, Interactive learning facilities and professional growth are lacking and the students' lack of participation, it is more difficult in India.

The goal of online learning is to keep students studying especially in the current pandemic. The teachers want to make sure that children are secured that fundamental requirements are met before starting web - based learning. Domestic abuse and emotional abuse are on the increase, and abusers are typically present at home or in the area, distracting pupils and causing harm. As a consequence of the COVID-19 epidemic, students are now experiencing homeschooling, and the home setting is not consistently beneficial for learners of varied grades and economic groups. Needed to be carried out to aid those who are considered vulnerable and have been impacted the most.

Specialised training, as well as assistance and monitoring, are required for learners with disabilities, such as hearing problems, impaired vision, or mobility difficulties. Often caregivers and parents at home are unable to address these needs, which makes learning difficult for this group. As a result, efforts and money should be spent investigating and studying the best educational options for these students.

## VIII. CONCLUSION

In the end, a comparison of classroom and online study was conducted. The research was carried

out by looking at the findings on the applicability of online learning to students that had been published in books and journals. In comparison to traditional classroom learning, online learning has numerous advantages, according to the study. Though there are certain drawbacks to online learning, such as a lack of student feedback and the absence of appropriate technology to conduct online learning successfully, these drawbacks can be overcome by upgrading E-Learning systems and using online discussion forums and new web-based applications. Finally, students, tutors, and the institution that offers these courses all benefit from online learning. As a result, online learning should be incorporated in all educational institutions, and that research into how to better this learning process should be conducted.

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# Polygamy and Human Rights Conundrum: Clash of Western and Traditional Values and Call for Review of International Human Rights Attitude

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## ABSTRACT

Polygamy, a practice of marrying more than one wife at the same time and a social construct among traditional societies under customary law has been profiled for prohibition and criminalization under international human rights jurisprudence for been a violation of human rights of equality and non-discrimination of women and their children projecting monogamy as an ideal marriage. This position differed from the African human rights jurisprudence thereby setting the stage for another clash of Modern and Traditional values in the human rights debacle. Using theoretical and doctrinal data from primary and secondary sources, this study interrogated the contextual and substantial framework of international bill of rights and located justifications for international attitude, the influence of Western ideology that guided the adopted position in juxtaposition with justifications for polygamous practice as well as the human rights of polygamists implicit in rights of privacy, individual autonomy, liberty and matrimony, and the impact of such international position would have on settled polygamous families.

*Keywords:* 'polygamy', monogamy, human rights, modern, traditional values, marriage.

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*Polygamy, a practice of marrying more than one wife at the same time and a social construct among traditional societies under customary law has been profiled for prohibition and criminalization under international human rights jurisprudence for been a violation of human rights of equality and non-discrimination of women and their children projecting monogamy as an ideal marriage. This position differed from the African human rights jurisprudence thereby setting the stage for another clash of Modern and Traditional values in the human rights debacle. Using theoretical and doctrinal data from primary and secondary sources, this study interrogated the contextual and substantial framework of international bill of rights and located justifications for international attitude, the influence of Western ideology that guided the adopted position in juxtaposition with justifications for polygamous practice as well as the human rights of polygamists implicit in rights of privacy, individual autonomy, liberty and matrimony, and the impact of such international position would have on settled polygamous families. This study found out that no form of marriage was expressly mentioned in the international bill of rights as proscribed or ideal but that the idea was Western-oriented based on their morals and civilization; that human rights of polygamists as well as settled customary marriage structure would be negatively impacted. The study concluded that the position of African jurisprudence on polygamy was preferable as the issue of polygamy should be left for jurisdictions under the margin of appreciation and international advocacy should be directed towards strengthening polygamous marriages*

*through legislative actions to secure the rights of women more effectively and adopt a paradigm shift from proscription and criminalization to acceptability and recognition.*

**Keywords:** ‘polygamy’, monogamy, human rights, modern, traditional values, marriage.

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## I. INTRODUCTION

The term ‘polygamy’ or ‘polygyny’ is a form of marriage practice of marrying more than one wife at the same time.<sup>1</sup>It is a marriage practice associated with customary marriage and famous among traditional African societies inclusive of Nigeria and some religious faiths like the Muslims and some Christian sects. Conversely, ‘monogamy’ is a form of marriage institution between one adult man and woman.<sup>2</sup> In this study, polygamous marriage is the focus of study and reference will be made to monogamous marriage for the purposes of this conversation primarily and essentially due to the intrusion of international human rights law and practice in the emerging debacle. The aim of the study is polygamy and human rights conundrum: clash of western and traditional values and call for review of international human rights attitude.

<sup>1</sup> AS Hornby, *Oxford Advanced Learner’s Dictionary of Current English* (ed) (5<sup>th</sup>edn, Oxford: Oxford University Press, 1995) 894.

<sup>2</sup>Ibid 753.

The specific objectives are: (i) to examine the justifications for the selective profiling and stigmatization of polygamous marriages, (ii) to assess the ideological thinking or values that largely influenced the position of international human rights law and practice on the thematic issue of this conversation, (iii) to examine the human rights of polygamists in the exercise of their right to marry and found a family and (v) to assess the potential implications inherent in the international human rights attitude can, if sustained, throw up in existing polygamous marriages in affected families.

Flowing from the international backlash and stringent calls by international human rights bodies and treaty declarations for abolition and criminalization of polygamous marriage and the vociferous declaration and promotion of monogamous marriage as an ideal one seen as a Western ideology or values of marriage institution against the much cherished historical and traditional values of polygamy under customary law which is of great antiquity among the African traditional societies, the stage is set to interrogate the attitude or stand of international human rights law and practice on polygamy.

This study will adopt a doctrinal design. Reliance will be placed on primary and secondary sources of data critically analyzed through deductive reasoning based on extant statutes and case law. The primary sources include Constitutions of several jurisdictions, statutes, subsidiary legislations, international and regional human rights charters, international treaties and literary works. Secondary sources include case laws, Internet sources, journal articles, textbooks, et cetera. The study is compartmentalized into six parts. Part 1 deals with the introduction of the thematic subject of study. Part 2 will focus on the international human rights treaty and body of scholarship on polygamous marriage and possible justifications for demanding its abolition and criminalization with a comparative study on the African jurisprudence on polygamous marriage. Part 3 will examine the Western ideology and values on 'ideal' marriage based on monogamy and assess how it largely influenced the position of international human rights law and practice on

polygamous marriage indigenous to traditional African societies. Part 4 examines the possible human rights violations of polygamists implicit in their rights to marry and found a family, privacy, liberty and individual autonomy which is central to human rights embodiments. Part 5 will address the legal implications of abolition and criminalization of polygyny as it will certainly affect existing marital contracts, economic and social security of women and children and their inheritance rights. Part 6 will deal with findings, recommendations and conclusion.

In the modern civilization, marriage between consenting adults is a personal decision. The right to marry and found a family is universal and permeates all societies both modern and traditional. However, marriage as an institution has different forms such as civil, customary or religious. Civil marriages are usually regulated by the legal framework of each jurisdiction which defines, confines and limits marriage to a monogamous relationship between one man and one woman to the exclusion of others while the marriage subsists and the couple still alive, otherwise called a statutory marriage. Customary or traditional marriages are performed and regulated in consonance with the traditional norms of each society and polygamy is a relic of customary marriages. Religious marriage is associated with marital relationship performed in accordance with the normative religious rites of the interested couples such as Islamic or Christian doctrinal marriages.

In modern times, polygamous marriages receive different attitude in several jurisdictions either of recognition or proscription. In jurisdictions where polygamy, which is rooted in social construct, is permissible or tolerated, such form of marriage exists in juxtaposition with monogamous marriage regulated by legal framework of each jurisdiction. Where such a mixed form of marriages exist, individuals can, by election, choose to either contract a polygamous marriage under customary law or under the applicable religious canon, or contract a civil marriage under monogamous label regulated by statute. Thus, no man will be permitted to contract the two forms of marriages [that is, civil and later customary] at

the existence of the first civil marriage as such practice is criminalized as an offence of bigamy.<sup>3</sup>

In Nigerian jurisdiction, both the statute<sup>4</sup> and case-law<sup>5</sup> prohibit one man from contracting two or more marriages that are blended with civil and customary unions without cessation of the civil union either by death or divorce notwithstanding religious approval. In the case of *The Queen v Bartholomew Princewill*,<sup>6</sup> the accused contracted a marriage under the marriage ordinance when he was a Christian. Later, he got converted and became a Moslem and went through another form of marriage under Moslem Law with another woman while the wife of the first civil marriage was alive and the marriage subsisting. He was subsequently arraigned on the offence of bigamy under section 378 of the Criminal Code. The High Court found the accused culpable of the offence charged and he was convicted. Nigerian jurisprudence has confined the fate of children born under subsequent marriage [polygamous] during the pendency of the first civil marriage [monogamous] as illegitimate children and not entitled to any inheritance.<sup>7</sup> However, the present conversation is not concerned with bigamy or a marital circumstance that grounds the offence of bigamy. The focus as already stated is on polygamous marriage under customary law that has no admixture with additional civil marriage which bigamy frowns at and the corresponding negative attitude of international human rights law and practice against polygamy.

<sup>3</sup> Criminal Code Act cap 38 Laws of the Federation of Nigeria 2004, s 370; Penal Code [Northern States] Act Cap P3 Laws of the Federation of Nigeria, ss 384 and 385; Offences Against the Persons Act 1861 United Kingdom, s 57; Anti-Bigamy Act, 1862 United States Sess 2 ch 126 amended by Edmunds Anti-Polygamy Act 1882, 22 stat 30b; Criminal Law (Codification and Reform) Act No 6/2005 Zimbabwe, s 104; Penal Code chap 146 Laws of Zambia, s 166.

<sup>4</sup> Marriage Act cap M6 Laws of the Federation 2004 which provides thus: 'Whoever, having contracted marriage under this Act or any modification or re-enactment thereof, or under any enactment repealed by this Act, during the continuance of first marriage contracts a marriage in accordance with native law or custom, shall be liable to imprisonment for five years.'

<sup>5</sup> [1963] NNLR 54 [55].

<sup>6</sup> Ibid.

<sup>7</sup> *Osho v Phillips* [1972] All NLR 279.

## II. POLYGAMY AND INTERNATIONAL HUMAN RIGHTS LAW

The right to marry and found a family is conceptualized in the international bill of rights instruments. For proper understanding and interpretation of the universal right to marry and found a family within the framework of the Universal Declaration of Human Rights [UDHR]<sup>8</sup> and its Protocol, the International Covenant on Civil and Political Rights [ICCPR]<sup>9</sup> respectively, it becomes pertinent to set out the relevant provisions thus:

Men and women of full age, without limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.<sup>10</sup>

Marriage shall be entered into only with the free and full consent of the intending spouses.<sup>11</sup>

The ICCPR's version of the marital rights provisions are more comprehensive but substantially the same with the UDHR. It provides thus:

The right of men and women of marriageable age to marry and found a family shall be recognized.<sup>12</sup>

No marriage shall be entered into without the free and full consent of the intending spouses.<sup>13</sup>

States Parties to the present Covenant shall take appropriate steps to ensure equality of rights and responsibilities of spouses as to marriage, during marriage and at its dissolution. In the case of dissolution,

<sup>8</sup> UDHR by the General Assembly Resolution 217A (111) 10 December 1948.

<sup>9</sup> ICCPR adopted by the General Assembly Resolution 2200A (XXI) 16 December 1966.

<sup>10</sup> UDHR (n 8), art 16(1).

<sup>11</sup> Ibid art 16(2).

<sup>12</sup> ICCPR (n 9) art 21(2).

<sup>13</sup> Ibid art 21(3).

provision shall be made for the necessary protection of any children.<sup>14</sup>

A careful and unbiased interrogation of the substantial and contextual provisions of the international human rights instruments attest to the truism that there is no specific provision for any universally recognized or prescribed form of marriage and there is no mention of polygamy or its prohibition. The drafters of the international bill of rights on family and marriage merely prescribed the basis of marriage by placing emphasis on equality of contracting partners, abolition of child marriage and consensus of partners in marriage devoid of any coercion which prohibited forced marriage. If the drafters of the bill of rights had intended monogamous marriage to be the only ideal form of marriage which the international human rights advocacy on family and marriage projects, then such would have been expressly and clearly inserted in the provision under scrutiny.

However, notwithstanding the absence of any express prohibition of polygamous marriage under international law, there is a growing body of international human rights scholarship and treaty declarations that impugn on polygamous marriage as a human rights aberration with strong and vociferous advocacy for its abolition and criminalization. The idea of equality of contracting partners in marriage under Article 16(1) of the UDHR and Article 23(4) of the ICCPR respectively has been used as a launching pad to demystify and demonize polygamous marriage as very discriminatory of women and an undue placement of superiority status on men vis-à-vis women by the Convention on the Elimination of All Forms of Discrimination Against Women [CEDAW],<sup>15</sup> an international treaty. The CEDAW defines 'discrimination against women' as thus: '...[a]ny distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on the basis of equality of men and women, of human rights and

fundamental freedoms in the political, economic, social, cultural, civil or any other field.'<sup>16</sup>

The CEDAW's advocacy for equality of marital status and rights of men and women was extended to a complete elimination of all cultural or customary normative roles for men and women in marital relationship to the end that there will not be a head and subordinate traditional and natural roles in marriage. It provides thus:

State Parties shall take all appropriate measures:

To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.<sup>17</sup>

CEDAW has consistently advocated for reform in the domestic Constitutions of State Parties' jurisdictions to embody legislative and policy measures to ensure rights of men and women and to modify or abolish extant laws, regulations, customs and practices which constituted discrimination against women.<sup>18</sup>

Thus, the natural, historical and traditional distinct roles and obligations of men and women in family and marriage considered normative in traditional African societies and even recognized by several religious teachings and practices is under the hammer of international human rights law as discriminatory against women. This ideological thinking of 'equality of rights' to the extent of equality of roles, obligations or responsibilities between men and women in marriage, if intended, is alien to customary marriage especially in Africa and Christian theology making its practicability doubtful. Although shared-responsibilities between spouses in customary marriage is axiomatic and generally accepted, but to obliterate the 'superiority and inferiority' status in marriage as advanced and

<sup>14</sup> Ibid art 21(4).

<sup>15</sup> CEDAW 1979.

<sup>16</sup> Ibid art 1.

<sup>17</sup> Ibid art 5(a).

<sup>18</sup> Ibid art 2(a) - (g).

advocated by international human rights treaty on marriage and family will continue to pose a problem of interpretation and understanding in customary marriage structure in traditional African societies.

Furthermore, if the idea of 'equality of rights' of men and women in marriage is predicated on the basis that men naturally and historically exercises the right to marry more than one woman under polygamous marriage structure which 'right' is not available to women to 'marry' more than one man, which is doubtful, then such argument if presented, is a marital misnomer from the standpoint of history. The idea of polyandry [a woman marrying more than one husband] is anti-social to many societies whether African and Western notwithstanding the form of marriage and should not be used as ground for 'equality of rights' argument.

It is without any equivocation that married women especially under customary polygamous marriages in traditional African societies like Nigeria will not accept the emerging new rights of 'equality of marital rights' with men and will not even accept its non-recognition as discriminatory against women as been advocated by CEDAW. The social construct with religious<sup>19</sup> influences or undertones on marriage and family shapes and determines the construction of marital duties and obligations between spouses in traditional or customary marriages and is regarded as normative which places men in pivotal and affirmative heads with women playing supportive and collaborative roles.

The idea of family as a social construct with religious undertones is further strengthened by the CEDAW's General Recommendation on Article 16 of the Convention on the Elimination of All Forms of Discrimination against Women's [Economic consequences of marriage, family relations and their dissolution] recognition of

<sup>19</sup> For instance, Christian theology in its sacred book, The Holy Bible in the Book of Ephesians 5: 23-24 stated that: 'For the husband is head of the wife, as also Christ is head of the church; and He is the Saviour of the body. Therefore, just as the church is subject to Christ, so let the wives be to their own husbands in everything.'

family as the basic unit of society and defines family as thus: 'It is a social and legal construct and, in various countries, a religious construct as well as an economic construct'.<sup>20</sup> In analyzing formation of various forms of marriages, CEDAW declared further that: 'Marriages may be formed through a variety of customs, ceremonies and rituals that may be sanctioned by the State. Civil marriage is sanctioned solely by the State and is registered. Religious marriage is solemnized through the performance of ritual[s] prescribed by religious law. Customary marriage is undertaken by the performance of ritual[s] prescribed by the customs of the parties' community.'<sup>21</sup>

In such customary marriage structure, 'superiority' and 'inferiority' complexity mantra been alluded to by CEDAW does not define customary marriages in traditional African societies. Indeed, such ideological thinking of marital equality of men and women in the regime of family and marriage rights defined under 'superiority' and 'inferiority' status appellation by CEDAW's treaty is an opportunistic and ambitious intrusion into customary marriage and family structure with a view to blackmailing and profiling it for annihilation. It will inevitably asphyxiate a settled customary union or marriage.

What may be rightly considered as a comprehensive blueprint or framework advocated and promoted by CEDAW on basis to assess equality of marital rights between men and women in family and marriage relationship with a view to the elimination of discrimination against women are conceptualized under Article 16 of CEDAW which provides thus:

#### *Article 16*

1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on the basis of equality of men and women:
  - a. The same right to enter into marriage;

<sup>20</sup> General Recommendation No 29 on 'Economic consequences of marriage, family relations and their dissolution' CEDAW/C/GC/29, 30 October 2013 para1.

<sup>21</sup> Ibid para 19.

- b. The same right freely to choose a spouse and enter into marriage only with their free and full consent;
- c. The same rights and responsibilities during marriage and at its dissolution;
- d. The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;
- e. The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;
- f. The same rights and responsibilities with regard to guardianship, ward ship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;
- g. The same personal rights as husband and wife, including the rights to choose a family name, a profession and an occupation;
- h. The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.

On its face value and consideration, Article 16 of CEDAW lucidly outlined broad-based standard or universal conditions or grounds for marital equality of spouses in family and marriage relations as a universal guide applicable to any form of marriage, whether monogamy or polygamy. However, the subsequent General Comments issued by CEDAW in the interpretation of its Article 16 stated above have deliberately isolated and singled out polygamous marriage for stigmatization and condemnation as a violation of a woman's right to equality with men and called for its prohibition. It stated thus:

Polygamous marriage contravenes a woman's right to equality with men, and can have such serious emotional and financial consequences for her and her dependents that such marriages ought to be discouraged and prohibited. The Committee notes with concern that some States

Parties whose constitution's guarantee equal rights, permit polygamous marriage in accordance with personal or customary law. This violates the constitutional rights of women, and breaches the provisions of article 5(a) of the Convention.<sup>22</sup>

Article 5(a) referenced in the above quoted General Comment No 21 called on State Parties to take appropriate measures 'to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.'

Thus, the international treaty under focus has provoked a conscious, deliberate and horrendous attack on polygamous marriages associated with customary law and have erroneously located the bane of human rights violations of women in marriages within its precincts as if monogamous marriages are immune from those issues canvassed in the General Comment No 21 as affecting women generally.

It is axiomatic that women rights violations wherever they exist, cut across all forms of marriages, whether polygamous or monogamous, and it is a character deficit of the spouses involved rather than the form of marriage. It is gratifying to note that CEDAW recognized that polygamous marriages depicts the culture and tradition of certain societies and it is part of their personal or customary law. However, the universal advocacy by CEDAW in General Comment No 21 and Article 5(a) respectively for the elimination of historically cultural and traditional values that delineates and defines the practice of polygamy with its structured roles and responsibilities or obligations of spouses in customary marriages amounts to policy summersault and a tall order to indigenous societies. It is a direct and frontal invitation to obliterate the culture of a people and foist on them a new regime of a particular marriage

<sup>22</sup> CEDAW General Comment No 21, 'Equality in Marriage and Family Relations' UN CEDAWOR, 13 Sess UN Doc A/47/38 [1994] para 14.

culture alien to both their culture and religion especially Islamic religion.

The position of CEDAW on States Parties to adopt measures towards accelerating equality of rights of men and women in marital relationship was further amplified by its General Comment No 25<sup>23</sup> on Temporary Special Measures which stated thus:

The position will not be improved as long as the underlying causes of discrimination against women, and their inequality, are not effectively addressed. The lives of women and men must be considered in a contextual way, and measures adopted towards a real transformation of opportunities, institutions and systems so that they are no longer grounded in historically determined male paradigms of power and life patterns.<sup>24</sup>

It has been argued strenuously that where States Parties legally encourage, condone, or simply ignore unequal familial practice of polygamy, they perpetuate male paradigms of power which results in women's de facto and de jure inequality.<sup>25</sup> With respect, the blanket assertion of inequality in marriage between men and women incubated in polygamous marriage by the Canadian Research Report is one-sided and tainted with prejudice largely influenced by the socio-cultural background and morality of the promoters of the said Report. The advocacy that States Parties adopt legislative and policy measures to jettison the 'historically determined male paradigms of power and life patterns' been advanced under Article 4(1) of CEDAW and complimented by General Comment No 25 respectively in customary marriages usually associated with, in most cases, by polygamous union which CEDAW rightly recognized to be 'historical' is indeed illusory and unworkable in African traditional societies such as Nigeria where

culture and tradition inclusive of religion defines and structures the roles and obligations of men and women in family and marriage.

Although civilization and human rights intrusion have melted down the strict application of the so-called 'male paradigms of power and life patterns' in customary marriages, the social construct still recognizes and places the men as the 'first among equals' in marriage with determined roles, obligations and powers. For instance, in traditional African societies such as Nigeria especially among the Igbo ethnic group, family issues like dowry payments and receipts, performance of burial rites, palm fruits harvesting, palm wine tapping from raffia palms, digging of grave for burials, et cetera are factored within the historically determined men's roles to the exclusion of women. And in a convivial marriage, not with standing its form, men do not exercise their 'powers' or authorities in isolation to the level of confining women to 'inferiority' status. Polygamous marriages within the African traditional societies witnessed much harmony and peace due to mutuality and conviviality among spouses that collaborated with and supported each other with minimum rate of divorce unlike what is witnessed in monogamous marriages in the Western world.

Notwithstanding the backlash and condemnation of polygamy, it is rather instructive that CEDAW has, in what may be considered as a volte face, advocated for a legal framework by States Parties to adopt measures for the registration of all marriages whether conducted under civil or customary law, in order to 'ensure compliance with the Convention and establish equality between partners, a minimum age for marriage, prohibition of bigamy and polygamy and the protection of the rights of children'.<sup>26</sup> It is rather intriguing that while CEDAW on one breath rightly advocates for registration of polygamous marriages by State Parties under their national legislations, in another breath it canvasses for prohibition of polygamy and bigamy.

<sup>23</sup> CEDAW General Comment No 25, Article 4 para 1 of the Convention (Temporary Special Measures), 30 Sess UN Doc HRI/GEN/1/Rev 7 [2004] 282.

<sup>24</sup> Ibid para 10.

<sup>25</sup> 'Research Report: Polygamy and Canada's Obligation under International Human Rights Law' [September 2006] in <<https://www.justice.gc.ca>> accessed 10 May 2022.

<sup>26</sup> General Comment No 21 (n 20) para 39.

The conjugated position of CEDAW's advocacy for registration of polygamous marriages and subsequent call for its prohibition by State Parties is rather a policy summersault and double speak. The deliberate lumping together of 'bigamy' and 'polygamy' by CEDAW for prohibition by State Parties stemmed from CEDAW's idolization of monogamy under civil law and its demonization of customary marriages that supports polygamy.

It is instructive to observe that both the United Nations Human Rights Committee [UNHRC]<sup>27</sup> and CEDAW<sup>28</sup> respectively have isolated and profiled polygamous marriages as discriminatory against women and recommended their prohibition as the two human rights treaty bodies opine that the practice of polygamy violates Article 3<sup>29</sup> of the International Covenant on Civil and Political Rights [ICCPR], guaranteeing equal rights for women and men, violates a woman's right to equality in marriage, and has severe financial effects on her and her children. The position of UNHRC and CEDAW respectively on polygamy stemmed from their extended interpretation of the provisions of Article 3 of ICCPR<sup>30</sup> and not contextual. However, CEDAW in its General Recommendation No 29 has consistently maintained its goal of abolishing polygamy and categorically stated that: '[w]ith regards to women in existing polygamous marriages, States Parties should take the necessary measures to ensure the protection of their economic rights'.<sup>31</sup>

There is no empirical evidence that suggests or affirms that the protection of rights of women and children are absent in polygamous marriages and only present in monogamous marriages. The

growing body of international treaty<sup>32</sup> on the rights of the child domesticated by various national jurisdictions should allay any fear on the protection of rights of children born in civil or customary marriages. The international treaty on the rights of the child has been ratified in several African jurisdictions including Nigeria<sup>33</sup> where polygamous marriages are legal. For women, there are adequate legal framework in domestic legislations<sup>34</sup> in Nigerian jurisdiction that secures and protects the right of married women over their properties and inheritance in marriage whether contracted under civil, customary or Islamic marriage.<sup>35</sup>

In Nigerian jurisdiction the rights of children [males and females] including their inheritance are secured under customary law where polygamy is largely celebrated. The Nigerian jurisprudence has continued to promote and advance inheritance rights of female children where such is denied by local customs and have persistently nullified such custom that discriminates against female children's inheritance rights<sup>36</sup> as been incongruous and inconsistent with non-discriminatory rights provision of the Constitution.<sup>37</sup> In *Mojekwu v Mojekwu*<sup>38</sup> the Nigerian Court of Appeal went further to declare any rule of custom that discriminates against women inheritance rights as repugnant to natural justice, equity and good conscience. The Court declared with an air of finality thus:

We need not travel all the way to Beijing to know that some of our customs including the Nnewi Oli-Ekpe customs relied on by the

<sup>27</sup> 'United Nations Human Rights Report 2020' in <<https://www2.ohchr.org>> accessed 24 May 2022.

<sup>28</sup> General Comment (n 20) para 14.

<sup>29</sup> It provides thus: 'The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant.'

<sup>30</sup> Which provides thus: 'The State Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant.'

<sup>31</sup> CEDAW/C/GC/29, 30 October 2013.

<sup>32</sup> United Nations Convention on the Rights of the Child adopted by the Forty Fourth Session of the United Nations General Assembly, 20 November 1989.

<sup>33</sup> Instrument of Ratification of the United Nations Convention on the Rights of the Child issued on 21 March 1991; Child's Right Act 2005, Federal Republic of Nigeria domesticated by various States of Nigeria.

<sup>34</sup> Married Women's Property Law, cap 26, Laws of Abia State, Nigeria similar to other States laws.

<sup>35</sup> Ibid s 2(1).

<sup>36</sup> *Gladys Ada Ukeje v Lois Chituru Ukeje* [2001] 27 WRN 142; *Bridget Motoh v Emmanuel Motoh* [2011] 42 WRN 124 [183].

<sup>37</sup> Constitution of the Federal Republic of Nigeria 1999 (as altered), s 42.

<sup>38</sup> [1997] 7 NWLR (pt 512) 283.

appellants are not consistent with our civilized world in which we all live totally including the appellants... Accordingly, a custom or customary law that discriminate against a particular sex is to say the least an affront on the Almighty God Himself. Let nobody do such a thing. On my part, I have no difficulty in holding that the Oli-Ekpe custom of Nnewi is repugnant to natural justice, equity and good conscience.<sup>39</sup>

Thus, with respect to inheritance rights of married women and children, Nigerian jurisprudence has a body of domestic statutes that protects property rights of women whether in civil, customary or Islamic marriages.

Although religions that sanction and practice polygamy is not the focus of this study, it is pertinent to observe that even in faith-based polygamous marriages, inheritance rights of married women and female children are recognized and protected. For instance, in Islamic religion, The Holy Qur'an stated thus: 'For men there is a share from what their parents and close relatives leave, and for women there is a share from what their parents and close relatives leave, be it little or considerable; a definite share'.<sup>40</sup>The Islamic injunction on equality of rights of inheritance for men and women was judicially sanctioned by the Nigerian Court of Appeal [Jos Division] in the case of *Bako Damisa v Habiba Muhammad Bangani*<sup>41</sup> where the Court observed with sobriety that: 'It is clear without doubt that in Islam, men and women have equivalent rights, including but not limited to working, acquiring wealth, possession of property and the concept of inheritance'.<sup>42</sup>

Under Christian religion that theologically sanctioned monogamous marriage,<sup>43</sup>many of its adherents practice polygamy essentially based on doctrinal teachings of some Christian-based faiths and their culture, the inheritance rights of women

like men also receive approval and protection.<sup>44</sup> Thus, the veiled stigmatization of polygamy on the basis of denial of inheritance rights of women and children is borne out of misconception and patently false.

The international advocacy for gender equality in the enjoyment of marital rights has been deployed to profile polygamy as an aberration and its practice a violation of human rights of women. However, African jurisprudence on polygamous marriage adopted what could be described as a liberal and constructive engagement attitude towards polygamy. While recognizing the imperative of all international human rights instruments<sup>45</sup> that recognized the rights of women and the affirmative action on non-discrimination principle, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa [The Protocol]<sup>46</sup> on marriage adopted an inclusive attitude to both monogamous and polygamous marriages for recognition and protection.

Although the African jurisprudence recommended monogamous marriage as a preferred form of marriage, it nonetheless advocated for a legal framework and policy construction that will advance the promotion and protection of rights of women in marriage including polygamous marriages. A broad outline of the African jurisprudence on marriage is provided in Article 6 of The Protocol thus:

*Article 6:*

States Parties shall ensure that women and men enjoy equal rights and are regarded as equal partners in marriage. They shall enact appropriate national legislative measures to guarantee that:

- a. No marriage shall take place without free and full consent of both parties;

<sup>44</sup> Ibid Book of Numbers 27: 1-8.

<sup>45</sup> The UDHR (n 8); ICCPR (n 9); CEDAW (n 15); International Covenant on Economic, Social and Cultural Rights [ICESCR] adopted by the General Assembly Resolution 2200A (XX1) 16 December 1966, et cetera in the Preamble to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa 2003, para 5.

<sup>46</sup> Ibid.

<sup>39</sup> Ibid [305].

<sup>40</sup> *Surah Nosa 4:7*.

<sup>41</sup> [2021] 43 WRN 166;

<sup>42</sup> Ibid [178].

<sup>43</sup> The Holy Bible (n 19) Book of Genesis 2: 18-25; Book of Matthew 19: 3-6.

- b. The minimum age of marriage for women shall be 18 years;
- c. Monogamy is encouraged as the preferred form of marriage and that the rights of women in marriage and family, including polygamous marital relationships are promoted and protected;
- d. Every marriage shall be recorded in writing and registered in accordance with national laws, in order to be legally recognized;
- e. The husband and wife shall, by mutual agreement, choose their matrimonial regime and place of residence;
- f. A married woman shall have the right to retrain her maiden name, to use it as she pleases, jointly or separately with her husband's surname;
- g. woman shall have the right to retain her nationality or to acquire the nationality of her husband;
- h. A woman and a man shall have equal rights, with respect to the nationality of their children except where this is contrary to a provision in national legislation or is contrary to national security interests;
- i. A woman and man shall jointly contribute to safeguarding the interests of the family, protecting and educating their children;
- j. During her marriage, a woman shall have the right to acquire her own property and to administer and manage it freely.

Thus, in contrast with the international human rights jurisprudence on polygyny, the African human rights jurisprudence on the subject did not profile polygamous marriage as a violation of marital gender equality rights of women and never advocated for its prohibition. The African jurisprudence sees the two forms of marriage structure namely, monogamy and polygamy respectively as deserving of promotion and protection. The recommendation of monogamy as a preferred marriage structure by African human rights law is suggestive and it creates a room for individual autonomy. The attitude of African human rights jurisprudence on polygyny is largely influenced by African historical and traditional values and civilization which aggregates and defines African concept of human and peoples'

rights.<sup>47</sup>It is settled that polygamous marriages characterizes African culture and tradition as a recognized form of marriage under customary law. And being a social construct, the African charter of human rights regime imposes an obligation on States Parties to ensure 'the promotion and protection of morals and traditional values recognized by the community'.<sup>48</sup>

An interrogation of the two human rights regime of international human rights and African version respectively on polygyny under focus show a substantial agreement on issues of non-discrimination of women, registration of marriages, property rights of women and gender equality rights, et cetera. The point of divergence between the two human rights regime is on policy attitude towards polygamous marriage. The African human rights jurisprudence on polygyny is more progressive, dynamic, tolerable, accommodating, liberal and democratic than the hostile position adopted by international human rights jurisprudence.

The African jurisprudence also advocates for registration of customary marriages to secure the rights of women and children to allay fears of inequality and discrimination of women in harmony with the international human rights law and practice. It is gratifying to note that several jurisdictions in Africa have enacted robust legislations<sup>49</sup>regulating the practice of polygamy which covers broad areas like registration, proprietary rights, inheritance, dissolution, alimony and others. However, in Nigerian jurisdiction, there is no uniform national legislation for the registration of customary marriages and all other matters connected therewith as tenable in some other African jurisdictions. What is obtainable is a localized pieces of legislations<sup>50</sup> that, in most cases, have

<sup>47</sup> African Charter of Human and Peoples' Rights [ACHPR] 1981, Preamble paras 4 and 10.

<sup>48</sup> Ibid art XV11(3).

<sup>49</sup> The Registration of Customary Marriage and Divorce Act 2007, Sierra Leone; Registration of Customary Marriages Act [RCMA] 120 of 1998, South Africa; The Customary Marriages Act 14 of 2001, Zimbabwe.

<sup>50</sup> Native Authority [Declaration of Tiv Native Law and Custom] Order 1955; The Registration of Marriages Adoptive

become of great antiquity which do not accord with the modern realities. It is hoped that the Nigerian jurisdiction will adopt a unified legal framework as obtainable in other African jurisdictions with necessary modifications on registration of customary marriages in harmony with international human rights jurisprudence.

The practice of polygamy in African societies is not of recent origin. It is synonymous with African history and culture. A body of scholarship on polygamous marriage in African societies has been developed to account for reasons for the practice. Although, not the focus of this work, it is pertinent to highlight, albeit briefly, some of the factors that induces the practice of polygamy as factored in some research findings to show its normative assertion and the existential threat the practice of polygamy now faces in the storm of international human rights law.

It has been identified that the desire for numerous sex partners to fulfil biological need of husbands and curb infidelity especially during the post-partum, lactating and menstrual sexual taboos prevalent in some cultures; need to cater for the excess or surplus women that may remain unmarried; economic advantage of a larger family in agricultural enterprise since traditional African societies are largely agrarian and pastoral as polygamy affords greater labour force through more wives and children; the window of opportunity for the welfare of widows and their children through widow inheritance within the family lineage; opportunity to marry different shapes and varieties of women to curb infidelity; the status symbol polygamous family confers on the men as value system for ranking, conferment of chieftaincy titles and other famous titles [like the *Eze Ji*<sup>51</sup> in Igbo societies of Nigeria for example] are measured on the strength of larger family size and wealth; social security larger families provides for their members.<sup>52</sup> In some

cases, multiple wives are taken as a rescue measure where there is a confirmed infertility of the first wife, or where the first marriage produced female children only without a male child that ordinarily will continue the family lineage and inheritance rights. In traditional African societies, male child is considered important as female children will be married off, leaving such non-male child family in extinction. That explains why in Igbo society of Nigeria, such names like *Ahamefula* [let my name not end] and *Nwokedi* [A male child remains] are giving to a male child to underscore the importance of a father leaving a descendant that will continue with the family lineage after his death.

Although these and more reasons for the practice of polygamy may not appeal to the reason and understanding of an urbanized, sophisticated and educated person, and notwithstanding its inherent flaws as projected by international human rights advocates, the crystal truth remains that polygamy is an acceptable norm in many traditional societies particularly of African descent. The obvious imperfections that underlined polygamous marriages as observed by international human rights conventions and advocates are not peculiar but cut across every human institution inclusive of monogamous marriages.

### III. MONOGAMY AND WESTERN IDEOLOGY

The glorification and edification of monogamy as an ideal marriage under the international human rights jurisprudence is largely influenced by Western ideology which promotes and advocates for monogamy and proscribes polygamy with penal sanctions. Thus, monogamy is anchored on Western tradition and values. The idea of international human rights law and its principles were substantially formulated based on Western ideological thinking which incorporated Western values. Some of these Western values and traditions like the issue of marital rights as demonstrated in the present study results in a

By-Laws Orders 1956 which applies to the Western States of Nigeria.

<sup>51</sup> Meaning 'King of Yam,' a famous and influential title associated with a man with large-scale barns of yams.

<sup>52</sup> Elizabeth RemilekunOlasore, 'The Extent of Polygamy in Africa, Any Role for the Information Professionals in

Curbing Further Spread?' [2016] (6) (6) *Information and Technology Management* 8-9.

collision course with African ideological thought. Further demonstration of this clash of values is on the issue of expansion of right to marry and found a family to include homosexual marriage by Western idea of human rights which does not resonate well with African human rights jurisprudence.

To lend credence to the fact that monogamy is a product of Western tradition, values and civilization, the Supreme Court of the United States as far back as 1885 before 'before the advent of the Universal Declaration of Human Rights [UDHR] in 1948 judicially noted this fact in the case of *Murphy v Ramsey*<sup>53</sup> where the apex Court, while justifying the power of the Congress in legislating against bigamy and polygamy, philosophically observed thus:

For, certainly, no legislation can be supposed more wholesome and necessary in the founding of a free, self-governing commonwealth, fit to take rank as one of the co-ordinate states of the Union, than that which seeks to establish it on the basis of the idea of the family, as consisting in and springing from the union for life of one man and one woman in the holy estate of matrimony; the sure foundation of all that is stable and noble in our civilization; the best guaranty of that reverent morality which is the source of all beneficent progress in social and political improvement. And to this end, no means are more directly and immediately suitable than those provided by this Act, which endeavours to withdraw all political influence from those who are practically hostile to its attainment.<sup>54</sup>

The Supreme Court of the United States made this unequivocal judicial pronouncement in the wake of challenge to the constitutionality and validity of United States' Anti-Polygamy Act<sup>55</sup> which, inter-alia, disenfranchised polygamists or bigamists and banned them from holding any public office or public trust, honour, or

emolument within the United States territory.<sup>56</sup> Thus, it is without disputation that the underlying philosophy behind monogamous marriage in United States is anchored on their morality and civilization. It then becomes abundantly clear that history, tradition and morality of a people are intrinsic to their choice of form of marriage.

At the level of European jurisdiction, it has been equally judicially observed that the basis for the prohibition of polygamy was for the protection of European morals and culture. This declaration was highlighted by the European Court of Human Rights [ECtHR] in the case of *RB v United Kingdom*<sup>57</sup> where one of the issues submitted to the Court for determination was whether restriction placed on polygamy was not in conflict with the right to respect for private and family life in Article 8 of the European Convention on Human Rights [ECHR]. It was a case based on an application by a Syrian polygamist national with permanent residence in Sweden to the authorities to grant his two wives entry and residence visa under the European Union Directive on Family Reunification which was rejected on the basis that polygamy offends the values and principles of the Member-States, and that the claim for right to respect to private and family life in the present case did not outweigh the legitimate consideration of an immigration policy which rejects polygamy and was designed to maintain the United Kingdom's cultural identity, and that the interference with the applicant's right to respect for family life was in accordance with the law and justified as being necessary in a democratic society for the protection of morals and the rights and freedoms of others.

Thus, it seems convenient for the Western and European jurisdictions to proscribe polygamy with stiff penal sanctions on the basis of their shared cultural and traditional or moral values but would not accept the same cultural and traditional values to apply to African and even Asian jurisdictions in respect of polygamy that recognize it as a norm. Culture is relative and the idea of marital universal ethics which the present

<sup>53</sup> 114 US 15 [1885].

<sup>54</sup> Ibid [45].

<sup>55</sup> Edmunds Anti-Polygamy Act (n 3).

<sup>56</sup> Ibid sec 8.

<sup>57</sup> Application No 1962/92.

conversation on international human rights attitude to polygamy largely influenced by Western ethics is promoting and advocating seems an aberration and unworkable to non-Westerners. This present study is not intended to shield polygamy from criticisms, but disagrees with the international profiling and stigmatization of polygamy, a marriage practice in harmony with African civilization, as anachronistic and an aberration to human rights of women.

#### IV. POLYGAMISTS AND HUMAN RIGHTS

The current international human rights jurisprudence on polygamy which calls for its proscription seems to gloss over the potential threats and violations of human rights concerns of polygamists located within the docket of individual autonomy of choice of marriage partners which underlined and defined the universal human rights of privacy<sup>58</sup>, liberty<sup>59</sup> and right to marry and found a family.<sup>60</sup> While the international human rights jurisprudence on polygamy sees polygamy as a violation of rights of women on the basis of equality and discrimination, yet it fails or refuses to recognize the human rights of polygamists to freely choose and determine the number of their marriage partners under the right to respect to private and family implicit in the right to individual liberty and right to marry and found a family. Thus, these private civil rights claim available to polygamists cannot be denied without justification under the framework of State legitimate interest.

The international bill of rights instruments has advanced and prescribed clear basis for exercise of the right to marry and found a family essentially based on 'equality of marital rights during marriage and its dissolution and with full consent of the intending partners'.<sup>61</sup> Thus, men and women of marriageable age who elect freely to enter into a polygamous union as spouses

either under the springboard of customary law or religious platform and been conscious of its inherent contradictions are within their civil rights claims under international law. To advance and promote for prohibition of polygamous marriage certainly will amount to clear intrusion into individual autonomy of privacy rights of family and marital relationships of polygamists which are indeed private rights claims.

In advanced democracies with a notch for fundamental rights and freedoms like the United States jurisdiction, her jurisprudence applies the Constitution<sup>62</sup> to protect rights of privacy and individual autonomy especially in the areas of marriage; procreation, abortion, private consensual homosexual sexual activity, and medical treatment.<sup>63</sup> Thus, right to privacy has been extended to include marital relationships.<sup>64</sup> The United States jurisprudence has enlarged the space of protection of privacy and family rights of an individual devoid of State unnecessary intrusion into matters so fundamentally affecting a person's private decisions.<sup>65</sup> It has been audaciously argued that the right to privacy is closely linked with the integrity and sanctity of the family.<sup>66</sup> Thus, there is a body of jurisprudence in the United States that has expanded the scope and space of rights of privacy and family to a wide spectrum such as the use and choice of contraceptives,<sup>67</sup> right of parents to choose the school and training of their children,<sup>68</sup> decisions on child bearing,<sup>69</sup> homosexual activity of consenting adults in private<sup>70</sup> and homosexual marriage.<sup>71</sup>

<sup>62</sup> Constitution of the United States 1787, Fourteenth Amendment 1862.

<sup>63</sup> <<https://www.justicia.com>> accessed 27 July 2022.

<sup>64</sup> *Griswold v Connecticut*, 381 US 479, 484 - 486 [1965].

<sup>65</sup> *Eisenstaedt v Baird* 405 US 438 [1972].

<sup>66</sup> Laura W. Morgan and Lewis B Reich, 'The Individual's Right of Privacy in a Marriage' [2010] (23) *Journal of the American Academy of Matrimonial Lawyers* 112.

<sup>67</sup> *Eisenstaedt* (n 65).

<sup>68</sup> *Meyer v Nebraska* 262 US 390 [1923]; *Pierce v Society of Sisters* 268 US 510 [1925].

<sup>69</sup> *Carey v Population Services International* 431 US 678 [1977]; *Planned Parenthood v Danforth* 428 US 52 [1976].

<sup>70</sup> *Lawrence v Texas* 539 US 558, 575 [2003].

<sup>71</sup> *Obergefell v Hodges, Director Ohio Department of Health* 10 USC [2015].

<sup>58</sup> UDHR (n 8) art 12; ICCPR (n 9) art 17.

<sup>59</sup> UDHR (n 8) art 3; ICCPR (n 9) art 9.

<sup>60</sup> UDHR (n 8) art 16(1); ICCPR (n 9) art 23(2).

<sup>61</sup> UDHR (n 8) art 16(1) and (2); ICCPR (n 9) art 23(2) and (3).

Curiously, why it is convenient for the United States' jurisprudence to enlarge the space of rights of privacy and family to such thematic areas of private rights, it has continued to prohibit polygamous marriage on the basis of her morality and civilization which position it considered obtuse to advocates of polygamy who also rely on their own morality and civilization.

Thus, if dynamism of fundamental rights and freedoms is properly situated, the choice and number of marriage partners under customary marriage should be a matter better reserved for individual autonomy in free exercise of marital and family rights.

Thus, the decision whether to allow or prohibit polygamous marriage should be left for each jurisdiction to decide based on its history, tradition, civilization and morals in exercise of its legitimate claim of margin of appreciation under international law without a stereotype blanket prohibition as is the current position under the international human rights jurisprudence.

#### V. CONSEQUENCES OF PROHIBITION OF POLYGAMY

The international human rights jurisprudence for proscription of polygamous marriage is not without its inherent implications with legal, social and psychological dimensions. It is rather intriguing that the current international human rights position on polygamy only focused on its inherent contradictions in the face of human rights of women without addressing the challenges such proscription will inevitable throw up. One of the implications of such position is the forceful and unintended divorce of otherwise normal and peaceful customary marriages. Where a man with multiple wives is pressurized to do away with other wives save one, it will trigger off avalanche of divorce cases as the man, in such situation, will elect each of the wives to retain and do away with others through the process of unbundling of excess wives.

Second, apart from high rate of divorce cases, such position will adversely affect the women psychologically, emotionally and work hardship

on the women the international human rights position seeks to protect. Indeed, prohibition of polygamy will impact negatively on women in existing polygamous marriages leading to dislocation and destabilization of several families. Women who had immensely and tremendously labored and contributed materially and financially in building their homes may lose their joy, peace, loss of marital identity and ostensibly become immune to psychologically-induced diseases like trauma and hypertension.

Third, women adversely impacted by the unbundling of wives syndrome from existing polygamous marriages that were not registered or where registration of customary marriages are not provided for in a legal framework, may simply lose their inheritance rights in the family estate. Thus, in the absence of any legal prescription for inheritance rights of women on dissolution of customary marriages, the issue of inheritance for such women becomes subject to customary law stipulations which are usually disproportionate to women in terms of estate distribution. The plight of women in such unregistered customary unions at dissolution was highlighted in Zimbabwean jurisdiction as 'a woman in only entitled to what is known as *mawoko* property which does not amount to much but a stove, utensils and linen, which causes grave injustice to women due to the modern day approach of marriages where women contribute financially to the acquisition of properties'.<sup>72</sup> The Zimbabwean experience is similar to other traditional African societies with respect to the issue of inheritance rights of women on dissolution of customary marriages especially unregistered unions which are governed by relevant rules of customary law.

Fourth, implementation of the prohibition of polygamous marriages under the template of international human rights jurisprudence will certainly obliterate customary marriage practice under customary law and cause a marital and family dysfunctional society to the aborigines making reception of alien monogamous marriage

<sup>72</sup> <<https://www.nnlawpractice.co.zw>> accessed 27 July, 2022; *Chawanda v Zimnat Insurance Co. Ltd* [1990] (2) ZLR 1435.

structure and practice obtrusive and an affront to their tradition and civilization.

Fifth, akin to that is the religious sentiment especially of Muslim faith which sees polygamy as permissible and any intrusion on its practice as non-Islamic and human right violation. Muslim women married under Islamic polygamous marriages are not elated at the idea of monogamous marriage structure advocated by CEDAW and other international human rights advocates. To them, such advocacy is academic and hypothetical as the mind-set of Muslim women are wired to their polygamous family structure anchored on their faith. Thus, such prohibition is a violation of the free exercise of right to freedom of religion which includes freedom to change religion or belief, and freedom, either alone or in community with others and in public or private, to manifest a person's religion or belief in teaching, practice, worship and observance.<sup>73</sup> Thus, multiple wives to a maximum of four is a religious practice of Muslims which accords with their religious freedom not susceptible to any intrusion or violation.

Sixth, full implementation of prohibition of polygamy will increase the population of women seeking marriage with its attendant social implications. There is already an army of unmarried women and to add to the number with other women to be unbundled in existing polygamous marriages will exacerbate the situation. With the phenomenal growth and maturity rate of women, the psychological burden of single status with societal stigma in traditional African societies will be unbearable.

In the light of the above, international advocacy for prohibition and criminalization of polygamy is misplaced. There is urgent need to adopt a paradigm shift from proscription and criminalization to robust legislative and policy reform to strengthen polygamous marriage institution in those jurisdictions that practice it for the achievement of the ultimate goal of protecting the welfare and interests of women and their children.

<sup>73</sup> UDHR (n 8) art 18; ICCPR (n 9) art 18.

## Findings

This present study made the following findings:

1. That polygamy, been the thematic subject of study, is a form of marriage structure that is essentially based on customary marriage prevalent within the traditional African societies and is culture-oriented and promoted by Islamic faith.
2. That there is a current position taken by international human rights law and practice spearheaded by CEDAW and other human rights bodies, treaties and conventions that advocates for the proscription and criminalization of polygamy as a form of marriage and considered monogamy as an ideal marriage structure on the basis that polygamy violates the human rights of women with respect to equality and been discriminatory.
3. Also that CEDAW, while advocating for prohibition and criminalization of polygamy, calls for registration of existing polygamous marriages and protection of rights of women and children through a robust legal framework. The idea of registration of customary marriages has engaged the attention of several jurisdictions in Africa such as Sierra Leone, South Africa, Zimbabwe and others.
4. It was further identified in the study that polygamy pre-dated the international bill of rights instruments and that the African jurisprudence does not call for prohibition of polygamy or its stigmatization nor see it as a violation of human rights of women, but advocates for ways to strengthen it through a robust broad-based legal framework and policy measures under the template provided in its Article 16 of the Protocol on the Rights of Women in Africa.
5. The study further found out that the international advocacy for proscription and criminalization of polygamy for been a violation of human rights of women resonates with the Western ideology on polygamy which is considered offensive to Western morals and civilization, The Western negative ideological thinking and jurisprudence on polygamy

fueled the speculation that it actually influenced the position of international human rights law on the subject.

6. It was further found out in the study that there is no express stipulation in the international bill of rights instruments and their Protocols that profiled any form of marriage [whether monogamy or polygamy] for prohibition or adoration as an ideal marriage under the right to marry and found a family within the docket of UDHR and ICCPR respectively.
7. That while there are legitimate concerns as expressed in the international treaties on the perceived violations of human rights of women on equality and discrimination in a polygamous marriage, the study found out that such international mindset does not resonate well under a historically and traditionally structured customary polygamous marriage as the international advocacy for gender-neutral role and obligations in marriage is antithetic to customary law and even Christian theology.
8. In addition, the study found out that the international profiling of polygamous marriage for proscription and criminalization violates the human rights of polygamists in the areas of privacy or individual autonomy, free exercise of right of liberty and right to marry and found a family respectively by reason that such international attitude excludes or restricts the free exercise of men and women of full age their universal human rights to consensually enter into polygamous marriages.
9. The study also found out that attitude towards polygamy whether for proscription and criminalization or permissiveness or acceptability is located only in national legislations of State Parties and in harmony with the legitimate exercise of margin of appreciation under international law and practice.
10. That several reasons accounts for the practice of polygamy within the traditional African societies such as biological, demographic, social, economic, security, welfare of widows and orphaned children, barrenness of first

wife, quest for male-child syndrome, among others.

11. That under the rules of customary law, there are adequate customary rules and jurisprudence that secures the inheritance rights of women and children in several African jurisdictions.

## RECOMMENDATIONS

In the light of the foregoing findings deduced from a critical review of the available literature and scholarship, the present study has come up with the following recommendations.

There is urgent need to have a paradigm shift in the current international human rights attitude towards polygamy by migrating from proscription and criminalization to acceptability and recognition for jurisdictions with permissive legal system borne out of their history and tradition in the exercise of their cultural rights. Indeed, jurisdictions should be allowed to enjoy their legitimate claim to margin of appreciation under international law in regard to marriage and family issues especially since there is no contextual and substantial prescriptive provision in the international bill of rights instruments on form of an ideal marriage to the exclusion of the other.

It is further recommended that jurisdictions that have permissive attitude towards polygamy by reason of their history and tradition should be encouraged to adopt robust legal framework and solid policy measures to strengthen the institution of polygamous marriage within the policy framework of Article 16 of CEDAW which is substantially in consonance with Article 6 of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa [The Protocol] respectively with a view to protecting the rights of women and children which crystallizes in the elimination of perceived fears of inequality and discrimination in marriage, during marriage and at its dissolution of women and their children that orchestrated the initial international hostility and stigmatization towards polygamous marriage institution.

## VI. CONCLUSION

This study examined the international human rights jurisprudence that profiled polygamy as a marital practice that impugns on the rights of equality and non-discrimination of women and children in marriage with strong advocacy for its prohibition and criminalization, a claim that has polarized it with the African jurisprudence on polygamy. The international human rights negative and hostile attitude towards polygamy stemmed from an extended interpretation of Article 3 of ICCPR by CEDAW and other human rights bodies on equality of rights of men and women which interpretation cannot be said to resonate with or located in the clear and unambiguous substantive and contextual provisions for the right to marry and found a family under Article 16 of UDHR and Article 23 of ICCPR respectively.

Furthermore, in consideration of the existential threat to the historical and traditional customary marriage that characterizes polygamous union and the religious sensibilities of the Islamic faithful which strikes at the root of their social and religious identities respectively which the current international human rights law attitude poses coupled with the legitimate demand of margin of appreciation under international law which allows jurisdictions to adopt legal framework suitable to their history, tradition and morality on enactment of national laws, then there is an urgent need for paradigm shift in the current position of international human rights jurisprudence on polygamy from proscription and criminalization to acceptance and recognition for jurisdictions that tolerate it with adequate legal framework for the protection of rights of spouses and their children in harmony with the template of African human rights jurisprudence. Now is the time to adopt a paradigm shift by reviewing the international human rights attitude on polygamy and end the stigmatization and criminalization.